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Presidential Emergency Action Document (PEAD) Project

7

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Memorandum



Subject

Continuation of Presidential Emergency
Action Document (PEAD) Project

Date

OCT 29 1986

To D. Jerry Rubino, Director
Security Staff
Justice Management Division

From Arthur Greenberg
Co-Director
PEAD Task Force

AG

Recent events have precipitated issues concerning whether the Department of Justice PEAD Project will be able to continue as a productive entity.

Your assistance in describing these issues and their ramifications to appropriate Department officials may help to continue the Project activities. Prompt decisions by these officials will also preserve Department interests in areas far more important than the Project itself. At a minimum, interim decisions concerning the Project will enhance the future options available to the Attorney General, and maintain the Department's influence in developing national security emergency plans. Delays in the resolution of these issues, however, will cripple, if not terminate, the efforts of the PEAD Project. In addition, continued inaction may persuasively, although incorrectly, convince other Agencies that the Department has abandoned, or at best is apathetic to, this area of national security.

These are a sampling of the critical issues that need resolutions:

o Renegotiation of New DOJ-FEMA Interagency Agreement and Utilization of Current Resources - Recently, FEMA representatives have contacted the Project Staff, puzzled by the Department's non-response to the August correspondence by FEMA Director Becton (attached), seeking extension of the interagency relationship, and the apparent continuing lack of Departmental interest in renegotiating a new agreement. FEMA also seems to be questioning the commitment of the Department to an effective review when it is not fully utilizing the resources currently available through FEMA.

The Project Staff is seeking authorization to address FEMA's concerns and enter into renegotiations regarding a new agreement; a tentative date of November 16 has been scheduled to begin these talks. FEMA has stated that resources are available for FY 87 to continue staffing at approximately the current level of six positions. Before renegotiations begin, however, the Project Staff needs specific guidance from Department officials, including whether the Department supports continuation of the interagency relationship. The current Interagency Agreement with FEMA is scheduled to expire on January 31, 1987.

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o Inability of the Project Staff to Recruit Qualified Personnel - The Project Staff needs more specific hiring guidelines if it is to continue a reasonable level of productivity. It will soon be reduced to two people, from a prior level of six, and is not able to recruit substantively qualified secretaries or attorneys with appropriate security clearances. The Project Staff cannot offer permanent positions, and must hire individuals on a detailed or non-permanent basis. In two weeks, when its remaining secretary leaves for another Department position, the Project Staff will be forced to rely upon secretarial assistance from other staffs, to the limited degree available, or face a nearly complete halt in typing and administrative functions. A recently published DOJ career opportunity announcement for a secretary netted only two applicants, neither one of which appeared particularly suitable.

o Relocation of Project Staff Offices and Continued Association with the Executive Office for U.S. Attorneys (EOUSA) - The Project Staff has been informed by EOUSA that the Project Office will be relocated, along with other offices of EOUSA, from the 9th floor to the 6th floor of the Patrick Henry Building. EOUSA has already selected specific space for the Project Staff. These new offices, however, may not fulfill the staff's area, configuration, or physical security requirements. The Project Staff is in no position to intelligently discuss these issues with EOUSA due to the uncertainties of the Project. Continued association with EOUSA is also an unresolved issue. At the same time, the Project Staff feels an obligation to minimize any inconveniences created by sudden changes in plans.

o Project Staff Representation on NSC-Chaired Interagency Group (IG) on National Mobilization - An NSC-chaired IG subgroup is planning to oversee the review of the PEADs and Plan D, and will soon be seeking a membership roster and determining the subgroup's agenda. Currently, PEADs are reviewed without active non-Departmental oversight, and the proposed NSC chairmanship is a clear departure from current practice. The Project Staff remains uncertain of the Department's position concerning the propriety of the IG's oversight of the PEAD review. The Project Staff needs clear guidance regarding its participation, if any, in the subgroup's efforts, and the correct response to NSC's past and potential inquiries regarding the Department's participation in the review process.

As you know, several months ago the PEAD Project was requested by the Office of the Attorney General (OAG) to refrain from undertaking any new initiatives or engaging in contacts outside of the Department. This request was made to give the Attorney General sufficient time to make the necessary decisions concerning the future of the PEAD Project, to scrutinize the PEAD Options Paper prepared by the Project Staff and first delivered to the OAG in April, and to explore the entire context of emergency preparedness and special access issues. The Project Staff appreciates the need for a comprehensive examination of national security emergency preparedness by the OAG. Decisions on the above issues, however, will help to ensure that the options ultimately selected by the Attorney General can be effectively implemented, and that the influence of the Department in national security planning processes is fully protected up until that time.

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Please call me if I can provide you with any assistance or background documentation.

Attachment

cc: Ann Rondeau
Special Assistant to the Attorney General

B. Boykin Rose
Associate Deputy Attorney General

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Federal Emergency Management Agency

Washington, D.C. 20472

AUG 5 1986

The Honorable Edwin Meese, III
Attorney General
Washington, D.C. 20530

Dear Mr. Attorney General:

Through an Interagency Agreement between the Department of Justice (DOJ) and the Federal Emergency Management Agency (FEMA), efforts are underway to update and expand Presidential Emergency Action Documents (PEADs). Under the terms of the Agreement, DOJ conducts legal research and FEMA provides funding and interagency coordination of documents. The Agreement is scheduled to expire on January 31, 1987. By that time, the DOJ/FEMA Joint Task Force, established under the Agreement, will have completed initial drafts of revised documents covering the extant PEADs. However, much work remains to be done to coordinate and revise the drafts and develop additional documents.

The PEADs are pivotal to enhancing national security emergency preparedness, and deserve the direct attention of high-level policymakers. FEMA supports continuation of this joint effort. It serves as a model for interagency cooperation, and has wide-ranging practical benefits by providing clearly written legal tools for use in governing the country in time of crisis.

We look forward to working with you and your staff on the development of a new Agreement.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Julius W. Becton, Jr.', is written over a printed name and title.

Julius W. Becton, Jr.
Director

ROUTING AND TRANSMITTAL SLIP

Date 10/1/86

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
1. B. Boykin Rose Associate Deputy Attorney General		
2.		
3.		
4.		
5.		

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

For your information.

Any specific guidance is appreciated.

file: PEAD project

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)	Room No.—Bldg.
Arthur Greenberg PEAD Project Staff <i>AG</i>	Phone No. 272-6968

5041-102

★U.S.GPO:1985-0-491-247/20032

OPTIONAL FORM 41 (Rev. 7-76)
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Memorandum



Subject National Security Council Chaired
Interagency Group on National Mobilization
and its Relationship to the PEAD Task Force

Date October 1, 1986

To B. Boykin Rose
Associate Deputy
Attorney General

From Arthur Greenberg
Co-Director
PEAD Task Force

AD

The Criminal Division has informally requested guidance from the PEAD Project Staff concerning a recent letter from Ronald C. St. Martin of the National Security Council (NSC), dealing with the establishment of a new Interagency Group (IG) for national mobilization. This letter was sent to various Executive branch officials at the Assistant Secretary level, of which the Assistant Attorney General, Criminal Division, was the Department's recipient.

In his letter, Mr. St. Martin established October 16, 1986, as a date for the addressees to meet and discuss the concept and proposed charter for the IG. Although the Criminal Division is familiar with most Department of Justice policies likely to arise within the IG, it has advised the Project Staff that it is uncertain how to respond at this meeting to inquiries concerning the PEAD Task Force.

The Project Staff is also uncertain of the Department's current position concerning the PEAD review, but believes that you should be aware of several specific issues regarding the IG's relationship to the PEAD Task Force and to the Department generally. It is implied within the concept paper, as well as through prior discussions with NSC representatives, that the IG, which is chaired by the NSC, intends to oversee the review and update of the PEADs. Currently, the PEAD review is being conducted without active non-Departmental oversight. The IG includes a steering committee, with FEMA serving as the secretariat, and contains three subgroups chaired by the NSC, FEMA, and the Treasury Department, respectively. It is not clear under which, if any, of the three subgroups the PEAD review is envisioned to be placed, or the level of control the IG member Agencies will have over the review process.

It is reasonable to assume that FEMA, and to a lesser extent the NSC, will utilize the IG, and perhaps the October 16 meeting in particular, as a forum to discuss the future direction of Executive branch mobilization preparedness. For example, FEMA may resurface issues concerning the Department's commitment to the FEMA-funded PEAD Task Force. The influence of FEMA in the mobilization area is substantial and arguably increasing, a situation which may, if unchecked, produce Executive branch decisions which run counter to Department interests. The Department, therefore, could benefit by developing policy positions prior to this initial meeting.

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Specifically, the Department could strengthen its influence in the area of mobilization preparedness by recommending that the PEAD review take place, if connected with the IG at all, under the umbrella of a fourth, separate subgroup. This subgroup would be chaired by the Department, with the Department's PEAD Project Staff providing coordination, rendering appropriate legal advice, and handling administrative matters, taking full advantage of its past experience and analysis.

If the Department recommends a separate subgroup for PEAD review, then it should also make certain fundamental decisions concerning the future of the Task Force, including whether to continue its efforts through or beyond January, 1987. In this manner, the Department's commitment to national security emergency preparedness would be more convincingly demonstrated.

Please contact me at 272-6968 if you have any further questions or recommendations concerning the IG.

Attachment

cc: Ann Rondeau
Special Assistant to the
Attorney General for
National Security Affairs

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

September 18, 1986

MEMORANDUM FOR ASSISTANT SECRETARY, MARKETING AND INSPECTION
SERVICES, DEPARTMENT OF AGRICULTURE
ASSISTANT SECRETARY FOR TRADE ADMINISTRATION
DEPARTMENT OF COMMERCE
DEPUTY UNDER SECRETARY OF DEFENSE FOR POLICY,
DEPARTMENT OF DEFENSE
ASSISTANT SECRETARY FOR INTERNATIONAL AFFAIRS
AND ENERGY EMERGENCIES, DEPARTMENT OF ENERGY
DEPUTY UNDER SECRETARY, DEPARTMENT OF HEALTH
AND HUMAN SERVICES
ASSISTANT SECRETARY FOR WATER AND SCIENCE,
DEPARTMENT OF INTERIOR
✓ ASSISTANT ATTORNEY GENERAL, CRIMINAL DIVISION,
DEPARTMENT OF JUSTICE
ASSISTANT SECRETARY FOR ADMINISTRATION AND
MANAGEMENT, DEPARTMENT OF LABOR
DIRECTOR OF THE OPERATIONS CENTER, DEPARTMENT
OF STATE
ASSISTANT SECRETARY OF THE TREASURY
(MANAGEMENT), DEPARTMENT OF THE TREASURY
ADMINISTRATOR, RESEARCH AND SPECIAL PROGRAMS
ADMINISTRATION, DEPARTMENT OF TRANSPORTATION
ACTING ASSOCIATE DIRECTOR, NATIONAL
PREPAREDNESS, FEDERAL EMERGENCY MANAGEMENT
AGENCY
ASSOCIATE DIRECTOR, NATIONAL SECURITY AND
INTERNATIONAL AFFAIRS, OFFICE OF MANAGEMENT
AND BUDGET

SUBJECT: National Mobilization Interagency Group

The Senior Interagency Group for National Security Emergency Preparedness (SIG-NSEP) has approved the establishment of an Interagency Group (IG) to address national mobilization issues. The purpose of the IG is to focus on national mobilization policy issues and development of policy options. The National Security Council (NSC) chairs this IG, with membership composed of Assistant Secretary level representatives from the Departments and Agencies that have a major role in the issues to be addressed by the IG.

Our national mobilization capability is vital to our national security. A recommendation of the recent final report of the Packard Commission to the President is to improve the Nation's capability for industrial mobilization through a comprehensive and effective national industrial responsiveness policy to support the full spectrum of potential emergencies. To that

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PRIVATE

end the IG will begin its activity addressing (1) appropriate executive branch organizational infrastructure to manage national security emergencies, and (2) plans to manage national resources deficiencies and economic/financial vulnerabilities.

I request your Department or Agency participate in this IG. I wish to convene a meeting on October 16, 1986, at 1100, Room 208, OEOB, to address its implementation. Please come prepared to discuss the concept (Tab A) and proposed Charter (Tab B) for the IG. A specific agenda will be provided at a later date.

Please advise Norman A. Mingle, Director of NSEP Programs, telephone 395-3055, of your plans to attend the meeting.

Ronald C. St. Martin
RONALD C. ST. MARTIN
Senior Director
National Security Emergency
Preparedness

Attachments

Tab A	Concept
Tab B	Charter

NATIONAL MOBILIZATION INTERAGENCY GROUP

CONCEPT PAPER

Approach. With responsibility for mobilization preparedness spread among many different departments and agencies, there needs to be a coordinated executive branch policy and position on all significant issues related to national mobilization. The revision of Executive Order 11490, "Assigning Emergency Preparedness Functions to Federal Departments and Agencies", is expected to delineate specific responsibilities and, as a result, raise implementation and resource mobilization issues needing resolution. The establishment of the National Mobilization IG implements the NSC issue resolution oversight role prescribed by NSDD-188 and provides an opportunity to coordinate the intragovernmental efforts of the departments and agencies in resolving these issues.

The relationship of emergency preparedness functions to Government organizational structures will be a major implementation issue needing resolution. Instituting a new regional structure for emergency management along functional (rather than organizational) lines would assist the Federal departments and agencies in implementing their emergency preparedness functions as assigned by the revised E.O. 11490. The National Mobilization IG can ensure: (1) the regional structure becomes a reality with people, funding, plans and programs; (2) true integration of infrastructure efforts occurs; (3) Plan D is replaced with a more appropriate plan to support the integration of infrastructure efforts; and, (4) emergency action documents are reviewed and updated. In addition, the efforts to establish a National Emergency Coordination Structure (NECS) can be bolstered by this IG as far as the NECS is applicable to national mobilization.

The National Mobilization IG will also provide a focal point for identifying and resolving resource issues. At present, there are numerous uncoordinated and often duplicative efforts examining these issues. Frequently, these efforts result only in another study that is set aside and later repeated with the same conclusions. Under the direction of the IG, resources preparedness issues could instead be addressed in a systematic executive branch process. This process would determine the national capability to meet likely mobilization requirements and resolve the problems that are uncovered.

Potential resource issues include: (1) Are our policies adequate? (i.e., Packard Report recommendations affecting resources); (2) What are the key obstacles to mobilizing?; (3) How can we overcome them? or should we?

The effect of the Nation's economic health on mobilization capability is another area for consideration by the IG. Economic measures and financial infrastructure vulnerabilities need to be considered.

Potential economic issues include: (1) What policies are required to ensure the economic viability required to support national mobilization? (2) What plans are needed to effect those policies?

Draft IG Charter. A proposed charter for the IG is at Tab II. Recommendations for membership were made on the basis of including departments and agencies providing functional expertise likely to be needed in mobilizing for national emergencies.

Initial operational elements of the IG , the subgroups mentioned in the charter, address the three immediately obvious areas needing attention: (1) implementing the regional structure and replacing Plan D; (2) organizing executive branch efforts to identify and deal with resources issues; and, (3) providing for the Treasury to address economic measures and financial infrastructure vulnerabilities impacting NSEP.

Charter of the
NATIONAL MOBILIZATION INTERAGENCY GROUP
of the
SENIOR INTERAGENCY GROUP FOR NATIONAL
SECURITY EMERGENCY PREPAREDNESS

Pursuant to National Security Decision Directive (NSDD) Number 188, "Government Coordination for National Emergency Security Preparedness," and by direction of the Senior Interagency Group for National Emergency Security Preparedness (SIG-NSEP), the National Mobilization Interagency Group (IG) is hereby established.

Purpose. This IG is formed to institutionalize an executive branch capability to coordinate policy and action on all significant issues related to national mobilization. To accomplish this, the IG must ensure the existence of appropriate functional Federal headquarters and regional organizations, plans, and management capability to provide for mobilization of our national resources and to respond to national security emergencies.

Objective. The IG is to create and establish a network of executive branch capability which can ascertain the preparedness of our national resources and our capability to manage them. The primary goal is to assure that our national strategy can realistically be achieved in the event of national security emergencies.

Membership. Membership of the IG is composed of representatives at the Assistant Secretary level from the following departments and agencies, selected as representing the functional areas of the National Emergency Coordination Structure:

Chaired by	-	National Security Council
Member Departments/ Agencies	-	Department of Agriculture Department of Commerce Department of Defense Department of Energy Department of Health & Human Services Department of Interior Department of Justice Department of Labor Department of State Department of the Treasury

Department of Transportation
Federal Emergency Management
Agency
Office of Management and Budget

Initial Operating Elements. In order to minimize the time needed for participation of the principals, the following elements of the IG are established and will be staffed by the involved department and agencies; other subgroups may be formed as determined by the IG:

° Steering Committee

Purpose. The Steering Committee is to handle the business of the IG unless and until full IG meetings are required.

Chaired by - National Security Council

Secretariat - Federal Emergency Management
Agency

Members - Department of Defense
Department of Justice
Department of the Treasury
Office of Management and Budget

° Organizational Implementation Subgroup - NSC lead

° Resources Preparedness Subgroup - FEMA lead

° Economic Subgroup - Treasury lead

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Subject

Letter from FEMA Director Becton
to the Attorney General

Date

AUG 6 1986

To

Ann Rondeau
Special Assistant
to the Attorney General

From

Arthur Greenberg
Co-Director
Joint Task Force

AG

Attached is a letter from FEMA Director Becton to the Attorney General concerning the continuation of the PEAD Task Force (Tab A). The letter contains a misstatement of fact in the first paragraph: "The Agreement is scheduled to expire on January 31, 1987." The current Agreement actually expires on September 30, 1986. See modification No. Three (3), attached (Tab B). FEMA wishes to modify the Agreement to extend the Task Force to January 31, 1987, and to provide additional funding of approximately \$82,000. This modification has been internally approved by FEMA policy officials, and needs only to be processed by FEMA's contract office. See Presidential Emergency Action Document Project Requisition No. 100681, attached (Tab C). As you know, however, the Agreement cannot be modified without Department concurrence, and the Department has not yet been presented with an official request for modification.

My recent conversation with a FEMA staffer indicates that the authors of the letter knew that this statement, cited above, was not strictly accurate. This staffer explained that FEMA interprets the language that the Agreement "is scheduled to expire" to reflect only FEMA's proposed schedule. FEMA also thought that facts concerning the expiration dates and extension proposals were too detailed for presentation to high-level officials.

The letter also states that by January 31, the Joint Task Force will have "completed initial drafts of revised documents covering the extant PEADs." This objective, however, cannot be accomplished without the full support of high-level policy officials.

Please call me at 272-6968, if I can provide you with any assistance.

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Federal Emergency Management Agency

Washington, D.C. 20472

AUG 5 1986

The Honorable Edwin Meese, III
Attorney General
Washington, D.C. 20530

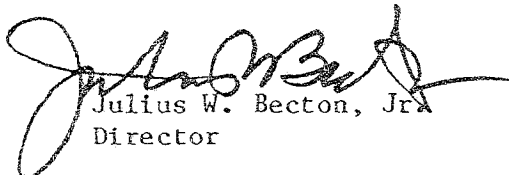
Dear Mr. Attorney General:

Through an Interagency Agreement between the Department of Justice (DOJ) and the Federal Emergency Management Agency (FEMA), efforts are underway to update and expand Presidential Emergency Action Documents (PEADs). Under the terms of the Agreement, DOJ conducts legal research and FEMA provides funding and interagency coordination of documents. The Agreement is scheduled to expire on January 31, 1987. By that time, the DOJ/FEMA Joint Task Force, established under the Agreement, will have completed initial drafts of revised documents covering the extant PEADs. However, much work remains to be done to coordinate and revise the drafts and develop additional documents.

The PEADs are pivotal to enhancing national security emergency preparedness, and deserve the direct attention of high-level policymakers. FEMA supports continuation of this joint effort. It serves as a model for interagency cooperation, and has wide-ranging practical benefits by providing clearly written legal tools for use in governing the country in time of crisis.

We look forward to working with you and your staff on the development of a new Agreement.

Sincerely,


Julius W. Becton, Jr.
Director



Federal Emergency Management Agency

Washington, D.C. 20472

APR 15 1986

U.S. Department of Justice
Justice Management Division
Washington, DC 20530
ATTN: Jerry Rubino, Director,
Security Staff

Dear Mr. Rubino:

Enclosed is one fully executed copy of Modification No. Three (3)
to Interagency Agreement No. EMW-85-E-2033.

Sincerely,

A handwritten signature in cursive script that reads 'Donna M. Darlington'. The signature is written in dark ink and is positioned to the right of the word 'Sincerely,'.

DONNA M. DARLINGTON
Contracting Officer

Enclosure

DECLARATION OF INTERAGENCY AGREEMENT

1. INTERAGENCY AGREEMENT NO. EMW-85-E-2033	2. MODIFICATION NO. Three (3)	3. EFFECTIVE DATE APR 15 1986	4. PROJECT/REQUISITION NO. 100689				
5. ISSUED BY Federal Emergency Management Agency OAM/Preparedness Support Division 500 C Street, S.W., Room 730 Washington, D.C. 20472		6. AGENCY PERFORMING SERVICE U.S. Department of Justice ATTN: Jerry D. Rubino, Director Security Staff Justice Management Division Washington, DC 20530					
7. PROJECT TITLE Presidential Emergency Action Document Project							
8. ACCOUNTING AND APPROPRIATION DATA (If required) 86-3-4410-2580-2-6310 \$150,000.00(F) 100689							
9. DESCRIPTION OF MODIFICATION <p>The purpose of this Modification No. Three (3) is to revise the Statement of Work and increase the level of funding for this project in order to provide the full complement of resources necessary to carry out the project through September 30, 1986.</p> <p>Accordingly:</p> <ol style="list-style-type: none">1. The Exhibit A - Statement of Work incorporated into the basic Agreement is hereby deleted in its entirety and the attached Exhibit A (Revised December 1985) is substituted in lieu thereof and hereby incorporated.2. As a result of this Modification No. Three (3), the total value of this Agreement is increased by \$150,000.00 from \$360,000.00 to \$510,000.00.3. Except as provided herein, all other terms and conditions of the basic Agreement, inclusive of Modification Nos. One (1) and Two (2), remain unchanged and in full force and effect. <p>END OF MODIFICATION NO. THREE (3)</p>							
10. SIGNATURE OF PERSON AUTHORIZED TO SIGN <i>Jerry D. Rubino</i>				11. SIGNATURE OF PERSON AUTHORIZED TO SIGN <i>Donna M. Darlington</i>			
12. TYPE NAME & TITLE OF PERSON AUTHORIZED TO SIGN Director, Security Staff				13. TYPE NAME & TITLE OF PERSON AUTHORIZED TO SIGN FEDERAL EMERGENCY MANAGEMENT AGENCY			

PRESIDENTIAL EMERGENCY ACTION DOCUMENT PROJECT
Statement of Work

The DOJ shall furnish the necessary facilities, personnel, services, materials, equipment and other resources necessary to accomplish the following DOJ tasks:

The DOJ shall:

1. Conduct research of legal authorities and precedents for Presidential actions during emergencies.
2. Write Cover Sheets for existing and new PEADs.
3. Write, as appropriate, revised and new PEADs in the form of Executive orders, proclamations, or draft legislation and messages to Congress.
4. As appropriate, revise PEADs and Cover Sheets to accommodate comments submitted by departments and agencies during their review of the drafts.
5. Maintain a "working log" of noteworthy occurrences and observations which would be of assistance to those tasked with reviewing and revising PEADs in the future.
6. Provide personnel, working space, and office equipment and supplies necessary for a DOJ Project Staff to perform these activities.
7. Provide one person to co-direct the PEAD Joint Task Force.
8. Provide members for an ad hoc committee to advise the PEAD Joint Task Force.

FEMA and the DOJ shall:

1. Review PEADs in Federal Emergency Plan D, and, as necessary for understanding the PEADs, other action documents including those in Plan Other Than D, the Resource Mobilization Plan for Limited War, and the draft Defense Resources Act.
2. Prepare issue papers and briefings on policy questions which are determined to be suitable for submission to an appropriate interagency group formed for this purpose.
3. Consult with Federal departments and agencies on the PEAD project and their part in that project.
4. Develop an organizing structure and index system for all of the PEADs.
5. Establish priorities for revising existing PEADs and drafting new ones.
6. Develop milestones for reviewing authorities, drafting PEADs and Cover Sheets, and coordinating their formal review within DOJ, FEMA and the Federal agency community.

7. Develop a mechanism for future periodic review and update of PEADs.
8. In conjunction with cognizant departments and agencies, identify areas where new PEADs are needed.
9. Monitor product quality.

FEMA shall:

1. Assure coordination of the PEAD project with the Major Emergency Action (MEA) document project and any Continuity of Government (COG) plans and activities which exist or are under development within FEMA.
2. Coordinate the interagency review of drafted PEADs and their Cover Sheets.
3. Maintain records as to the status of each PEAD as it proceeds through development and interagency review.
4. Submit draft PEADs for Executive Office clearance.
5. Provide personnel, working space, and office equipment and supplies necessary to perform these FEMA activities.
6. Provide one person to co-direct the PEAD Joint Task Force.
7. Provide representation to the ad hoc advisory committee.

END OF STATEMENT OF WORK



Federal Emergency Management Agency

Washington, D.C. 20472

JUL 11 1986

MEMORANDUM FOR: DIRECTOR
OFFICE OF ACQUISITION MANAGEMENT
FROM: *George H. Howell*
for Associate Director
National Preparedness
SUBJECT: Presidential Emergency Action Document Project
Requisition No. 100681

The National Preparedness Directorate has a key role in coordinating with other Federal departments and agencies to raise the level of civil readiness to deal with major emergencies, particularly in the national security area. The Presidential Emergency Action Documents (PEADs) are pivotal to enhancing preparedness.

The attached request to add additional FY 86 funds and extend the period of performance on the Department of Justice/FEMA Interagency Agreement is a top priority.

I would appreciate your facilitating the processing of this request.

Attachments

COORDINATION:

JW Watson
General Counsel



Federal Emergency Management Agency

Washington, D.C. 20472

JUL 11 1986

MEMORANDUM FOR: Donna Darlington
Contracting Officer

FROM: Sean P. Foohey *Sean P. Foohey*
Project Officer

SUBJECT: Department of Justice/FEMA Interagency Agreement
EMW-85-E-2033
Requisition No. 100681

The purpose of this memorandum is to request an increase in the level of funding on Interagency Agreement No. EMW-85-E-2033 between FEMA and the Department of Justice, and an extension in the period of performance from September 30, 1986 to January 31, 1987.

The additional \$81,844 will be used to complete the drafts of revised Presidential Emergency Action Documents (PEADs). It supplements previously approved funds which carry out the project through the end of FY 86. It is anticipated that additional FY 87 funds will be committed under the terms of a new Interagency Agreement to carry the project through the end of FY 87.

The authority for providing funds to the Department of Justice under the terms of this agreement is Section 103 of the National Security Act (50 U.S.C. 404). According to the FEMA General Counsel, under the National Security Act appropriate authority exists for the use of current year funds for completion of work in the subsequent fiscal year. Therefore, the extension of the period of performance from September 30, 1986 to January 31, 1987, will allow FY 86 funds to be used during FY 87 for completion of this work.

No change is necessitated in the existing Statement of Work. Attached is the Independent Government Cost Estimate. Please let me know if you have any questions (646-3597).

Attachments

COORDINATION:

/ /
General Counsel

86-218

FEDERAL EMERGENCY MANAGEMENT AGENCY
REQUISITION AND COMMITMENT FOR SERVICES AND SUPPLIES

DOCUMENT CONTROL NO.

100681

SEE INSTRUCTIONS ON REVERSE

1. PROGRAM OFFICE (Office Symbol, Building, Room No.) NP-FP-PL, Room 630	2. PROJECT OFFICER (Name and Telephone No.) Sean P. Foohey	3. DATE OF REQUEST 6-30-86
4. ESTIMATED PERIOD OF PERFORMANCE 9/30/86 - 12/30/87	5. DATE REQUIRED 9/30/86	6. TOTAL ESTIMATED COST \$81,844.
7. DELIVER TO: NAME (Include Office Symbol, Building, Room No. - if different than Item 1) Sean P. Foohey NP-FP-PL, Room 630 Federal Center Plaza <input type="checkbox"/> Ship to Headquarters Services Division	8. SUGGESTED SOURCE(S) (Name, Address, Contact, Telephone No.) Interagency Agreement with the Dept. of Justice Mr. D. Jerry Rubino, Director Security Staff, Justice Management Division U.S. Dept. of Justice, Washington, D.C. <input type="checkbox"/> Attached (202) 633-2094	

9. PROJECT TITLE/DESCRIPTION OF SUPPLIES, EQUIPMENT AND/OR SERVICES (For supplies indicate item/model/stock number, item name, quantity, unit price and amount - Attach an additional sheet, if necessary)

Presidential Emergency Action Document (PEAD) Project/ Obtain legal personnel and legal expertise to research authorities and to review, revise, and develop additional PEADs and Cover Sheets based on that research.

10. LIST OF ATTACHMENTS

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> SCOPE/STATEMENT OF WORK | <input type="checkbox"/> SECURITY CLASSIFICATION SPECIFICATIONS (DD Form 254) | <input type="checkbox"/> GOVERNMENT PROPERTY |
| <input type="checkbox"/> PROPOSAL EVALUATION CRITERIA | <input type="checkbox"/> RECOMMENDATION FOR NONCOMPETITIVE PROCUREMENT | <input type="checkbox"/> REPORTS AND DATA |
| <input checked="" type="checkbox"/> INDEPENDENT GOVERNMENT ESTIMATE | | <input type="checkbox"/> OTHER (Specify) |

11. REFERENCES

- | | |
|--|---|
| <input type="checkbox"/> AMENDMENT/MODIFICATION TO _____ | <input type="checkbox"/> PREVIOUS REQUISITION NO. _____ |
| <input type="checkbox"/> CLASSIFIED DOCUMENTS | <input type="checkbox"/> OTHER (Specify) _____ |

12. JUSTIFICATION/COMMENTS (Attach an additional sheet, if necessary)

Initial project activities have focused on preparation of interim cover sheet notes/comments on existing PEADs, and development of revised draft PEADs. These funds will be used for drafting additional revised PEADs. ~~and development of new PEADs.~~

13. APPROVALS - PROGRAM AREA

Sean P. Foohey Project Officer	6/30/86
John Powers Intermediate Approval	6/12/86
George Orrell Program Head	7/11/86
Bernard A. Maguire Other Coordination	7/11/86
Spence Perry, GC Other Coordination	7/11/86

Other Coordination	Date
Other Coordination	Date
Other Coordination	Date

14. ASSIGNMENT

CONTRACTING/ASSISTANCE OFFICER	NAME	TELEPHONE NO.	DATE PR RECEIVED
CONTRACT SPECIALIST			

14. APPROVALS - ADMINISTRATIVE (Supplies and Equipment)

Headquarters Services Division _____ Date _____

Contact: _____

15. FUNDING:

86-3-4410-2597-2-6310	(38,000)
86-3-4350-2597-2-6200	(24,522)
86-3-4310-2597-2-6220	(19,322)
	\$ 81,844

Funds in the amount of \$ _____ are hereby certified available and reserved.

Certifying Officer _____ Date _____

June 30, 1986

INDEPENDENT GOVERNMENT COST ESTIMATE
PRESIDENTIAL EMERGENCY ACTION DOCUMENT PROJECT
\$81,844 in FY 86 Funds

Salaries and Benefits

Salaries for the following.....\$ 65,820.22
3 attorneys (1 @ GS-15; 2 @ GS-14) - \$41,802.08
1 paralegal (GS-7) - \$5710.06
1 GS-12 attorney - \$8721.78
2 secretaries (GS-7) - \$9586.30

Benefits..... 8,380.95

Other Direct

Travel and per diem.....0.
Local travel..... 261.90
Transportation, things.....261.90
SLUC.....3928.56
Other rent.....261.90
Printing.....261.90
Supplies.....523.80
Equipment.....1312.50
Other services.....830.37
\$ 81,844.00



Federal Emergency Management Agency

Washington, D.C. 20472

JUL 11 1986

MEMORANDUM FOR: DIRECTOR
OFFICE OF ACQUISITION MANAGEMENT
FROM: *George A. Inell*
for Associate Director
National Preparedness
SUBJECT: Presidential Emergency Action Document Project
Requisition No. 100681

The National Preparedness Directorate has a key role in coordinating with other Federal departments and agencies to raise the level of civil readiness to deal with major emergencies, particularly in the national security area. The Presidential Emergency Action Documents (PEADs) are pivotal to enhancing preparedness.

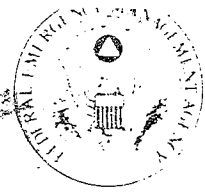
The attached request to add additional FY 86 funds and extend the period of performance on the Department of Justice/FEMA Interagency Agreement is a top priority.

I would appreciate your facilitating the processing of this request.

Attachments

COORDINATION:

GW Watson
General Counsel



Federal Emergency Management Agency

Washington, D.C. 20472

JUL 11 1986

MEMORANDUM FOR: Donna Darlington
Contracting Officer

FROM: Sean P. Foohey *Sean P. Foohey*
Project Officer

SUBJECT: Department of Justice/FEMA Interagency Agreement
EMW-85-E-2033
Requisition No. 100681

The purpose of this memorandum is to request an increase in the level of funding on Interagency Agreement No. EMW-85-E-2033 between FEMA and the Department of Justice, and an extension in the period of performance from September 30, 1986 to January 31, 1987.

The additional \$81,844 will be used to complete the drafts of revised Presidential Emergency Action Documents (PEADs). It supplements previously approved funds which carry out the project through the end of FY 86. It is anticipated that additional FY 87 funds will be committed under the terms of a new Interagency Agreement to carry the project through the end of FY 87.

The authority for providing funds to the Department of Justice under the terms of this agreement is Section 103 of the National Security Act (50 U.S.C. 404). According to the FEMA General Counsel, under the National Security Act appropriate authority exists for the use of current year funds for completion of work in the subsequent fiscal year. Therefore, the extension of the period of performance from September 30, 1986 to January 31, 1987, will allow FY 86 funds to be used during FY 87 for completion of this work.

No change is necessitated in the existing Statement of Work. Attached is the Independent Government Cost Estimate. Please let me know if you have any questions (646-3597).

Attachments

COORDINATION:
General Counsel

86-218

FEDERAL EMERGENCY MANAGEMENT AGENCY
REQUISITION AND COMMITMENT FOR SERVICES AND SUPPLIES

DOCUMENT CONTROL NO.

100681

SEE INSTRUCTIONS ON REVERSE

1. PROGRAM OFFICE (Office Symbol, Building, Room No.) NP-FP-PL, Room 630	2. PROJECT OFFICER (Name and Telephone No.) Sean P. Foohey	3. DATE OF REQUEST 6-30-86
4. ESTIMATED PERIOD OF PERFORMANCE 9/30/86 - 10/30/87	5. DATE REQUIRED 9/30/86	6. TOTAL ESTIMATED COST \$81,844.
7. DELIVER TO: NAME (Include Office Symbol, Building, Room No. - if different than Item 1) Sean P. Foohey NP-FP-PL, Room 630 Federal Center Plaza <input type="checkbox"/> Ship to Headquarters Services Division	8. SUGGESTED SOURCE(S) (Name, Address, Contact, Telephone No.) Interagency Agreement with the Dept. of Justice Mr. D. Jerry Rubino, Director Security Staff, Justice Management Division U.S. Dept. of Justice, Washington, D.C. <input type="checkbox"/> Attached (202) 633-2094	

9. PROJECT TITLE/DESCRIPTION OF SUPPLIES, EQUIPMENT AND/OR SERVICES (For supplies indicate item/model/stock number, item name, quantity, unit price and amount - Attach an additional sheet, if necessary)

Presidential Emergency Action Document (PEAD) Project/ Obtain legal personnel and legal expertise to research authorities and to review, revise, and develop additional PEADs and Cover Sheets based on that research.

10. LIST OF ATTACHMENTS

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> SCOPE/STATEMENT OF WORK | <input type="checkbox"/> SECURITY CLASSIFICATION SPECIFICATIONS (DD Form 254) | <input type="checkbox"/> GOVERNMENT PROPERTY |
| <input type="checkbox"/> PROPOSAL EVALUATION CRITERIA | <input type="checkbox"/> RECOMMENDATION FOR NONCOMPETITIVE PROCUREMENT | <input type="checkbox"/> REPORTS AND DATA |
| <input checked="" type="checkbox"/> INDEPENDENT GOVERNMENT ESTIMATE | | <input type="checkbox"/> OTHER (Specify) |

11. REFERENCES

- | | |
|--|---|
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ASSIGNMENT

CONTRACTING/ASSISTANCE OFFICER

NAME

TELEPHONE NO.

DATE PR RECEIVED

CONTRACT SPECIALIST

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Other services.....830.37

\$ 81,844.00

[illegible]

Memorandum

to JTB
FYI
[Signature]



Subject Nomination for FEMA Outstanding Public Service Award

Date July 31, 1986

To B. Boykin Rose
Associate Deputy Attorney General

From Arthur Greenberg
Co-Director
PEAD Task Force

ag

Attached is a copy of a "Nomination for FEMA Outstanding Public Service Award" for the PEAD Task Force. I received this document on July 29, 1986. According to my conversation with FEMA staffer Laurel Lacy, the award nomination originated within FEMA and ultimately may, if approved by the FEMA chain-of-command, be sent to Director Becton for his approval.

I have several reservations concerning this nomination. First, it publicizes, in an unclassified manner, certain sensitive details concerning the PEAD Project. Secondly, this nomination or award could be used for purposes other than meeting the objectives of the Project itself. For example, it could compromise future negotiating positions of the Department, if the Department decides not to extend the current arrangement with FEMA, by making the Department appear to obstruct a continuing "public service." Finally, upon reflection, I believe that it is inappropriate for this Staff to accept any award for, among other reasons, work which is not yet complete.

I have not shared these views with anyone at FEMA because this nomination concerns an internal FEMA matter, and yet involves larger DOJ-FEMA issues which should be brought to your attention.

I have raised this matter with Colonel Mingle. He will consider it after I send him a copy of the nomination.

Please call me at 272-6968 if you wish to offer guidance on this matter.

Attachment

cc: Ann Rondeau
Special Assistant to the Attorney General



Federal Emergency Management Agency

Washington, D.C. 20472

NOMINATION FOR FEMA OUTSTANDING PUBLIC SERVICE AWARD

DOJ/FEMA JOINT PEAD TASK FORCE

July 16, 1986

The Department of Justice (DOJ)/ Federal Emergency Management Agency (FEMA) Joint Presidential Emergency Action Document (PEAD) Task Force was created under the terms of an Interagency Agreement between DOJ and FEMA to conduct a legal review, and update and expand the extant PEADs. In conducting this work, the Joint Task Force has exemplified exceptional achievements in the successful accomplishment of the legal review of extant PEADs. This review has had wide-ranging practical benefits by providing clearly written legal tools for use in governing the country in time of crisis. Their work has made a significant improvement to national security emergency preparedness planning throughout the Executive Branch, and serves as a unique example of creative interagency cooperation.

Under the distinguished leadership of Arthur Greenberg, DOJ, and Sean P. Foohey, FEMA, serving as Co-Directors, the Task Force conducted a detailed legal review of the PEADs, which resulted in preparation of Interim Cover Sheet Notes (Notes) and Comments on each of the extant documents. This thorough analysis of current law, historical precedents, and sufficiency of statutory authority has been extremely well received by the emergency preparedness community. Because of their clear analysis and non-legalistic presentation, these documents have proven to be especially useful to Federal department and agency planners in helping to identify pertinent policy and program issues. Most significantly, in the event the PEADs need to be used, the high quality of the legal research would make it possible to quickly revise the documents to satisfy the need for legal sufficiency, and provide a measure of confidence that the documents have a sound legal base.

The Task Force has created a Notebook that contains the PEADs and their cover sheets, Notes and Comments, and selected legal authorities. It has proven to be a valuable resource to legal advisors and others involved in emergency management, and provides a practical tool for researching substantive topics. In addition, the Task Force has assembled 33 volumes of legal authorities corresponding to specific PEADs, which provide an efficient means of quickly retrieving information.

PROPOSED CITATION: TO THE DEPARTMENT OF JUSTICE/FEMA JOINT PRESIDENTIAL EMERGENCY ACTION DOCUMENT (PEAD) TASK FORCE, A UNIQUE EXAMPLE OF CREATIVE INTERAGENCY COOPERATION, FOR SIGNIFICANTLY IMPROVING NATIONAL SECURITY EMERGENCY PREPAREDNESS BY THEIR EXEMPLARY DEVELOPMENT OF CLEARLY WRITTEN LEGAL DOCUMENTS FOR USE IN GOVERNING THE COUNTRY IN TIME OF CRISIS.

Members

PRESIDENTIAL EMERGENCY ACTION DOCUMENT JOINT TASK FORCE

DEPARTMENT OF JUSTICE/FEDERAL EMERGENCY MANAGEMENT AGENCY

Department of Justice

Arthur Greenberg, Co-Director

Jack Goldklang

Francis A. Martin

Robert Reed

Sharon Gervasoni

Jeff Fitzpatrick

Barbara Elliott

Terry Hawthorne

Federal Emergency Management Agency

Sean P. Foohey, Co-Director

Laurel C. Lacy

William Cumming