



Strategy
for
FEMA's Role in
Terrorism
Consequence
Management

December 1997

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OVERVIEW

Purpose

This strategy is provided by the Terrorism Coordination Unit (TCU), as directed by memorandum dated September 9, 1997, from FEMA Director James L. Witt to Agency leadership. The purpose of this strategy is to:

- Define the appropriate role for FEMA in terrorism consequence management, and how to perform that role under a variety of leadership and resource scenarios;
- Review current Agency initiatives in terrorism consequence management;
- Prepare and coordinate multi-year budgets;
- Make recommendations on the Agency's participation and role in terrorism forums, briefings and initiatives; and
- Make recommendations on long-term placement all terrorism responsibilities as part of the multi-year strategy.

Scope

Since the TCU was established in September 1997, several pieces of official correspondence between the White House and FEMA have helped shape our understanding regarding the scope of this strategy. Accordingly, the scope of this strategy focuses on the most likely leadership and resource scenario rather than a variety of scenarios. Within this scope, the strategy discusses the following in defining the proper role for FEMA in terrorism consequence management and the appropriate level of agency effort in implementing terrorism-related activities. These areas include:

- The current situation involving terrorism as an area of program emphasis in the United States.
- Terrorism consequence management and the respective roles, based upon authorities and responsibilities, of State and local, and the Federal Government, particularly FEMA;
- Current Federal activities in terrorism consequence management, particularly FEMA;
- Assumptions affecting FEMA's ability to perform its roles and responsibilities;
- FEMA priorities in terrorism consequence management based upon these

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constraints and the Director's stated position; and,

- Recommendations on specific agency activities to continue, realign or discontinue, in order to maximize the accomplishment of our priorities.

Situation

Many members of Congress, officials of the Executive Branch, and officials of State and local governments have expressed real concerns regarding the availability Weapons of Mass Destruction (WMD), particularly weapons involving nuclear, biological and chemical material, and the associated potential for terrorist attacks in the United States. Although there are differing views on the probability of such an attack, there is general consensus that the United States is unprepared to deal effectively with the consequences of such an attack. This concern has been echoed by Congress, in a number of hearings and reports, including GAO reports, and by the Executive Branch, in Presidential Decision Directive (PDD)-39 and a number of reports published by the White House and Federal departments and agencies, including FEMA.

As a result of PDD-39, FEMA and other departments and agencies, initiated various efforts to combat the threat of terrorism both abroad and at home. The first line of defense and the major focus of the Federal government's entire counterterrorism/antiterrorism program has been on prevention, which entails activities to reduce the threat at its source. In response to this requirement, Congress and the President enacted the Nunn-Lugar Cooperative Threat Reduction program in 1995, targeted at ensuring the Russian nuclear chemical, and biological weapons did not appear on the world's supermarket of weapons of mass destruction. The second line of defense is deterrence and interdiction, which involves efforts to stem the flow of illicit trade in these weapons and materials. In 1996, Congress and the President enacted the Defense Against Weapons of Mass Destruction Act, and other laws, that established or expanded programs within DOD, DOE and U.S. Customs Service directed at interdicting WMD overseas or preventing them from crossing U.S. borders. The third line of defense is response, either foreign or domestic, to include crisis management and consequence management activities to deal with a threat or use of a weapon of mass destruction. This third line of defense addresses the possibility that a terrorist could succeed and detonate a WMD in a populated area and confront the nation's emergency response system with the horrific challenge of saving lives, protecting property and recovering from the impact of a dynamic situation on an unparalleled scale involving the spread of potentially lethal contamination.

A December 1997 GAO report on Combating Terrorism estimates 40 different Federal agencies spent as much as \$6.9 billion on unclassified terrorism-related programs and activities in FY 97. The portion of these funds earmarked to support consequence management activities is less than \$75 million – or less than one percent. As described in the following section, FEMA has an important role to play in this third line of defense, specifically in terrorism consequence management, although the importance of the role hardly seems to match the resources levels assigned to it across the Federal Government.

TERRORISM CONSEQUENCE MANAGEMENT

If prevention, deterrence and interdiction measures fail, then the United States must be prepared to respond to a terrorist threat or attack involving WMD within the United States. If crisis management measures fail, then the United States must be prepared to respond to the consequences of a terrorist attack involving WMD. Consequence management includes activities to contain the damage, treat victims, restore essential services, initiate cleanup, and provide relief.

Terrorism consequence management--both response and preparedness for the response--involves a broad array of actors at the local, State, and Federal government levels. This section examines the roles of local, State, and Federal government, describes current Federal initiatives; and evaluates the overall effort, and FEMA's place within it. This section then identifies opportunities for FEMA to clarify its appropriate role and to more clearly define its niche in terrorism consequence management.

Roles

Local and State Government. Local response largely determines the ultimate outcome of an incident. Generally, the role of local government is to implement the incident command system, perform the initial situation assessment, perform decontamination as necessary, conduct rescue as feasible, and initiate protective actions and medical response, as warranted. The role of local emergency management is to coordinate off-scene activities and requests for resource support. A coordinated and effective local response to consequences of requires a preparedness effort that includes planning, training, equipping, exercising, and coordinating "across" local agencies and "up" to State and Federal officials. Yet many cities and counties in the United States describe themselves in surveys as poor in emergency management resources. Those committed to devoting existing local resources to terrorism frequently encounter a perception that the likelihood of a terrorist attack in their particular jurisdiction is extremely small relative to other hazards. Additional resources passed through from State government for terrorism consequence management could tip the scales for local jurisdictions and create opportunities to improve the overall local emergency management capability.

While States delegate authority to varying degrees to their political subdivisions better protect their citizens, States are ultimately responsible for consequence management. In responding to an incident, a State can provide follow-on support, coordinate with other States and the Federal Government for additional resources, and invoke the Governor's emergency powers. State laws and programs establish frameworks for State and local preparedness activity--planning, training, equipping, exercising, and coordinating mutual aid. States are also the conduit for the majority of Federal assistance that can support local terrorism consequence management efforts. States are therefore positioned to play a pivotal role in coordination of terrorism consequence management preparedness, consistent with their ultimate responsibility for it. Many States *view terrorism* as a national security issue and argue that the Federal Government has primary

responsibility for ensuring resources are adequate for preparing for and dealing with the consequences of an incident.

Federal Government. The overall Federal Government role in terrorism consequence management is to provide Federal assistance to support States and local governments in executing their responsibilities in preparing for and responding to the consequences of terrorist incidents. Although some specialized response resources exist only within the Federal government, much of the basic response expertise to deal with terrorism incidents is spread across many levels of government, including local fire and emergency responders.

FEMA. In PDD-39, the President tasked the FEMA Director to ensure that the Federal Response Plan and capabilities are adequate for response to the consequences of terrorism, and to ensure that State response plans and capabilities are also adequate and tested. This role reaffirms FEMA responsibilities under Executive Order 12148, which assigns the Director responsibility for coordination of preparedness and planning to reduce the consequences of major terrorist incidents. E.O. 12148 also establishes FEMA's basic role as the coordinating agency for emergency management across the Federal Government, and as the principal Federal point of contact for State and local governments on emergency management issues. Title VI of the Stafford Act reinforces this FEMA role in an all-hazards context. Specific authorities assigned to other Federal departments and agencies to deal with States and local governments to address specific hazards, such as hazardous materials and radiological materials reinforce this role.

Current Federal Initiatives

Other Federal Departments and Agencies

Department of Defense. With passage of the Defense Against Weapons of Mass Destruction Act of 1996 (PL 104-201), DOD has assumed a broad role in terrorism consequence management with the Nunn-Lugar-Domenici Domestic Preparedness Program. In FY98, DOD has been allocated approximately \$50 million to carry out a program of training and expert advice for civilian personnel of local, State and Federal response agencies. DOD has opted, with input of other Federal agencies, to target first responder training at 120 cities for fiscal years 1997 through 2001. Part of this effort includes the provision of limited equipment sets for training purposes. DOD also operates a WMD hotline, helpline, and web site, as well as a program to test personal protective equipment and inform responders regarding commercially available items. DOD also manages a program to test and improve Federal, State, and local response to incidents of chemical or biological terrorism. DOD also has established a Chemical/Biological Quick Response Team (CBQRT) and a Chemical/Biological Incident Response Force (CBIRF) to assist in response to terrorism incidents involving WMD.

Department of Justice. The Antiterrorism and Effective Death Penalty Act of 1996 (PL 104-132) authorized \$5 million for the Attorney General, in consultation with the Director of FEMA, to provide metropolitan fire and emergency services departments with training and specialized equipment for response to terrorist attacks. The Bureau of Justice Assistance is working with

FEMA's National Fire Academy (NFA) to offer Emergency Response to Terrorism: Basic Concepts and other training courses to 120 local jurisdictions beginning in FY97 and continuing into FY98. Also in FY98, \$21.2 million was provided for the Attorney General's Counterterrorism Fund to ensure that State and local agencies have basic equipment and training for responding to chemical or biological incidents and incidents involving improvised explosive devices. Within this amount, \$16 million is provided for acquisition of equipment for State and local agencies and response training; \$2 million is designated to support operations of a new State and local training center for first responders at Ft. McClellan, Alabama; \$2 million for the operations of a similar training center in conjunction with the Energetic Materials Research and Testing Center at the New Mexico Institute of Mining and Technology, along with using existing assets including the National Emergency Response and Rescue Training Center at the Texas Engineering Extension Service and the Nevada Test Site, to serve as national training centers to prepare relevant Federal, State, and local officials, including law enforcement, firefighters, and emergency management agencies. The remaining \$5.2 is for bomb technician training at the Redstone Arsenal in Alabama. Further the Attorney General is directed to develop a plan for directing and coordinating training and exercise activities in consultation of other appropriate agencies.

Department of Health and Human Services. In FY97, PL 104-201 included \$10.5 million in the DOD authorization to support the Public Health Service (PHS) Metropolitan Medical Strike Team (MMST) initiative. PHS actually received less than \$7 million, and no additional funds in FY98. In FY97, PHS awarded contracts to 25 cities for MMST development (including planning as a precondition for receiving equipment), in addition to two cities already developing teams. PHS has also developed three national-level teams that are capable of deploying to an incident involving WMD.

Department of Energy (DOE). Section 1415 of the Defense Against Weapons of Mass Destruction Act (PL 104-201) assigns lead responsibility to DOE – but no funding -- for a program to test and improve capabilities of Federal, State, and local agencies to respond to a terrorist incident involving nuclear or radiological materials. -DOE continues to implement its existing programs and capabilities for terrorism preparedness as part of its overall nuclear weapons and materials national security and preparedness missions, including support for the Nuclear Emergency Support Team (NEST).

Environmental Protection Agency (EPA). EPA has not initiated any new terrorism-specific program efforts. EPA continues to be a lead agency for the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which may be used in response to an incident involving hazardous materials as defined in the Comprehensive Emergency Response and Liability Act (CERCLA), and is incorporating terrorism-related concerns in its ongoing HAZMAT programs.

FEMA

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In FY98, FEMA's total terrorism-specific budget amounts to \$6.295 million. Of this, \$3.2 million is grant money for State and local training and planning efforts; \$1.045 million is for consequence management planning and coordination--including special events and the Rapid Response Information System; \$600 thousand is for S&E and non-grant EMPA to support Federal, State, and local training and exercises and \$1.45 million is for protective measures to upgrade FEMA facilities and enhance personal protection. As reported to the TCU, the offices, directorates, and regions are currently engaged in 72 separate activities related to terrorism consequence management. Specific activities are the subject of recommendations later in this strategy.

Evaluation of the Overall Effort

A cursory review of current Federal initiatives suggests that the majority of the Federal resources targeted to terrorism consequence management are being applied to training and exercises. Fewer resources are being applied to procure specialized equipment and to develop and coordinate the operational plans that training would support and exercises would test. Equipment standards and interagency plans need be developed within a coordinated policy framework according to a national strategy for the overall terrorism consequence management effort. A coordinated policy framework and strategy does not currently exist. As a result, numerous individual efforts are proceeding that cannot truly be described as an "overall effort."

In a recent report, *Combating Terrorism: Spending on Governmentwide Programs Requires Better Management and Coordination* (GAO/NSIAD-98-039), the General Accounting Office (GAO) concludes that "billions of dollars are being spent by numerous agencies with roles or potential roles in combating terrorism, but because no federal entity has been tasked to collect such information across the government, the specific amount is unknown. Further, no governmentwide spending priorities for the various aspects of combating terrorism have been set, and no federal entity manages the crosscutting program to channel resources where they are most needed in consideration of the threat and risk of terrorist attack and to prevent wasteful spending that might occur from unnecessary duplication of effort" (p.12).

GAO directs its recommendations to the highest levels of the Executive Branch -- and not to FEMA -- to set policy-level priorities for Federal efforts to combat terrorism, and to examine resource allocations to prevent unnecessary duplication and to match resources to risk and threat. GAO acknowledges that "efforts to coordinate programs and activities and prevent duplication are further complicated by the authorization and appropriations process in the Congress, because various committees have jurisdiction over the federal agencies involved in combating terrorism."

However, GAO makes no recommendation on coordination of implementation, instead suggesting that agencies apply Government Performance and Results Act principles--which include setting performance measures and monitoring results of implementation.

The need for objectives, performance measures, and a mechanism for monitoring results is therefore a potential opportunity for FEMA to play an important role and exert leadership in terrorism consequence management.

The overall effort can also be evaluated in terms of customer satisfaction. Anecdotal evidence suggests that FEMA's core constituencies-- State and local emergency managers and fire and rescue personnel--are not wholly satisfied. Examples include:

- Some States have expressed concern about their lack of involvement in DOD's training program for 120 cities, given the State responsibility for terrorism consequence management and fundamental notions of Federalism.
- The International Association of Fire Chiefs (IAFC) prefers training for fire and rescue personnel and other first responders that is developed and delivered by the National Fire Academy to training developed and delivered by the military.
- Some State and local officials have testified before Congress as to their views that the allocation of Federal resources for terrorism consequence management between the Federal Government and State and local governments is too heavily tilted in favor of the Federal Government, given that local government must face the most acute consequences of terrorist incidents prior to Federal arrival.
- Some State and local jurisdictions have questioned the validity of program rationales used by DOD or DOJ/BJA that have excluded them from qualifying for Federal assistance.
- Some State and local officials have expressed views indicating that they disagree with the current allocation of Federal resources among planning, training, equipping, and exercising – and would prefer to see more resources applied to (hard) equipment rather than (soft) training.
- Some State and local officials have expressed views that Federal funding expended in duplication among Federal efforts represent lost opportunities for Federal funding to assist State and local governments in procurement of equipment and other specialized assets.
- Some State and local officials have indicated that they are not informed on a regular basis of the various Federal initiatives and efforts, and would appreciate well-packaged information.
- Some State and local officials have expressed concern that the details are still lacking as to how the Federal Government will implement a terrorism consequence management response in coordination with the FBI, and that the information briefed to them by representatives of the various Federal agencies contradict each other. Some State and local officials, and FEMA officials, have also expressed concern that they receive conflicting information from various elements within FEMA, and that the Agency does not speak with one voice on terrorism.

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- Some State and local officials have expressed concern about FEMA's ability to advocate for their interests with other Federal agencies in the terrorism consequence management arena.

ASSUMPTIONS

Assignment of terrorism-related responsibilities to other departments and agencies, at a time when terrorism enjoys high visibility in government circles, has raised the issue of FEMA's authority and capability to coordinate all-hazard emergency preparedness and serve as the single emergency management point of contact for States and their political subdivisions. It has therefore become necessary to define the degree of coordination--from gathering and sharing information about the Federal effort to managing that effort--that is necessary in order for FEMA to play a role in terrorism that is consistent with its role in all-hazards emergency management.

The Director has stated that FEMA role in terrorism consequence management should be consistent with the missions and functions of the agency. In the context of terrorism preparedness and response, these include:

- Supporting the efforts of State and local governments to prepare to respond to the consequences of terrorism is consistent with FEMA's all-hazards mission.
- Managing the Federal response to the consequences of terrorism, in support of State and local governments, is consistent with FEMA's all-hazards mission.
- Resources will determine the level of activity or leadership that FEMA will assume in Federal activities focused on terrorism consequence management.

As stated earlier, several assumptions will influence or constrain the operating environment that FEMA is most likely to encounter in through FY99:

- It is unlikely that FEMA will receive a significant increase in resources in the FY 1999 budget.
- It is unlikely that lead agency responsibility for the Nunn-Lugar-Domenici program will shift from the Department of Defense to FEMA.
- It is unlikely that a National Center for Terrorism Consequence Management Preparedness, a proposal that is under consideration in the National Security Council (NSC) structure, will be established in FEMA.
- A consensus does not appear to exist among the Federal agencies, and their stakeholders, as to the differences in their respective roles and responsibilities in addressing terrorism,

and as a result, in the differences in intended use of resources they provide to State and local governments.

FEMA PRIORITIES IN TERRORISM CONSEQUENCE MANAGEMENT

As stated earlier, the Director charged the TCU with making recommendations on the FEMA role and participation or level of effort in terrorism forums, briefings, and initiatives; on the long-term placement of all terrorism responsibilities within FEMA; and on the multi-year budget requirements to perform these responsibilities. In order to develop recommendations, the TCU first developed a set of FEMA priorities based on what is in the best interest of the agency as a whole, while recognizing the inherent trade-offs in the particular interests of individual organizational elements. The priorities describe the minimum-essential elements of an objective FEMA position that is consistent with the Director's stated position described previously. They have been used in the formulation of the attached recommendations and can be used to evaluate and validate future requirements. The FEMA priorities that reflect our *appropriate* role in terrorism consequence management are to:

- Incorporate terrorism as one hazard in the all-hazards mission of existing planning, training, and exercise functions and related groups that FEMA leads or supports.
- Reduce or eliminate areas of overlap in focus of terrorism-related planning, training, and exercises and related groups that FEMA leads or supports.
- Retain control for leadership and coordination in terrorism-related activities that pertain to our unique authorities and areas of expertise related to terrorism consequence management, such as the lead agency concept (with FBI); describing relationships among Federal plans; providing direction and control for consequence management planning and response activities; implementing information and planning activities; developing; emergency information and coordinating media affairs.
- Recognize and reinforce control for leadership and coordination of other Federal agencies, as appropriate, in terrorism-related activities that pertain to their unique authorities and areas of expertise, such as: law enforcement, agent identification, health and medical, hazardous materials, and others. Improve internal information flow from the project officer level through chain-of-command to the Director's level (and back down) on terrorism-related activities. Seek guidance and keep good documentation.
- Improve internal coordination and information sharing among FEMA Offices, Directorates, and Regional Offices regarding terrorism consequence management.
- Ensure uniformity and consistency in the FEMA position on terrorism in all products for external dissemination.

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- Improve external coordination and information sharing regarding terrorism consequence management – particularly with our first-line customers (the White House; the Federal Response Plan agencies, State and local emergency managers, and the fire and rescue community).

SPECIFIC RECOMMENDATIONS

Based on previously identified roles and responsibilities along with the availability of staff and funding resources, the following are issues that need to be addressed in order to clarify and refine the scope of the FEMA roles and responsibilities in terrorism consequence management activities.

Issue: *FEMA Involvement in the Senior Interagency Coordinating Group*

Background: The Senior Interagency Coordinating Group (SICG) evolved from an earlier interagency training task group established by PT&E in early 1996 to identify Federal terrorism-related training that could be made available to help train first responders. In November 1996, the SICG was established as the interagency policy-level forum to identify, discuss and resolve issues involving training being implemented under the Nunn-Lugar-Domenici (NLD) Domestic Preparedness Program, as well as areas of preparedness, exercises and response activities related to terrorism consequence management.

Discussion: Currently FEMA the Associate Director, PT and the Executive Associate Director, RR, serve as co-chairs of the SICG. Most of the SICG activity is focused on implementation of NLD initiatives involving the development and delivery of training to first responders in the 120 largest jurisdictions over the next 4 years. FEMA currently provides overhead support for the SICG, to include developing and disseminating meeting agendas, arranging of conference calls and carrying out follow-up actions, including publication of meeting minutes. This activity currently is being supported by the TCU and requires approximately one FTE worth of effort.

The Department of Defense (DOD) has the lead for the NLD effort, supported by FEMA, FBI, HHS, DOE, and EPA. As most of the SICG agenda is in support of the NLD initiatives, the leadership role should logically transition to DOD.

Recommendations:

1. The leadership responsibility for the SICG should be reviewed, with the goal to align program responsibilities and resources with leadership responsibilities.
2. Support responsibilities for the SICG also should be reviewed for the same reasons.

Decision: Concur _____ Non-concur _____

Issue: *FEMA Involvement in NLD Domestic Preparedness Program Activities*

Background: The Defense Against Weapons of Mass Destruction Act of 1996 (PL 104-201, Title XIV, also known as Nunn-Lugar-Domenici or NLD)) requires three five-year programs which encompass providing training and expert advice to Federal, State and local agencies regarding emergency response to WMD; improving and testing the response of Federal, State, and local agencies to emergencies involving biological weapons and chemical weapons and related materials; and improving and testing the response of Federal, State, and local agencies to emergencies involving nuclear and radiological weapons and related materials.

The Secretaries of Defense and Energy are specifically required to coordinate with one another and with the Director of the Federal Emergency Management Agency in developing and carrying out these programs in their respective areas. Further, the law allows the President to transfer lead agency responsibility for the training and expert advice program from DOD to another agency (e.g., FEMA) on or after October 1, 1999.

DOD has targeted its training effort at the 120 largest cities in the fifty States and including Washington, D.C. The current "life cycle" for DOD's involvement with a city consists of the following activities:

- orientation session for Federal Regional personnel
- Regional kickoff meetings for cities and States to be visited in the fiscal year
- Senior Officials Workshop for the city (developed by FEMA)
- mailing of a read-ahead package (including a rough guide for reviewing current capabilities, developed by FEMA)
- initial city visit with interagency representation
- at least one follow-up meeting to discuss scheduling and logistics for training
- another follow-up meeting to make arrangements for a chemical tabletop exercise
- delivery of training and conduct of the chemical tabletop exercise
- initial exercise planning conference for a chemical functional exercise and a biological tabletop exercise
- final exercise planning conference
- chemical functional exercise
- biological tabletop exercise.
- outyear sustainment training, for which DOD is exploring using the National Guard to support

In FY 1997, DOD coordinated 27 initial visits and 4 training sessions, supported by FEMA, FBI, HHS, DOE and EPA. In FY 1998 there are 22 initial visits and 31 training sessions scheduled. DOD uses several interagency groups at the national level to coordinate issues, although DOD makes final decisions. These groups include: the Senior Interagency Coordination Group; an SICG Working-level Group to address city visits and current training issues; a Multi-Agency Task Force (MATF) on exercises; a Process Action Team (PAT) for sustainment of training; and a Public Information Officers Working Group to address media strategy. The SICG Working-level Group meets at least biweekly; other groups typically meet at least monthly.

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Approximately 1.5 FTE of FEMA effort is devoted to the SICG Working-level Group. PT-TR provides one representative to the PAT. PT-EX provides at least one representative to the MATF. FEMA Regional personnel participate in the actual city visits, the tabletop exercises associated with training, and other exercise activity as needed. Regions typically have at least one representative from both PT and RR divisions to work Nunn-Lugar-Domenici issues. DOD continues to provide travel for FEMA participation in the city visit process and other program activities.

Discussion: In FY98, Nunn-Lugar-Domenici continues as a high visibility program with an approximate budget of \$50 million. FEMA will continue as part of the six-agency team supporting NLD city visits and follow-on training, requiring at least the 1.5 FTE of effort by Headquarters and up to 2 FTE of effort by each of the involved Regional Offices.

The program is multi-faceted and crosscutting. It involves at least training and exercises. City visits also involve breakout groups to discuss local plans (as the basis for training needs), and question and answer sessions that typically touch upon Federal operations and planning and the "competing" training developed by the National Fire Academy. Training sessions do occasionally have media interest, which can involve the Office of Emergency Information and Media Affairs.

States have complained to DOD, FEMA, and Congress regarding lack of understanding for their terrorism consequence management role and DOD's failure to ensure coordination with them. FEMA representatives to the SICG Working-level Group have offered ideas and strategies to ensure that States have an integral in process. Some of these ideas will be tried in FY 1998. DOD does not, however, have a Regional structure or a natural constituency (apart from the National Guard) at the State and local level. FEMA representatives to the SICG Working-level Group have drafted a paper on possible FEMA Regional roles, to include coordinating with and informing States, but this policy has not been formally signed by FEMA, and DOD has not made firm and final decisions on how States will be involved. There exists some confusion over the focus of the NLD effort versus the BJA/NFA initiatives. A detailed crosswalk of content has not yet been completed.

Recommendations:

1. Continue the overall FEMA involvement in the Nunn-Lugar-Domenici program.
2. Designate a staff-level entity (individual or office) to coordinate all Agency involvement in the program. This entity should represent FEMA the various Nunn-Lugar-Domenici groups with cross-cutting or strategic-level responsibilities i.e., SICG, SICG Working-level Group, PAT) and should establish a mechanism for being kept informed by, and conveying Agency positions to, designated FEMA representatives to any other Nunn-Lugar-Domenici groups (MATF, PIO Group).
3. Maintain *at least* the current level of effort at Headquarters level, with the concurrent level of effort by the Regional Offices.

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4. Prioritize this effort to address concerns that are basic to FEMA and our customers, yet omitted or downplayed by the program to include ensuring State involvement, improving local and State plans, and explaining the Federal Response Plan.
 5. Formalize the foregoing in writing, including expectations for levels of effort by the involved directorates and offices for both Headquarters and Regional Offices.

Decision: **Concur** _____ **Non-concur** _____

Issue: *Responsibility for Sustainment of the Rapid Response Information System (RRIS)*

Background: Section 1417 of the Weapons of Mass Destruction Act of 1996 tasked FEMA to create an information system by the Federal Government to be made available to State and local officials to help them prepare for and train to respond to an emergency involving WMD. FEMA asked each FRP agency to develop and maintain an inventory of their capabilities (equipment and assets), which were then submitted to FEMA for integration into a comprehensive master list of Federal agency capabilities for State and local use. Another requirement of the RRIS was for FEMA to develop a database on chemical and biological agents, their characteristics and safety precautions, with the primary audience is again intended to be State and local emergency planning officials. FEMA has entered into an agreement with DOD's Chemical and Biological Defense Command (CBDCOM), to meet these requirements, with DOD having overall program implementation responsibilities for Section 1417, to include the RRIS.

Discussion: At first glance, it seems logical to shift the sustainment responsibility for RRIS, once it is implemented, from FEMA to DOD. From an overall program execution perspective, this makes sense, and functionally a large portion of FRP community response capabilities that makes up the RRIS resides within DOD; and the chemical and biological weapons expertise is already resident within a DOD subordinate command, CBDCOM.

However, from a consequence management perspective in terms of FEMA's role as the single recognized point of contact within the Federal government to assist States and local authorities in developing consequence management response capabilities, the leadership role is clearly one for FEMA, both as the recognized leader for the FRP community and as the preeminent Federal proponent of State and local emergency planning community. Passing of RRIS program Sustainment responsibilities to DOD would likely have a negative reaction from State and local governments.

Recommendation: FEMA should review its current support for the RRIS with the interagency community regarding its longer-term involvement in sustainment activity.

Decision: **Concur** _____ **Non-concur** _____

Issue: *Coordination of FEMA Terrorism-related Training Activities*

Background: Both the FEMA Emergency Management Institute (EMI) and the National Fire Academy (NFA) are developing and implementing terrorism-related training for the terrorism response community. The NFA activity is using approximately 3.5 FTE worth of effort with contractor resources to support the first responder training initiative being funded by the Bureau of Justice Assistance/Department of Justice. EMI is using approximately 2 FTE with additional contractor resources to support terrorism-related training for the emergency management community, including local and State governments.

Discussion: There appears to be misunderstandings by some local and State emergency entities regarding the scope and content of the FEMA-sponsored training efforts for terrorism response. Better internal coordination is needed in the development and delivery of this terrorism-related training for first responders and emergency management officials to ensure a consistent agency position on training-related issues. FEMA’s overall terrorism-related training efforts need to be reviewed for consistency of course content to minimize duplication of course development, inconsistency in delivery and to ensure a range of audiences are being served.

Recommendation: Develop review mechanisms and processes to ensure proper internal coordination. Convene an internal terrorism-training working group with representatives from EMI and NFA to discuss total training-related training efforts.

Decision: Concur _____ Non-concur _____

Issue: *FEMA Participation in Terrorism-Related Groups*

Background: Based on a survey by the TCU, Headquarters offices and directorates report a total of 23 separate groups or subgroups with FEMA representation that meet on a regular basis to coordinate on terrorism-related issues. The groups may be sorted into by the following subject categories with participating offices shown for each group:

Oversight and Coordination to Establish Consistent FEMA-wide Positions

1. NSC Coordinating Subgroup. FEMA member (RR, TCU).
2. NSC Interagency Working Group (IWG). FEMA member. (TCU, GC)
3. Trilateral organization (CAN.UK.US.), Consequence Management Subgroup. FEMA member. (PT)
4. NATO Civil Protection Committee. FEMA member. (FEMA LNO at NATO)

Continuity of Government

5. National Security Steering Group. Internal group. FEMA Chair and members. (NS, others)
6. Interagency Group (IAG) for continuity of government. FEMA Chair and member. (NS, RR)
7. NSC Interagency Working Group, ECG subgroup. FEMA member. (NS)

Technology (Research and Development) and Infrastructure

8. NSC Technical Support Working Group (TSWG). FEMA member. (PT)
9. NSC TSWG, Physical Security and Infrastructure Support Working Group. FEMA member. (PT)

Intelligence

10. (CIA-led) Interagency Intelligence Committee on Terrorism (IICT). FEMA member. (NS)
11. (CIA-led) IICT, Technology subgroup. FEMA member. (NS)
12. (CIA-led) IICT, Hizbollah working group. FEMA member. (NS)

Media Affairs

13. Interagency Group for Emergency Information and Public Affairs in Domestic Terrorism. FEMA co-Chair and member. (Morrie Goodman, MA)

Operations Planning

14. CDRG Core Group. FEMA Chair and member. (RR) (Core Group sunset 11/6)
15. FBI CONPLAN Working Group. FEMA member. (RR)
16. CONPLAN Working Group, Time Phased Force Deployment Subgroup. FEMA member. (RR)

Fire Service

17. International Association of Fire Chiefs (IAFC) Terrorism Task Force. FEMA member. (USFA)

Exercising

18. NSC Interagency Working Group, Exercises Subgroup. FEMA member. (PT)

Nunn-Lugar-Domenici Domestic Preparedness Program

19. Senior Interagency Coordination Group. FEMA co-Chairs and member. (PT, RR, TCU)
20. DOD City Visit Working-level Group. FEMA member. (TCU)
21. DOD Process Action Team (PAT) for sustainment training. FEMA member. (TCU, PT)
22. DOD Multi-agency Task Force (MATF) for exercises. FEMA member. (PT)
23. Rapid Response Information System Working Group. FEMA Chair and member. (RR, IT)

This list does not include more infrequent terrorism meetings of all-hazards groups, such as the Regional Interagency Steering Committees or the Emergency Support Function Leaders Group (ESFLG). Nor does it include special working groups that are established for short-term projects, such as development of course materials or operations documents.

Discussion: FEMA participation in all of these terrorism-related groups is not consistent with the FEMA priorities identified in section IV of the strategy. Regarding participation in these groups, the questions to be answered include: 1) Which of these groups overlap with missions assigned to existing all-hazards groups or to other terrorism-related groups? 2) Of the groups that FEMA chairs, are there any that should be redefined or sunset? 3) Has FEMA dedicated the resources necessary to chair and provide the associated staff support to the groups that we have established? 4) Of the groups that FEMA supports, are there any that FEMA can withdraw from to conserve resources or staff time?

- Of the 23 groups, the TCU has identified 4 that overlap to some extent with missions assigned to existing all-hazards groups or to other terrorism-related groups. These include the Interagency Group (IAG) for COG, the CDRG Core Group, the Senior Interagency Coordination Group, and the Rapid Response Information System Working Group. The IAG overlaps with the ESFLG in the area of interagency planning and activation of multiple continuity of operations plans for headquarters offices of the departments and agencies, which may be induced by a terrorist threat or attack on the Washington Metropolitan area. The CDRG Core Group overlaps with the ESFLG and the CONPLAN Working Group in the area of interagency operations planning for terrorism; it also overlaps with the Senior Interagency Coordination Group in the area of interagency operations policy and planning for terrorism. The Rapid Response Information System Working Group, while established to support a specific program required by the Weapons of Mass Destruction Act of 1996, overlaps to some extent with the NEMIS working group for all-hazards response, with the Information and Planning Advisory Group, and with other groups that have been established to develop other helplines, hotlines and databases authorized by Congress to assist responders.

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- Of the 23 groups, FEMA chairs or co-chairs six, including the National Security Steering Group, the Interagency Group for COG, the Interagency Group for Emergency Information and Public Affairs in Domestic Terrorism, the Senior Interagency Coordination Group, the CDRG Core Group, and the Rapid Response Information Working Group. Groups that should be redefined or sunset include the Interagency Group for COG, the CDRG Core Group, the Senior Interagency Coordination Group, and the Rapid Response Information Working Group, based on the previous discussion.
 - The Response and Recovery Directorate sunset the Core Group on November 16, 1997 as it had completed its mission to assist FEMA in an expedited effort to develop a Report to the President on the adequacy of the Federal Response Plan to respond to the consequences of terrorism; it competed with both the all-hazards ESFLG and the terrorism-unique CONPLAN working group for “first-string” personnel with primary responsibility in terrorism operations planning from several agencies, including FEMA; and finally, interests expressed by some members of the group to “self-assign” the Core Group to long-term monitoring of programs to build terrorism-related capabilities was inconsistent with the mission of the CDRG and overlapped with the mission of the Senior Interagency Coordination Group.
 - Of the six groups that FEMA chairs, FEMA has only limited resources needed to chair and fully staff the Senior Interagency Coordination Group and the Rapid Response Information Working Group. The individual who serves as chair of the Rapid Response Information System Working Group also chairs the ESFLG, the ESFLG Steering Committee, and the CDRG Core Group (now sunset). This situation creates obvious difficulties that could be alleviated by spreading assignments across several staff or other agencies.
 - Of the 17 groups that FEMA supports, there appear to be several that FEMA could withdraw from to conserve its limited resources and associated staff time. The best way to determine where we can reduce participation and how to best to use available staff time for similar efforts is to assign to a single office or directorate the authority to represent FEMA on terrorism-related groups addressing a particular subject or organizational mission. To achieve this goal, responsibility needs to be clarified or realigned in four areas including oversight and coordination; assistance (grants, guidance, and training) to emergency managers; assistance (grants, guidance, and training) to fire and rescue personnel and other first responders; and the Nunn-Lugar-Domenici program.

Recommendations:

1. Redefine the Interagency Group for COG in order to eliminate mission for interagency planning for situations involving multiple agency activation of COOPs in the Washington Metropolitan area – which is being addressed by the CDRG and the ESFLG.

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2. Redefine the Senior Interagency Coordination Group to eliminate missions and/or membership associated with interagency operations policy and planning for terrorism consequence management – which are being addressed by the CDRG and the ESFLG.
 3. If FEMA retains responsibility for the Rapid Response Information System, redefine the Rapid Response Information System Working Group to integrate the mission, chair, and membership into an existing group or groups already coordinating FEMA’s all-hazards information technology missions.
 4. Assign to a single office or directorate the authority to represent the FEMA position at meetings of groups addressing specific terrorism-related *subjects and missions*, and to determine where we can reduce participation and how to best to use available staff time for similar efforts, as follows:
 - Oversight and Coordination – Terrorism Coordination Unit (or follow-on entity)
 - Continuity of Government – Office of National Security Coordination
 - Technology and Infrastructure – Preparedness, Training and Exercises Directorate
 - Intelligence – Office of National Security Coordination
 - Media Affairs – Office of Emergency Information and Media Affairs
 - Operations Planning – Response and Recovery Directorate
 - Assistance to (Federal, State and local) Emergency Managers – Preparedness, Training and Exercises Directorate
 - Assistance to Fire and Rescue Personnel and other First Responders – U.S. Fire Administration
 - Exercising – Preparedness, Training and Exercises Directorate
 - Protecting FEMA personnel, equipment and facilities – Operations Support Directorate
 - Nunn-Lugar-Domenici Program – Terrorism Coordination Unit (unless expressly delegated to another office or directorate)
 5. From this point forward, require all requests for FEMA participation or establishment of terrorism-related groups to be submitted to the Terrorism Coordination Unit for review and approval.

Decision: **Concur** _____ **Non-concur** _____

Issue: Responsibilities and Resources Assigned to Regional Offices for Terrorism-Related Activities

Background: The Regional Offices have had an increasing workload in terrorism consequence management preparedness and response activities, mainly involving the PT&E and R&R Divisions. States have primary responsibility for terrorism consequence management. FEMA works with States (and, through them, local governments) through the Regional Offices to support activities in all phases of emergency management, for all hazards, including terrorism. FEMA-specific terrorism-related activities executed through the Regional Preparedness, Training, and Exercises Division include administration of grants for planning and training activities; technical assistance for development of plans, training, and exercises; and participation in and evaluation of exercises.

Terrorism-related activities executed through the Regional Response and Recovery Divisions include special events planning; liaison with FBI, including participation in Joint Terrorism Task Forces in some areas; and participation in exercises.

Regions also participate in activities connected with the Nunn-Lugar-Domenici Domestic Preparedness Program, usually with at least one representative from both PT&E and RR Divisions. These include:

- orientation session for Federal Regional personnel
- Regional kickoff meetings for cities and States to be visited in the fiscal year (four such meetings in FY 1998: I-III; IV, V, VII; VI; VIII-X)
- initial city visits, including conduct of a breakout group with emergency managers, infrastructure agency representatives, and senior officials on the operational needs, plans, and procedures that form the basis for training requests
- planning meetings for training and exercise activities, as time and resources permit
- chemical event tabletop exercises conducted at the conclusion of the city's train-the-trainer session
- chemical event functional exercises
- biological event tabletop exercises

Discussion: In FY98, there is at least one designated special event (Region X), 22 scheduled city visits involving all of the Regional Offices, and several interagency exercises. At least 2 FTE worth of effort from both PT and RR Divisions are required to support this activity. Absent additional resources, this effort will have to be supported from the existing Regional Office resource allocation. The TCU has established a network of Regional Points-of-Contact to represent the Regional Office activity to the TCU and to be a conduit for information from the TCU to the Regional Office. Successful implementation of any Federal policies and priorities for terrorism consequence management will require effective coordination between Headquarters and Regions, and between Regions and States.

Recommendations:

1. The roles and responsibilities of Regional Offices in supporting current terrorism consequence management are valid and should continue.
2. Based upon a review and validation of the level of effort required to implement these responsibilities, adequate resources need to be allocated to support the Regional Office efforts.

Decision: **Concur** _____ **Non-concur** _____

Issue: *Oversight and Coordination of Terrorism-Related Activities*

Background: The Terrorism Coordination Unit has identified a number of activities that fall under the heading of internal oversight and coordination for the purpose of establishing (or articulating) uniform and consistent FEMA-wide policies and positions regarding the FEMA role, responsibilities, and level of effort in terrorism consequence management. These activities are grouped in the following areas:

Oversight and Coordination to Establish Consistent FEMA-wide Positions

1. Represent FEMA position at meetings of the NSC Coordinating Subgroup.
2. Represent FEMA position at meetings of the NSC Interagency Working Group (IWG/CT).
3. Review agency initiatives and monitor activities.
4. Maintain Director's notebook and briefing, calendar.
5. Promote information sharing through the POC Network.
6. Coordinate actions that are crosscutting or high visibility or turf-charged, such as GAO.
7. Respond to ALL requests for FEMA participation in conferences, forums and training related to terrorism; determine which office or offices should attend to represent the Agency position.
8. Develop and monitor implementation of multi-year strategy on FEMA role.
9. Update with NGA the NGA Guide to Disaster Preparedness with terrorism-related information.
10. Represent the FEMA position at meetings of the Trilateral organization (CAN.UK.US.), Consequence Management Subgroup.
11. Represent the FEMA position at meetings of the NATO Civil Protection Committee.

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12. Senior Interagency Coordination Group. FEMA member.
13. DOD City Visit Working Group. FEMA member.
14. DOD Process Action Team (PAT) for sustainment training. FEMA member, supported by representatives from PT.

Items #7, 24, 25 and 26 are particularly important. It seems that some individuals within FEMA, and their supervisors, are setting their own priorities and “self-assigning” their participation in groups, conferences and other forums where they are expected to represent the “FEMA position.” Without the Director’s concurrence, no position is the “FEMA position on terrorism.”

As a result, inconsistent information is being given before a wide range of audiences – and much of it is being reported to external audiences before it has been shared through official channels within FEMA. We should spend more time drafting and staffing documents, and less time editorializing. It should be a function of TCU or a follow-on entity to prioritize and to reject offers to participate in terrorism-related groups, briefings, conferences, training courses, and other forums.

Staff work to develop Agency positions in FEMA is labor intensive, requiring day-to-day coordination with peers in other organizational elements and other agencies; development of a position to propose; pre-meetings with senior staff to establish the degree of latitude and flexibility; documentation of agreements and items accepted for action at meetings; and follow-up back-briefs to senior staff and revision and redistribution of products for concurrence. While we can, on occasion, excuse away some of this effort by fast-track requirements, the majority of activities that FEMA is leading or supporting regarding terrorism appear to involve quick turn-around (less than 30 days) at an interagency level. These timelines create more problems than they solve.

The TCU has struggled on several occasions to consider the differences between various FEMA positions, i.e. the R&R, PT, or FA position, and then to try to agree as to what is in the best interest of the Agency as a whole, given the realities of the current situation and the resource constraints.

Discussion: The organizational mission of internal oversight and coordination to establish and to articulate FEMA’s policy and position on terrorism consequence management needs to continue. To the original list of activities provided by the Director, the TCU added several that are particularly “crosscutting or high visibility or turf-charged” (see item #6). These include responsibility to represent the Agency at White House level meetings of groups charged with oversight and coordination of terrorism (see item #1 and 2). These also include responsibility to represent FEMA policy on terrorism to the Governors (see item #9). And, these include responsibility to represent FEMA and United States policy on terrorism to foreign governments (see item #10 and 11). All of these activities require coordination across offices and directorates, and with the Regions, on a regular basis.

The TCU was established as a special project of the Office of the Director for a period of time, not to exceed six months. Given the current level of involvement in terrorism-related activities, the organizational function and some activities of the TCU will need to continue beyond its projected ending date. This follow-on element must first support the Director in coordinating the overall agency direction for terrorism consequence management. The designated head must have a high degree of access to the Director in order to be able to resolve internal issues, whenever possible, on behalf of the Director. In addressing the implementation of this function, there are essentially three options to consider: 1) the unit could be permanently established in the

Office of the Director, reporting to the Deputy Director or to the Chief of Staff; 2) the organizational mission and activities could be added to the missions and functions of the Office of Policy and Regional Operations, or 3) the organizational mission and activities could be combined with the mission and activities of the Office of National Security Coordination.

Considerations in the decision should include span of control, consolidating like missions and activities in a single organization; preserving security clearances and safeguards. Option 1 is least desirable from a span of control standpoint. Both option 2 and option 3 would result in some consolidating of like missions and activities; however, Option 3 is most desirable from a security standpoint.

Recommendation: Reorganize and retitle the Office of National Security Coordination to incorporate the organizational mission and activities described in “internal oversight and coordination” of terrorism-related activities. Add appropriate number of positions to staff the function, including reassignment to interested and qualified personnel.

Decision: **Concur** _____ **Non-concur** _____

Issue: *Longer-term FEMA Involvement in Terrorism Consequence Management*

Background: Beyond current projections for FY99, there are a number of terrorism-related areas and activities that FEMA will be required to provide a position on or react to. These include training for the balance of the nation beyond the 120 cities under the NLD initiative; providing equipment for local first responders and other emergency response personnel; providing protection for FEMA emergency responders; and possibly leading or supporting a national terrorism consequence management coordination activity. Policy direction and is likely y to be required for grants management and administration, in light of increased emphasis on terrorism preparedness and response planning activities involving the States.

Discussion: These and other activities will require FEMA to have well-developed and defensible positions regarding the ability of the agency to support ongoing and new initiatives, particularly in a resource-tight environment.

Recommendation: Establish a Terrorism Policy Group reporting to the Director and in support of the TCU follow-on organization to be composed of senior-level agency managers representing various offices and directorates involved in terrorism-related activities. The Group would focus on long-term agency activities and would coordinate development of agency positions on roles and responsibilities they relate current and new initiatives.

Decision: Concur _____ Non-concur _____