

**Department of Homeland Security**  
**Priority in Contracts and Orders**  
**(Section 101 of the Defense Production Act)**

**Program Determinations**

In accordance with subsection 202(c) of Executive Order 12919 and pursuant to authority delegated to me by the Administrator of the Federal Emergency Management Agency, I determine that the following six programs involving essential civilian needs are necessary or appropriate to promote the national defense and are eligible to be supported using the priorities and allocations authorities provided in section 101 of the Defense Production Act of 1950, as amended [50 U.S.C. App. § 2061 et seq.]:

1. **Programs involving emergency preparedness activities conducted pursuant to title VI of the Stafford Act.** Such activities include activities and measures designed or undertaken to prepare for or minimize the effects of a hazard<sup>1</sup> upon the civilian population, to deal with the immediate emergency conditions which would be created by the hazard, and to effectuate emergency repairs to, or the emergency restoration of, vital utilities and facilities destroyed or damaged by the hazard.<sup>2</sup>
  
2. **Intelligence and warning systems to counter terrorism within the United States.** This includes intelligence and warning systems that help to: (1) prevent terrorist attacks within the United States; (2) reduce the vulnerability of the United States to terrorism; (3) minimize damage from a terrorist attack in the United States; and (4) recover from a terrorist attack in the United States.

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<sup>1</sup> The term "hazard" means an emergency or disaster resulting from: (A) a natural disaster; or (B) an accidental or man-caused event.

<sup>2</sup> The term "emergency preparedness" includes:

(A) Measures to be undertaken in preparation for anticipated hazards (including the establishment of appropriate organizations, operational plans, and supporting agreements, the recruitment and training of personnel, the conduct of research, the procurement and stockpiling of necessary materials and supplies, the provision of suitable warning systems, the construction or preparation of shelters, shelter areas, and control centers, and, when appropriate, the nonmilitary evacuation of the civilian population).

(B) Measures to be undertaken during a hazard (including the enforcement of passive defense regulations prescribed by duly established military or civil authorities, the evacuation of personnel to shelter areas, the control of traffic and panic, and the control and use of lighting and civil communications).

(C) Measures to be undertaken following a hazard (including activities for fire fighting, rescue, emergency medical, health and sanitation services, monitoring for specific dangers of special weapons, unexploded bomb reconnaissance, essential debris clearance, emergency welfare measures, and immediately essential emergency repair or restoration of damaged vital facilities).

3. **Border and transportation security programs to counter terrorism within the United States.** This includes border and transportation security programs that help to: (1) prevent terrorist attacks within the United States; (2) reduce the vulnerability of the United States to terrorism; (3) minimize damage from a terrorist attack in the United States; and (4) recover from a terrorist attack in the United States.
4. **Programs to address chemical, biological, radiological, and nuclear threats within the United States.** This includes programs to prevent, prepare for, respond to, recover from, or mitigate these threats, whether resulting from natural or man-caused events.
5. **Other programs, including law enforcement, to counter terrorism within the United States.** This includes programs that help to: (1) prevent terrorist attacks within the United States; (2) reduce the vulnerability of the United States to terrorism; (3) minimize damage from a terrorist attack in the United States; and (4) recover from a terrorist attack in the United States.
6. **Programs to protect or restore critical infrastructure.** U.S. critical infrastructure includes any systems and assets, whether physical or cyber-based, so vital to the United States that the degradation or destruction of such systems and assets would have a debilitating impact on national security, including, but not limited to, national economic security and national public health or safety.



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David J. Kaufman  
Director  
Office of Policy and Program Analysis  
Federal Emergency Management Agency

5/6/10

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Date