



OFFICE OF THE UNDER SECRETARY OF DEFENSE

WASHINGTON, D. C. 20301-2000

POLICY

15 June 1994

MEMORANDUM FOR BILL CUMMING, ESQ.
OFFICE OF THE GENERAL COUNSEL, HQ FEMA

SUBJECT: Amendment to E.O. 12148

Thank you for the preliminary copy of proposed amendments to FEMA's basic charter document, E.O. 12148, as well as the background perspectives on potential amendments to the Civil Defense Act. I believe the Department of Defense will be able to concur with the proposed amendments to E.O. 12148, as provided. However, as you recognize, the amendments that are finally proposed must be processed through Sam Brick's office in our OGC.


It is both redundant and "preaching to the choir" for me to say to you -- I believe FEMA should strike while the Congressional irons are hot to get a lasting statutory charter, rather than "tinkering" with its existence and future under any E.O. However, I will continue to coordinate DoD's support for the Director along whatever route he chooses to place FEMA and DoD roles and missions into proper relationships for the "new world order." Your suggested language for the E.O. appears to do that.

Highest regards.

Max
Maxwell Alston
Director for Emergency Planning

cc: Ms. Sheila Dryden
Principal Director, Emergency Preparedness Policy

*The Federal Civil Defense Act of 1950
was repealed in November 1994 by
Public Law 103-337, which
incorporated portions into the
Robert T. Stafford Act
(PL 102-707)*

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Federal Emergency Management Agency

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Date: 5/26/94

Return to Mr Cumming
Istanbul

Bill -- SR FEMI
makes ~~the~~ recom-
mendation, ^{*} DoD will
not oppose it. Yet
FEMA has had such
a tough time with
this idea, I will
be surprised if
you elect to add
a major new idea
to it at this stage

To: Max Alston

DOD

FAX: 703-614-9269

From: Bill Cumming

Max
27 May

Telephone No: 202-646-4103

Number of Pages, including this sheet: 21

MESSAGE:

Max -
^{*} Does DOD want to delete §2-204
of E.O. 12148? If so, the current
revisions to E.O. 10480 at paragraph 8
of section 904 could be a vehicle for
revocation!
Bill

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CRHAC memo



POLICY

OFFICE OF UNDER SECRETARY OF DEFENSE

2000 DEFENSE PENTAGON
WASHINGTON, DC 20301-2000



7 May 1993

MEMORANDUM FOR MR. JOHN MCKAY, FEMA - FAX (202) 646-4557
MR. CHRIS HEISER, OMB - FAX (202) 395-1307

SUBJECT: DoD Testimony on Civil Defense Budget

This proposed testimony has been revised per OMB instructions -- except my alternative proposal for the statement on the IMA program (page 4). That item is separated for easy deletion if necessary. However, it highlights an accurate statement, which anticipates an almost certain HASC question for DoD (and perhaps for FEMA). At the time several in the Congress adamantly recommend direct DoD involvement in all hazards emergency preparedness and response, it seems to be a non-sequitur to eliminate the low-cost potential for IMAs to contribute to civil-military planning, training and emergency operations.

We do not suggest any change in the proposed statement for the Director of FEMA. It states very well the primary case for sustaining and developing the civil government infrastructure and preparedness capabilities, which are authorized and funded through the Civil Defense Act today. DoD's ability to accomplish our primary missions requires State and Federal civil preparedness -- whether it begins with attacks and adds all-hazards, or builds a capability for all-hazards (including attacks).

I have received calls this week from the HASC Subcommittee Staff, FEMA, and the Congressional Research Office. They asked what DoD's position would be if:

- The HASC sought to remove the civil defense budget from the DoD accounts and HASC jurisdiction.
- The Administration sought to delete DoD oversight for civil defense by amending E.O. 12148 and E.O. 12656.
- The Congress sought to repeal the Civil Defense Act (replacing it by some new legislation being developed under Senator Mikulski's auspices).

*Done
K...me*

As a very general statement -- DoD is not likely to oppose any of those initiatives. However, I recommend that appropriate persons convene before the hearing on the 13th to develop agreed statements of the Administration's policy on each of those questions. The relevant question is not whether we save the name civil defense, whether the Act is amended or replaced, or whether "all hazards" includes "attacks." Instead, the Congress and the Administration together must focus on stating clearly: What is the Government's commitment to Federal and State civil preparedness and military support for that preparedness, and how will they be authorized and funded after FY 1993?

Max
Maxwell Alston

Attachment:
As stated



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