

FEMA AND MANAGEMENT OF THE CONSEQUENCES OF TERRORISM



Historical Chronology of FEMA's Terrorism Consequences Management Role As Assigned by Section 2-103 of E.O. 12148¹

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- **June 1972-Tropical Storm Agnes devastates the Northeast.**
- **Summer 1972-Munich Olympics- Several U.S. Governors and mayors are interested in preparing hosting agreements for 1984 Olympics and attend Olympics. 1984 Summer Olympics hosted in Los Angeles, CA.**
- **July 1, 1973, FDA (Federal Disaster Assistance Administration) created in the Department of Housing and Urban Development. This agency managed programs, functions and activities previously housed in the Office of Emergency Preparedness, Executive Office of the White House. The Federal Preparedness Agency established in General Services Administration to administer Executive Branch COG and COOP functions among other purposes. Both actions taken pursuant to President Nixon Reorganization Plan No. 1 of 1973.**
- **May 1, 1974 –President signs into law Federal Disaster Relief Act of 1974, P.L. 93-288. No use of the word “terrorism” appears in the statute.**
- **June 1976-The Working Group of the Cabinet Committee to Combat Terrorism assigned FPA the responsibility for coordination of Federal and Federal/State responses to the effects of terrorism. Robert Kupperman (later head of Carter/Reagan Presidential Transition Team for FEMA) is Staff Director.**
- **1977 – Congress conducts numerous hearings about the coordination of federal emergency assistance programs. Congress later suspends the efforts when President Carter begins to review the issue.**
- **1977-Hannafi Muslim Sect takes over District Building holding hostages in downtown Washington, D.C.**
- **1978 –Report entitled “Domestic Terrorism” prepared by the Emergency Preparedness Project, Center for Policy Research, NATIONAL GOVERNORS ASSOCIATION, Washington, D.C. (244pp)**

¹ The author gratefully acknowledges contributions by William R. Cumming (FEMA Office of General Counsel 1979-1999) and Paul Byron Pattak (Reagan/Bush Presidential Transition Team Leader for FEMA, and political appointee in FEMA 1990-1993) who reviewed numerous drafts of this timeline and served as advisors. Their additions and recommendations have significantly enhanced the detail and accuracy of this effort.

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- **Prior to FEMA, more than 100 federal agencies and organizations reportedly administered emergency and disaster related programs, functions, or activities.**
- **June 3, 1978 – President Carter submits to Congress Reorganization Plan Number 3 to establish FEMA. Since neither Senate nor House of Representatives disapproves the plan (one House veto was later ruled unconstitutional), the plan becomes law in September 1978, see 5 U.S.C §901 note.**
- **April 1, 1979 –Reorganization Plan Number 3 of 1978 takes effect. See also Executive Order (E.O.) 12127.**
- **July 15, 1979 – E.O.12148 – Transfers functions previously delegated from the President to the Departments of Defense, Housing and Urban Development, General Services Administration, and other Federal entities, to FEMA for coordination of federal emergency management activities. Also, the Director of the Federal Emergency Management Agency is delegated authority to establish Federal policies for, and coordinate, all civil defense and civil emergency planning, management, mitigation, and assistance functions of Executive agencies. Section 2-103 in part, specifically states “The Director shall be responsible . . . for the coordination of preparedness and planning to reduce the consequences of major terrorist events.”**
- **August 1979 – John W. Macy confirmed as Director, FEMA**
- **November-December 1980 Dr. Robert Kupperman (former OEP Intern and nationally recognized counter terrorism expert) leads transition for FEMA from President Carter to Reagan. Final report suggests return of FEMA to OEP like structure in the Executive Office of the White House. Report ignored by President Reagan and never released publically.**
- **April 1981 – Louis O. Guiffrida confirmed as Director, FEMA.**
- **April 10, 1982 - NSDD 30-Managing Terrorist Incidents signed by President Reagan.**
- **April 3, 1984 – E.O. 12472 - National Communications System [NCS] was established by Executive Order. Also see 47 CFR parts 11, 67 and 201.**
- **1984 - FEMA deploys a Forward Liaison Element to the 1984 Summer Olympics in Los Angeles. Preparedness measures included completing a coordinated national plan for responding to the consequences of an extraordinary situation at special events. This was the model for numerous special event planning and preparedness activities in the intervening years. No line item appropriation for this activity was established.**
- **November 1985 – Lt. General Julius Becton (Ret.) and Director of the Office of International Disaster Assistance in U.S.A.I.D. confirmed as Director, FEMA.**
- **January 20, 1986—NSDD 207 “The National Program for Combating Terrorism.”**

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- **January 19, 1988 – Memorandum from the Domestic Policy Council “National System for Emergency Coordination (NEC)” approved by the Attorney General states that terrorism is an assigned responsibility of the Department of Justice except for civil response activities.**
- **June 27, 1988 –National Security Advisor Lt. General Colin Powell issues memorandum “Functional Response to National Security Emergencies” assigning FEMA lead on natural disasters.**
- **September 14, 1988 – Director Becton approves the memorandum “FEMA’s Role in Technological Emergencies” that assigns responsibilities within the Agency.**
- **November 18, 1988 – E.O. 12656 issued – “Assignment of Emergency Preparedness Responsibilities” – This executive order defines a national security emergency as “any occurrence that seriously degrades or threatens the national security of the United States.” Terrorist incidents are not specifically addressed except to assign DOJ in a support role to other Departments and agencies. The National Security Council assigns lead and support responsibility for developing and administering roles under the Executive Order. Also, the Director of FEMA shall “assist in the implementation of and management of national security emergency preparedness policy by coordinating with other Federal departments.” FEMA is also responsible for coordinating, supporting, developing and implementing: civil national security emergency preparedness and response programs, continuity of government functions, and civil-military support. This E.O. was in draft and coordination for over five years. It replaces in its entirety E.O. 11490 (1969).**
- **November 18, 1988 – E.O. 12657 – FEMA Assistance in Emergency Preparedness Planning at Commercial Nuclear Power Plants Responsibilities – Signed over FEMA objections the Executive order authorizes FEMA to respond initially in coordinating the Federal response activities when advance State and local commitments (i.e., response planning) are absent or inadequate. Issued in coordination with NRC’s adoption of the so-called “Legal Realism” rule (that State and local governments would try and respond to a catastrophic nuclear power station event), FEMA is authorized to assume any necessary command-and-control function, or delegate such function to another Federal agency, in the event that no competent State and local authority is available to perform such function. Relying in part of the Federal Civil Defense Act of 1950 (Public Law 81-920) this E.O. remains in effect and has not been amended to reflect the creation of the Department of Homeland Security in November 2002.**
- **November 23, 1988 – President signs into law the Robert T. Stafford Disaster Relief and Emergency Assistance Act (P.L. 100-707) amending, supplementing, and rescinding portions of the Federal Disaster Relief Act of 1974 (P.L. 93-278).**
- **March 23, 1989 – E.O. 12673 delegates Stafford Act authority with some exceptions (principally declaration of disasters and emergencies) to Director FEMA.**

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- **May 1990, Jerry Jennings confirmed as Deputy Director of FEMA, and named Acting Director.**
- **June 28, 1990, FEMA testifies (Career SES William F.W. Jones and staff member of President Carter's staff reorganization Project on Emergency) before Committee on Governmental Affairs, United States Senate on *VULNERABILITY OF THE NATION'S ELECTRIC SYSTEMS TO MULTI-SITE TERRORIST ATTACK*, S. Hrg. 101-959.**
- **August 1990 – Wallace Stickney (P.E.) and formerly the Secretary of Transportation for New Hampshire confirmed Director, FEMA.**
- **January 1991 – Meeting held on Consequences of Terrorism between the Director, Deputy Director, AD/SL, and DAD/NP of FEMA. These meetings discussed who was in charge in the case of a national security emergency and the various plans that were in place and the strengths and weaknesses of those plans. The meeting was followed by a tabletop exercise held by FEMA Director Wallace E. Stickney.**
- **January 24, 1991 – In a memorandum for all employees, FEMA Director Wallace E. Stickney states that “I have determined that the Federal Response Plan [for Natural Disasters will be used [for national security emergencies] if needed.” He continues, “FEMA’s readiness to respond to major emergencies is an important responsibility for all of us.” Director Stickney also discusses in this memo heightened potential for a terrorist act due to war in the Middle East and states that steps have been taken to enhance security at FEMA Headquarters and in all field activities. The memo also states that “FEMA’s readiness to respond to major emergencies is an important responsibility for all of us. I know we all want to offer our talents to FEMA when needed. Extra assistance could be required were a major technological or natural disaster to occur. Please let your supervisor know if you would like to volunteer to assist, should we need to implement the Federal response plan.”**
- **February 21, 1991 - A relatively comprehensive Office of General Counsel opinion, subject: Application of Section 501(b) of the Stafford Act, addressed the issues raised by the language of the Act “that an emergency exists for which the primary responsibility for response rests with the United States because the emergency involves a subject area for which, under the Constitution or laws of the United States, the United States exercises exclusive or preeminent responsibility and authority . . .” See GCM 91-2-21.**
- **September 30, 1991—Letter from Grant C. Peterson, Associate Director State and Local Programs and Support Directorate to Honorable Joseph Lieberman, United States Senate discussing at length FEMA’s role in the consequences of terrorism as a follow up to a hearing in which testimony occurred that now that the cold war had ended FEMA needed a new job.**
- **March 16, 1992—President Bush signs NSDD-66 (U) CIVIL DEFENSE updating civil defense policy and supporting all-hazard integrated emergency planning and consistency with E.O. 12656. First use of “all-hazard” language in a NSDD but see NSDD-47 (1982).**

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- **May 1992 – Federal Response Plan was issued – This plan “establishes a process and structure for the systematic, coordinated, and effective delivery of Federal assistance to address the consequences of any major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended. Under “Scope” the FRP states [I] n some instances, a disaster or emergency may result in a situation, which affects the national security of the United States. For those instances, appropriate national security authorities and procedures will be utilized to address the national security requirements of the situation.” Law Enforcement emergencies are defined under “Policies” and procedures are referenced under which Department of Justice (DOJ) and Department of Defense (DOD) respond to law enforcement emergencies under 28 CFR part 65 and 10 U.S.C. 331-334.**
- **1992 - Ensuing congressional hearings, members blamed "national security programs and Cold War emphases" for FEMA's performance in Hurricane Andrew, and one of the consequences was realignment of terrorism planning which had been funded out of other national preparedness programs [054 account].**
- **January 20, 1993 - President William Jefferson Clinton takes oath of office.**
- **February 1, 1993 – National Academy of Public Administration (NAPA) report for the U.S. Congress and FEMA, Coping with Catastrophe: Building an Emergency Management System to Meet People's Needs in Natural and manmade Disasters. Among the conclusions and recommendations is establishment of a Domestic Crisis Monitoring Unit in the White House as a responsibility of an assistant to the President who would monitor and process disaster declarations. This was an early indication of the need for provisions that would allow the President to act quickly in domestic crisis situations. Senator Barbara Mikulski (D.MD) introduces S. 995 reorganizing domestic crisis response in Executive Branch.**
- **February 26, 1993 – Terrorist bombing of the World Trade Center by Al-Qaeda. Attack declared a Presidential disaster.**
- **April 8, 1993 – James Lee Witt, County Judge Yell County, Arkansas, confirmed as Director, FEMA.**
- **November 30, 1993 – P.L. 103-160 §1704; Joint Resolution of Congress on FEMA terrorism preparedness planning provides that “[I] t is the sense of Congress that the President should strengthen Federal interagency emergency planning by the Federal Emergency Management Agency and other appropriate Federal, State and local agencies for development of a capability for early detection and warning of and response to – (1) potential terrorist use of chemical or biological agents or weapons; and (2) emergencies or natural disasters involving industrial chemicals or the widespread outbreak of disease. This statute also mandates that the federal civil defense program should be managed as an all-hazards program.**
- **January 21, 1994 – The FEMA National Security Steering Group (NSSG) chaired by FEMA's National Security Coordinator is established to serve as the focal point for intra-agency and interagency coordination of national security-related activities and to ensure that national security matters are integrated into FEMA's overall “all-hazard” approach to emergency management.**

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- **April 5, 1994 – In a letter to FEMA Acting Director of State and Local Programs, an official of the National Security Division of the FBI states that a MOU between the FBI and FEMA would help with the assignment of the roles and responsibilities of each agency during a terrorist or criminal-related nuclear incident.**

- **June 3, 1994 – E.O. 12919 - National Defense Industrial Resources Preparedness - delegates authorities and addresses national defense industrial resource policies and programs under the Defense Production Act of 1950, as amended, except for the amendments to Title III of the Act in the Energy Security Act of 1980 and excludes telecommunication authorities under Executive Order No. 12472. Under this order The FEMA Director: (1) Serves as an advisor to the National Security Council on issues of national security resource preparedness and on the use of the authorities and functions delegated by this order; (2) Provides for the central coordination of the plans and programs incident to authorities and functions delegated under this order, and provides guidance and procedures approved by the Assistant to the President for National Security Affairs to the Federal departments and agencies under this order; (3) Establishes procedures, in consultation with Federal departments and agencies assigned functions under this order, to resolve in a timely and effective manner conflicts and issues that may arise in implementing the authorities and functions delegated under this order; and (4) Reports to the President periodically concerning all program activities conducted pursuant to this order. See also 15 CFR Part 700 and 44 CFR parts 324-336. E.O. 12919 supersedes E.O. 10480 (1969) and rescinds all or portions of several other Executive Orders.**

- **November 1994 –Public Law 103-337 repeals the Federal Civil Defense Act. In new Title VI of Stafford Act the policy of the Federal government is for FEMA to provide necessary direction, coordination, and guidance, and necessary assistance, as authorized in the title so that a comprehensive emergency preparedness system exists for all hazards in the U.S. FEMA is directed to: (1) prepare Federal response plans and programs for the emergency preparedness of the United States and (2) sponsor and direct such plans and programs to coordinate such plans and programs with State efforts. The FEMA Director may request such reports on State plans and operations for emergency preparedness as may be necessary to keep the President, Congress, and the States advised of the status of emergency preparedness in the United States. Interstate Emergency Preparedness Compacts are authorized to: (a) assist and encourage the States to negotiate and enter into interstate emergency preparedness compacts; (b) facilitate uniformity between State compacts and consistency with Federal emergency response plans and programs; (c) assist and coordinate the activities under State compacts; and (d) aid and assist reciprocal State emergency preparedness legislation which will permit mutual aid in the event of a hazard which cannot be adequately met or controlled by a State or political subdivision thereof. P.L. 103-337 amended P.L. 93-288 as previously amended by P.L. 100-707.**

- **January 22, 1995 –Director of FEMA establishes the Office of National Security Coordination reporting directly to him.**

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- **January 31, 1995 – the FEMA Director adopts Director’s Policy, No. 1-95, mandating the Federal Response Plan as the exclusive response mechanism of FEMA. It states that the FRP will be the basis of the Federal response in all disasters and emergencies coordinated by FEMA. The FRP also will define linkages to other Federal interagency plans. It also mandates the use of Incident Command principles.**
- **March 19, 1995 – Sarin Gas attack on Tokyo, Japan Subway.**
- **April 19, 1995 – Alfred P. Murrah federal building in Oklahoma City is bombed. Within 7 hours of the explosion the President signs an emergency declaration. This is the first use of the President’s authority under the Stafford Act to ‘self-initiate’ an emergency declaration without gubernatorial request for emergencies with federal particular responsibility.**
- **June 21, 1995 – Presidential Decision Directive 39 – Directive states that it is the policy of the United States to use all appropriate means to deter, defeat and respond to all terrorist attacks on our territory and resources, both people and facilities, wherever they occur. Established DOJ lead responsibility for Crisis Management and FEMA lead responsibility for Consequence Management. FEMA chairs the Senior Interagency Group for Training and Preparedness.**
- **September 1995-Announcement of development of Statement of Work for development of CABIN (Chemical and Biological Information Network) as part of GEMINI (Global Emergency Management Information Network Initiative)**
- **September 1995-Terrorism Consequences Management Conference in Omaha, Nebraska on September 19-20, 1995. The primary purpose of the conference was to address the needs of State and local governments with respect to planning for terrorism consequences management.**
- **November 1995 – FEMA leads an interagency review of FRP to assess its adequacy to deal with the consequences of a WMD terrorist attack. The review concludes it is not adequate.**
- **FY96 – FEMA disburses \$105 million in State and local government assistance to implement “all-hazards” emergency preparedness, which provides planning and technical assistance for comprehensive emergency activities nationwide. As a whole, the government spends \$5,737.1 million dollars on terrorism related programs in FY96. DOD and DOJ have budgets specifically for terrorism.**
- **March 1996 – Mr. Clay Hollister, the Deputy Associate Director of the Response and Recovery Directorate, testifies before the Senate Armed Services Committee regarding what role FEMA has in responding to the consequences of terrorism. The hearing was considered a run-up by Senator Sam Nunn (D. GA.) for the 1996 Atlanta Summer Olympics.**
- **April 24, 1996-AntiTerrorism and Effective Death Penalty Act of 1996, Pub.L. 104-132 [110 stat.1255]; Congress funds first responder and firefighter training by grants. United States Fire Administration receives funds from Department of Justice to conduct first responder training, and together with Justice’s Office of Justice Programs develops**

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an emergency response to terrorism training program for fire, emergency medical service, and public safety personnel. Annual appropriation to DOJ is shared with FEMA through FY 2003. DOJ administers grants through its State and Local Domestic Preparedness Office (SLDPO) in its Office of Justice Assistance (not in the FBI).

- **May 1, 1996 – Revised Federal Radiological Emergency Response Plan (FRERP) signed by FEMA Director James L. Witt. The FRERP addresses specifically addresses radiological sabotage and terrorism and states that “coordinated response to contain or mitigate a threatened or actual release of radioactive material would be essentially the same whether it resulted from an accidental or deliberate act.... Therefore, sabotage and terrorism are not treated as separate types of emergencies rather they are considered a complicating dimension of [radiological emergencies].”**
- **May 6, 1996 – A memorandum from the Deputy Associate Director for the Response and Recovery Directorate, to the Deputy Associate Director of Preparedness, Training and Exercise Directorate, states that the consequence management in the context of Presidential Decision Directive 39 is not widely understood in the Response and Recovery Directorate. A preliminary draft of PD 39 had been coordinated throughout the agency by the Office of National Security and approved by Director Witt.**
- **June 1996, Joint Report to Congress, Preparedness and Response to a Nuclear, Radiological, Biological, or Chemical Attack, prepared by the Department of Defense and Department of Energy in consultation with FEMA. Concludes the Executive Branch is unprepared for such an event.**
- **July 1, 1996-An interagency group, composed of the Federal Response Plan signatory agencies led by the Federal Emergency Management Agency (FEMA) completed and forwarded to the President on July 1, 1996, a report titled ”Consequences Management for Nuclear, Biological, and Chemical (NBC) Terrorism.” The report documents the inadequacy of the Federal Response Plan to deal with NBC terrorist incidents and makes specific recommendations regarding capability enhancements.**
- **July 3, 1996 – In an internal memorandum to the Associate Director, Administrators, Inspector General and Office Directors. FEMA Director James Lee Witt, adds the Office of Policy and Regional Operations and the Information Technology Services Directorate to NSSG membership previously comprised of senior officials from the Preparedness, Training, and Exercises Directorate, Response and Recovery Directorate, Operations Support Directorate, and the Offices of the General Counsel and Financial Management.**
- **July 15, 1996 – E.O. 13010 – Critical Infrastructure Protection – Establishes the President's Commission on Critical Infrastructure Protection (PCCIP) and the Critical Infrastructure Protection Working Group (CIPWG). Certain national infrastructures are so vital that their incapacity or destruction would have a debilitating impact on the defense or economic security of the United States. It is essential that the government and private sector work together to develop a strategy for protecting them and assuring their continued operation. These infrastructures include telecommunications, transportation, water supply systems, emergency services (including medical, police, fire, and rescue), and continuity of government.**

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- **September 23, 1996 - President signs into law the Defense Against Weapons of Mass Destruction Act, Title XIV of 1996 DOD Authorization Act (P.L. 104-201) so called Nunn – Lugar – Domenici legislation – directing, the Department of Defense to lead, for three years, domestic preparedness for responding to and managing the consequences of a terrorist attack using WMD. Authorizes transfer of this responsibility to another department or agency after three years with Presidential concurrence..**
- **September 10-13, 1996 – FEMA conducts a series of focus group discussions to obtain information on the capabilities and needs of local government to respond to NBC terrorist incidents involving WMDs. FEMA invited the mayors of Boston, Los Angeles, Philadelphia, and Denver to send representatives to the Emergency Management Institute (EMI) to meet and discuss issues associated with response to such threats. By obtaining the input and feedback from this sampling of US metropolitan areas, it was intended that an indication of the spectrum of nationwide preparedness at the local level would be derived. The four cities met and each addressed a different WMD. This format, developed at EMI became the basis for the 120 Cities Training Program undertaken shortly after the Focus Group Report was published.**
- **November 19, 1996 –Jane Bullock, Chief of Staff, signs off for James L. Witt, Director of FEMA on a memorandum with a matrix of all Nunn-Lugar/NSC Program Agenda Counterterrorism Responsibilities. The memorandum lists all of FEMA’s responsibilities under the Nunn-Lugar legislation and all the continuing requirements from PDD-39 in a single document.**
- **November 21, 1996 Memorandum from John P.Carey, General Counsel FEMA to Richard A. Clarke, Special Assistant to the President for Multilateral and Global Affairs, National Security Counsel, subject: FEMA’s Role in Advance of a Terrorist Incident. It seemed to have been made clear by President Clinton’s issuance of PDD-39 and later PDD-62 that any terrorist event or involvement of weapons of mass destruction (WMD) would be considered automatically to involve the Federal government’s “preeminent responsibility and authority.” Nonetheless , in the GCM-96-11-21 above, a legal opinion issued to staff of the National Security Counsel, the General Counsel of FEMA concluded that the Attorney General should be included on decisions to use the Stafford Act emergency authority with respect to findings as to areas of Federal preeminent responsibility and authority.**

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- **January 1997 – FEMA and FBI submit a Joint Report to Congress published in the Congressional Record (Senate). This report addresses both crisis management/prevention of terrorist acts and consequence management/response activities. The report found deficiencies and states that current capabilities are being expanded. See House Document 105-29, January 21, 1997, Policy Functions/Operational Roles of Federal Agencies in Countering the Domestic Chemical/Biological Threat, Message from the President of the United States Transmitting A Report Describing the Respective Policy Functions and Operational Roles of Federal Agencies In Countering The Threat Posed By the Use or Potential Use of Biological and Chemical Weapons of Mass Destruction (WMD) Within the United States, Pursuant to Pub. L. 104-201, §1416(e) (110 Stat. 2724).**
- **February 7, 1997 – FEMA Director adopts the Terrorism Incident Annex (TIA) to Federal Response Plan. This annex provides Federal emergency planners with information and a framework to address the consequences of terrorist attacks.**
- **May 1, 1997 - Department of Defense, Report to Congress, DOMESTIC PREPAREDNESS PROGRAM IN THE DEFENSE AGAINST WEAPONS OF MASS DESTRUCTION. This report was concurred in by FEMA and concludes again lack of WMD preparedness.**
- **House Document 105-79, May 5, 1997, COMPREHENSIVE READINESS PROGRAM FOR COUNTERING PROLIFERATION OF WEAPONS OF MASS DESTRUCTION, Message from the President of the United States Transmitting A Report That Describes The United States Comprehensive Readiness Program For Countering Proliferation of Weapons of Mass Destruction, Pursuant to Public Law 104-201, §1443(c) (110 STAT 2729).**
- **July 15, 1997 – Memorandum from Director James L. Witt to Richard Clarke, NSC staff, indicating FEMA support of designation of FEMA as the lead agency on the domestic response to WMD under the Nunn-Lugar-Domenici program is contingent upon obtaining additional resources in order to adequately carry out the needed planning, coordination, training and exercise activities, as defined under the program.**
- **August 8, 1997 – A memorandum to the Federal Radiological Preparedness Coordinating Committee (FRPCC) [described in 44 CFR Part 351] contained in the FRPCC Meeting Notes from June 25, 1997 states that FEMA is undertaking several activities designed to prepare for a terrorism incident with an exercise named Ill-Wind consisting of four seminar activities examining the response to an act of terrorism in the Washington D.C. area.**
- **September 9, 1997 – FEMA Director creates the Terrorism Coordination Unit to review current Agency initiatives in terrorism and consequence management in all the Directorates, and develop a multi-year strategy for FEMA’s role in terrorism and consequence management.**
- **September 26, 1997 - General Accounting Office, NSIAD-97-254, Combating Terrorism: Federal Agencies’ Efforts to Implement National Policy and Strategy.**

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- **October 1997 –The Report of the President’s Commission on Critical Infrastructure Protection focuses primarily on the security challenges of networked information systems looked also at both physical and cyber threats. Commission finds that “[e]mergency responders are inadequately trained and equipped to respond to a chemical, biological, or nuclear attack on a civilian target.”**
- **December 1, 1997 - General Accounting Office, NSIAD-98-39, December 1, 1997, Combating Terrorism: Spending on Government-wide Programs Requires Better Management and Coordination.**
- **December 20, 1997 – Draft Working Paper entitled “Strategy for FEMA Role in Consequences of Terrorism.**
- **FY 1998 – Commerce, Justice and State Appropriations Act provides for the creation of an equipment acquisition grant program, and established training centers for emergency responders at Fort McClellan, AL and the New Mexico Institute of Mining and Technology.**
- **February 1998 – Acting pursuant to Presidential authority delegated under E.O. 12560, as amended, the National Response Team (NRT) Co-Chairs add terrorism to the agenda for Co-Chairs annual meeting (all agencies assigned responsibilities under E.O. 12580). FEMA is designated member of NRT.**
- **March 5, 1998 - House Document 105-224, CHEMICAL AND BIOLOGICAL WEAPONS DEFENSE, Communication 7735 from the President of the United States.**
- **April 9, 1998 - General Accounting Office, GAO/NSIAD-98-74, Combating Terrorism: Threat and Risk Assessments Can Help Prioritize and Target Program Investments.**
- **April 23, 1998 - General Accounting Office, GAO/T-NSIAD-98-164, Combating Terrorism: Observations on Crosscutting Issues, Statement of Richard Davis, Director, National Security Analysis, National Security and International Affairs Division, before the Subcommittee on National Security, International Affairs and Criminal Justice, Committee on Government Reform and Oversight.**
- **May 22, 1998 – Presidential Decision Directives ((PDD’s) 62 “Combating Terrorism” and 63 “Critical Infrastructure Protection are signed by the President. President Clinton designates a National Coordinator for Security, Infrastructure Protection and Counter Terrorism [Richard Clark of NSC staff] who is not to direct agencies’ activities but is to integrate the government’s policies and programs on unconventional threats to the homeland and Americans abroad, including terrorism. The National Coordinator oversees the broad variety of relevant polices and programs including counter-terrorism, protection of critical infrastructure, preparedness and consequence management for weapons of mass destruction. The National Coordinator works within the National Security Council process and, reports to the President through the Assistant to the President for National Security Affairs and produces an annual Security Preparedness Report. The National Coordinator will also provide advice regarding budgets for counter-terror programs and lead in the development of guidelines that might be needed for crisis management.**

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- **August 7, 1998 - Bombings of the US Embassies in Nairobi, Kenya and Dar Es Salaam, Tanzania**
- **August 1998 – State and local Domestic Stakeholders Forum meet under DOJ/FEMA auspices and report their recommendations to the Attorney General at the culmination of a two-day forum. The forum includes fire services, hazardous materials (HAZMAT), law enforcement, emergency management, and health and safety communities.**
- **August 1998 – Janet Reno, Attorney General orders preparation of a five-year interagency plan on counter terrorism and technology crime that includes goals, objectives, and performance indicators and recommendations to resolve interagency problems.**
- **October 2, 1998 - General Accounting Office, GAO/T-NSIAD-99-16, Combating Terrorism: Observations on the Nunn-Lugar-Domenici Domestic Preparedness Program.**
- **October 1998 –The Attorney General, after consultation with the National Security Council, the Federal Bureau of Investigation and others, directed the FBI to lead an interagency coordination initiative by establishing the National Domestic Preparedness Office (NDPO).**
- **November 12, 1998 - General Accounting Office, GAO/NSIAD-99-3, Combating Terrorism: Opportunities to Improve Domestic Preparedness Program Focus and Efficiency.**
- **March 11, 1999, General Accounting Office, GAO/T-NSIAD/GGD-99-107, Combating Terrorism: Observations on Federal Spending to Combat Terrorism.**
- **April 1999 – Federal Response Plan is revised after full interagency coordination to incorporate the 11 changes published to the plan since 1992. The FRP was also revised to ensure consistency with current policy guidance, integrate recovery and mitigation functions into the response structure, and describe relationships to other emergency operations plans. The revised FRP as adopted includes four new support annexes (Community Relations, Donations Management, Logistics Management, and Occupational Safety and Health), the Terrorism Incident Annex and two new appendices (FRP Changes and Revision, and Overview of a Disaster Operation).**
- **9 June, 1999, the U.S. Government Accounting Office publishes a report in response to a congressional inquiry asking to identify the costs to equip U.S. cities for weapons of mass destruction terrorism response. The GAO Report is entitled "Combating Terrorism: Analysis of Potential Emergency Response Equipment and Sustainment Costs" (06/09/1999), NSIAD-99-151.**

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- **September 15, 1999** – U.S. Commission on National Security in the 21st Century (also known as the Hart-Rudman Commission; a senior panel of national security experts appointed by Defense Secretary William Cohen) publishes its first report entitled “New World Coming: American Security in the 21st Century. Important conclusions drawn by the Commission include: (1) America will become increasingly vulnerable to hostile attack on our homeland, and our military superiority will not entirely protect us; (2) Rapid advances in information and biotechnologies will create new vulnerabilities for U.S. security; (4) The national security of all advanced states will be increasingly affected by the vulnerabilities of the evolving global economic infrastructure. The report concludes overall that “[t]aken together, the evidence suggests that threats to American security will be more diffuse, harder to anticipate, and more difficult to neutralize than ever before. Deterrence will not work as it once did; in many cases it may not work at all. There will be a blurring of boundaries: between homeland defense and foreign policy; between sovereign states and a plethora of protectorates and autonomous zones; between the pull of national loyalties on individual citizens and the pull of loyalties both more local and more global in nature.
- **October 1, 1999** – in a speech to a meeting of the California Environmental Health Association in Palm Springs, California titled “Y2K Emergency Preparedness” FEMA official summarizes FEMA’s Y2K program. He identifies the following actions being taken by FEMA: making sure FEMA’s systems are compliant (mission critical systems were determined to be 100 % compliant in March 1999); chairing the Emergency Services Sector Working Group of the President’s Y2K Council; helping State and local governments prepare for possible contingencies; developing a Y2K supplement to the Federal Response Plan; issuing a number of publications, bulletins, and press releases to encourage and assist preparedness by the public and by emergency response agencies (contingency and consequence management planning guidance had been issued in February 1999); preparing information for the public to be issued by the President’s Council; developing awareness and educational materials for FEMA employees and for State and local governments. Estimates are that Y2K expenditures represent the largest civil preparedness funding effort to date.
- **December 9, 1999** – John W. Magaw (formerly Director of the Bureau of Alcohol, Tobacco, and Firearms in the Treasury Department) joins FEMA. His new responsibilities include planning and coordinating FEMA’s domestic terrorism efforts.

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- **March 2000 – GAO Report GAO/NSIAD-00-64, Combating Terrorism: Need to Eliminate Duplicate Federal Weapons of Mass Destruction Training (GAO/NSIAD-00-64) details concerns with duplicative programs and objectives. Key issues are:**
 - **Federal training programs on weapons of mass destruction are not well coordinated, resulting in inefficiencies in the federal effort and concerns in the first responder communities.**
 - **The Departments of Defense and Justice and the Federal Emergency Management Agency are providing similar awareness courses as part of their train-the-trainer programs.**
 - **State and local officials and representatives of various responder organizations expressed concerns about duplication and overlap among the two federal training programs, courses offered by the National Domestic Preparedness Consortium (Fort McClellan, Alabama; New Mexico Institute of Mining and Technology; Louisiana State University; Texas A&M and; Nevada test Site), and other courses such as hazardous materials and other specialized training that first responders are required to complete.**
 - **The report noted efforts that are under way to improve the federal government’s role in weapons of mass destruction training, but more actions are needed to eliminate duplicative training and improve the efficiency of the Defense and Justice programs.**

- **May 2000 – Congressionally mandated No-Notice Operation first TOPOFF Exercise, simulating terrorist attacks in both Denver, CO and Portsmouth, NH. Communication difficulties and the lack of a lead agency severely hinder operations in both locations. Department of Justice assigned executive responsibility for after-action reports. This exercise series now statutory as National Level Exercise Program.**

- **July 25, 2000 – House of Representatives under the leadership of Rep. Tilly Fowler (R. Fla.) passes H.R. 4210 that establishes a President’s Council on Domestic Terrorism Preparedness comprised of the President, Directors of FEMA and OMB, Attorney General, Secretary of Defense, Assistant to the President for National Security Affairs, and additional members appointed by the President. Purposes were to (1) improve Federal assistance to State and local emergency preparedness and response for domestic terrorist attacks, (2) designates the President’s Council to coordinate Federal efforts and, (3) updates Federal authorities to reflect increased risk of terrorist attacks. Senate did not act and this legislation died in the 106th Congress.**

- **October 9, 2000 – A Washington Post article quotes Richard A. Clarke, of the National Security Council’s staff as the President’s Coordinator of Counter-terrorism and Computer Security, as saying that the FBI’s National Domestic Preparedness Office is “badly broken”.**

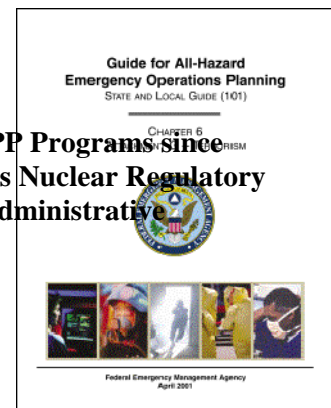
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- **December 15, 2000 – The Second Annual Report of the Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction (Gilmore Commission) is published. This report suggests that a National Office for Combating Terrorism be created. Also, more training and better medical response capabilities are called for. Specific recommendations include:**
 - 1) **Need for a national strategy for combating terrorism within one year of assuming office.**
 - 2) **A National Office for Combating Terrorism in the Executive Office of the President, and should seek a statutory basis for this office.**
 - 3) **Consolidation of Congressional authority over programs for combating terrorism into a Special Committee for Combating Terrorism.**
 - 4) **Establishment of a strong institutional mechanism for high-level State and local official participation in the development and implementation of a national terrorism preparedness strategy.**
 - 5) **The National Office for Combating Terrorism should:
Foster the development of a consolidated all-source threat assessment capability for input into the development of a national strategy.**
 - 6) **Promote “all hazards” planning documents, for the full range of emergency contingencies, including terrorism.**
 - 7) **Develop and manage a comprehensive national plan for Federal assistance to State and local agencies for training, equipment and exercises.**
 - 8) **Reevaluate the current U.S. approach to providing public health and medical care in response to acts of terrorism, especially possible mass casualty incidents and most particularly bioterrorism.**
 - 9) **Establish a clear set of research and development priorities for combating terrorism, including long-range programs. Priorities for targeted research should be responder personnel protective equipment medical surveillance, identification, and forensics; improved sensor and rapid readout capability; vaccines and antidotes; and communications interoperability.**
 - 10) **Provide cyber security against terrorist attacks on critical infrastructure.**

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- **January 2001 – Issuance of Interagency Concept of Operations Plan for Consequences of Terrorism.**
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- **February 10, 2001 – Joseph Allbaugh is confirmed as FEMA Director. Testifies at confirmation hearing that he is an expert on disaster relief and emergency management.**
- **February 8, 2001 – H.R. 525, “Preparedness Against Domestic Terrorism Act of 2001” introduced - Amends Stafford Act (the Act) to include acts of terrorism or other catastrophic events within its definition of "major disaster" for purposes of authorized disaster relief. Requires the President (current law authorizes the Director of the Federal Emergency Management Agency (FEMA Director)) to be responsible for carrying out Federal emergency preparedness plans and programs. Includes as a covered hazard a domestic terrorist attack involving a weapon of mass destruction. Establishes the President's Council on Domestic Preparedness to eliminate duplication within Federal terrorism preparedness programs. Requires the Council to: (1) publish a Domestic Terrorism Preparedness Plan and an annual implementation strategy; (2) designate an entity to assess the risk of terrorist attacks against transportation, energy, and other infrastructure facilities; and (3) establish voluntary minimum guidelines for preparedness programs. Authorizes the Council to attend meetings of the National Security Council pertaining to domestic terrorist attack preparedness matters, subject to the direction of the President.**
- **March 2001 – GAO Report GAO-01-15, Combating Terrorism: FEMA Continues to Make Progress in Coordinating Preparedness and Response (GAO-01-15) notes that FEMA’s Chemical Stockpile Emergency Preparedness Program (CSEPP) and Radiological Emergency Preparedness (REP) Program provide emergency management performance standards that strengthen related State preparedness programs. GAO also notes that FEMA’s Terrorism Preparedness Implementation plan states that CSEPP and REP are also used to support the agency’s terrorism-preparedness efforts.²**
- **March 2001 – In Congressional testimony GAO criticized the Attorney General’s five-year interagency plan on counter terrorism and technology crime (commissioned August 1998) as not constituting a national plan or strategy.**
- **March 21 and 29, 2001 respectively – H.R. 1158 to establish a National Homeland Security Agency and H.R. 1292 requiring the President to develop and implement a strategy for homeland security are introduced. It is anticipated that these bills will be combined with H.R. 525 addressing preparedness against acts of domestic terrorism.**

² ANL has been a principal contractor to FEMA in the REP and CSEPP Programs since 1981 and 1996 respectively and provided expert testimony in numerous Nuclear Regulatory Commission (NRC) administrative proceedings in support of FEMA administrative decisions.



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- **May 2001 – Center for Strategic and International Studies (CSIS) publishes report titled Combating Chemical, Biological, Radiological and Nuclear Terrorism: A Comprehensive Strategy with recommendations for improvement in Federal counter-terrorism activities. Several recommendations suggest FEMA lead.**
- **May 8, 2001 – White House Press Release states national preparedness coordination responsibility for consequence management of terrorism will be assigned to FEMA after interagency review with an Office of National Preparedness (ONP) established to coordinate all Federal programs dealing with weapons of mass destruction consequence management. The ONP is also to work with State and local governments to insure their planning, training and equipment needs are addressed.**
- **June 1, 2001– Chapter 6, Attachment G – Terrorism to the FEMA Guide for All-Hazard Emergency Operations Planning State and Local Guide (101) (dated April 2001) is adopted. The document is to aid State and local emergency planners in developing and maintaining a Terrorist Incident Appendix (TIA) to an Emergency Operations Plan (EOP) for incidents involving terrorist-initiated weapons of mass destruction (WMD). The planning guidance in this Attachment was prepared with the assistance of the Departments of Defense, Energy, Agriculture, Health and Human Services, Justice, and Veterans Affairs; the Environmental Protection Agency; the Nuclear Regulatory Commission; the National Emergency Management Association; and the International Association of Emergency Managers.**
- **June 15, 2001 – FEMA reorganizes based on May 8, 2001 White House Press release: the Office of National Preparedness is established and reports to Director, FEMA. Also, the Planning, Exercise & Evaluation Division is established within the Readiness, Response and Recovery Directorate to work with State and local governments.**
- **July 16, 2001 – FEMA Director Allbaugh and Attorney General John Ashcroft meet to discuss coordination of responsibilities related to domestic terrorism. In his letter of August 2 to Director Allbaugh, Attorney General Ashcroft states “Once the ONP (FEMA’s Office of National Preparedness) is operational, we plan to shut down the National Domestic Preparedness Office (NDPO) and are prepared to detail three or four of NDPO’s current employees to the ONP, provided that they are assigned key positions and responsibilities and significantly involved in crafting ONP’s future. In this regard, I appreciate your statement that an FBI employee would be the Deputy Director of the ONP.” Attorney General Ashcroft also expressed concern that the statement in FEMA’s July 16, 2001 Terrorism Update, Congressional Briefing that “FEMA coordinates with the FBI’ in keeping the FBI informed, giving the FBI the opportunity to identify other threats, and in not delaying emergency actions, and that conflicts are to be resolved at the Joint Operations Center or ‘elevate(d) to FEMA**



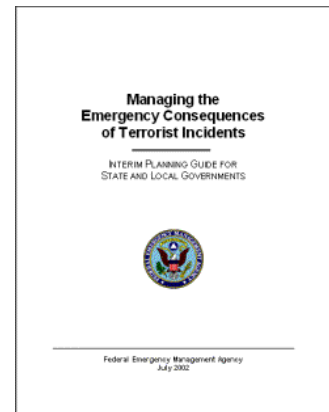
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Director” does not accurately reflect the respective roles of FBI and FEMA. It is the Department of Justice understanding that “ONP will not have an operational role in crisis response.”

- **September 10, 2001 – John Magaw named Acting Head of the FEMA ONP**
- **September 11, 2001 – Terrorist attacks on the World Trade Center and the Pentagon. President issues disaster declaration for New York City within 6 hours after Governor Pataki’s State disaster declaration (approximately 6 hours after the initial attack at 8:43 am EDT).**
- **September 14, 2001 – President signs Declaration of National Emergency resulting from the terrorist attacks at the World Trade Center, Pentagon and the continuing and immediate threat of further attacks on the U.S.**
- **September 15, 2001 – Congress approves \$40 billion expenditure on disaster relief, anti- and counter-terrorism (H.R. 2888).**
- **September 20, 2001 – GAO Report GAO-01-822, Combating Terrorism: Selected Challenges and Related Recommendations summarizing previous findings and recommendations and gives status of Executive Branch activity and efforts to consolidate coordination of disparate Federal programs. Report substantially prepared prior to September 11th attacks.**
- **October 8, 2001 – President signs Executive Order Establishing in the Executive Offices of the White House the Office of Homeland Security and the Homeland Security Council to be headed by the Assistant to the President for Homeland Security. Former Pennsylvania Governor, Tom Ridge, sworn in as first Director of the Office of Homeland Security. Executive Order 13228 published at 66 Federal Register 51812-51817.**
- **December 8, 2001 – John W. Magaw, Acting Executive Director, Office of National Preparedness resigned FEMA to pursue nomination for an appointment to the position of Under Secretary for Transportation Security in DOT. Also to become head of TSA.**
- **January 12, 2002 – Career SES in FEMA Bruce Baughman appointed Acting Executive Director, Office of National Preparedness, FEMA. Retires from FEMA January 2003 to become head of State Emergency Management Agency in Alabama.**
- **April 2002, Senator Lieberman introduces bill in Senate to establish Department of Homeland Security.**
- **June 6, 2002—President Bush in a speech to the Nation describes need for new Cabinet level department for Homeland Security.**

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- **June 18, 2002—The President’s proposal for Department of Homeland Security transmitted to Congress. See H. Doc. 107-277.**
- **June 24, 2002—President’s proposal introduced by request as H.R. 5005.**
- **July 2002 - FEMA publishes revised Planning Guide for State and Local Governments that incorporates lessons learned from response to the terrorist attacks on the World Trade Center and the Pentagon**
- **July 6, 2002-Office of Homeland Security issues National Strategy for Homeland Security. This report mandated by Congress.**
- **July 24, 2002--The House of Representatives Select Committee on Homeland Security reported out the Homeland Security Act of 2002 [H.R. 5005]. See House Report 107-609, part 1. Congressional Record, Vol. 148 (2002): July 25, 26, considered and passed House. Senate Report 107-175 accompanying S. 2452, Committee on Governmental Affairs. September 4, 5, 9, 10, 12, 13, 17-19, 23-26, 30, Oct.1, Nov. 13-15, 19, considered and passed Senate, amended. November 22, House concurred in Senate amendment**
- **November 25, 2002 – President Bush signs Public Law 107-296 establishing Department of Homeland Security effective January 24, 2003.**
- **November 26, 2002-President submits reorganization plan in accordance with section 1502 of Public Law 107-296.**
- **January 24, 2003—Department of Homeland Security activated.**
- **January 27, 2003—Secretary Ridge issues first regulation for DHS (Part 6 CFR) 68 Fed. Reg. 4056-4074.**
- **February 28, 2003-HSPD-5 published.**
- **March 1, 2003—FEMA’s existence as an independent Executive Branch administrative agency ends. FEMA name no longer authorized for use in DHS but as “brand” name reauthorized for use in August 2003. The official name for the functions and organization previously known as FEMA is the Emergency Preparedness & Response Directorate.**
- **March 1, 2003—Joe Allbaugh resigns. Michael Brown named Acting Under Secretary for Emergency Preparedness and Response, DHS.**
- **April 15, 2003, Michael Brown sworn in as Under Secretary for Emergency Preparedness and Response without Senate confirmation.**
- **August 4, 2003—Michael Brown as Under Secretary for Preparedness and Response issues memorandum to all EP&R staff authorizing the use of the term FEMA and Federal Emergency Management Agency as brand name for the EP&R Directorate.**
- **October 2004-HSPD-8 published.**



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- **July 6, 2005—DHS’s Secretary Chertoff issues 2SR memorandum eliminating the EP&R Directorate and creating an office named FEMA and a Preparedness Directorate.**
- **August 29, 2005—Hurricane Katrina makes landfall.**
- **October 2005—DHS Appropriations Act approves 2SR proposed reorganization.**
- **September 12, 2005-- Michael Brown resigns from DHS.**
- **September 16, 2005—R. David Paulinson named Acting FEMA Director. He had been confirmed by the Senate as United States Fire Administrator on November 30, 2001.**
- **December 4, 2005—George W. Foresman sworn in as Under Secretary of Preparedness Directorate, DHS.**
- **April 4, 2006—Secretary Chertoff writes Congress indicating that he intends to create a Federal Emergency Management Directorate and intends to submit R. David Paulison’s name for confirmation as Under Secretary of the Directorate.**
- **October 6, 2006—Post Katrina Emergency Management Reform Act of 2006 becomes law. PKEMA was Title VI of the 2007 DHS Appropriations Act.**
- **March 31, 2007—FEMA reestablished as a statutory entity within DHS having been abolished as an independent executive branch agency on March 1, 2003. [Note that FEMA was authorized as a label to be used by internal DHS memorandum signed by Under Secretary Michael Brown on August 4, 2003. It was never officially an organization within DHS until the Preparedness and Federal Emergency Management Directorates were recombined by PKEMA effective March 31, 2007].**
- **Sept. 2007—National Preparedness Guidelines Issued replacing Interim Preparedness Goal issued March 2005.**
- **December 2007—Annex I (National Planning) of HSPD-8 issued by Advisor to the President for Homeland Security.**
- **January 2008—ESF Support Annex Guidance.**
- **January 2008—National Response Framework (NRF) issued replacing NRP.**
- **August 1, 2008—FEMA publishes in the Federal Register “Planning Guidance for Protection and Recovery Following Radiological Dispersal Devices (RDD) and Improvised Nuclear Devices (IND) Incidents.**
- **August 2008—CPG-101 “Producing Emergency Plans” issued superseding SLG-101 (1996). No mention of Attachment G-Terrorism Planning to SLG 101.**
- **Dec. 2008—Revised NIMS issued superseding 2004 version.**

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- **December 2008—Report of Commission on Prevention of WMD Proliferation & Terrorism.**
- **July 2009—Craig Fugate sworn in as FEMA Administrator. [Note that title of Director of FEMA ended March 1, 2003.]**
- **August 3-7, 2009—National Level Exercise V [formerly TOPOFF].**

[Editorial note-From September 1981 until November 1993, a National Preparedness Directorate existed in FEMA. E.O. 12148, in §2-103 assigned FEMA the consequences of major terrorist events role. That role in FEMA was assigned to the State and Local Support Directorate during the period September 1981 to November 1993, since it was viewed primarily as a civil defense function and/or disaster response function. FEMA was completely reorganized in November 1993. It wasn't until the establishment of a Director of National Security Coordination in 1994 (this office circulated drafts of PDD-39 for the Director) and the issuance of PDD-39 in April 1995 that FEMA specifically focused on its terrorism assignment. The Director in a memorandum subject: FEMA's Role in Terrorism and Consequence Management, dated September 9, 1997 created a Terrorism Coordination Unit (TCU) effective October 1, 1997. The new unit had a scheduled life of six months. In a memorandum signed July 14, 1998, the Director announced that on June 21, 1998, the TCU was subsumed in a new organizational unit, the Office of National Security Affairs, directly reporting to the Director. This unit also incorporated the existing National Security Coordinator function. This organization had principal jurisdiction over three new PDDs [62, 63, and 67] signed by the President in May and October 1998. The Acting Chief Information Officer of FEMA was delegated responsibilities under PDD-63 as the Chief Information Assurance Officer and the Critical Infrastructure Assurance Officer.

Upon transition to the administration of George W. Bush as President, John McGaw, Senior Terrorism Advisor to the Director became the Acting Director of FEMA until the confirmation of Joseph Allbaugh on February 12, 2001. On May 8th of 2001, the President designated the Vice President to be in charge of overall review and coordination of the terrorism functions and activities in the Executive Branch. In a press release the President indicated the establishment of a new Office of National Preparedness to be established in FEMA. Implementing documents and a proposed Executive Order reinforcing the President's May 8th 2001 announcement were in review on September 10th. Then came the events of September 11th.]

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