

## Roosevelt Administration 1933-1945

1944

**The Public Health Service Act (PHS Act):** Authorizes the quarantine and isolation of individuals suspected of carrying contagious diseases. While not related to national security, these provisions can result in involuntary detention. <sup>1</sup>

July 1, 1944, ch. 373, title III, § 361, 58 Stat. 703  
1953 Reorg. Plan No. 1, §§ 5, 8, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631;  
Pub. L. 86–624, § 29(c), July 12, 1960, 74 Stat. 419;  
Pub. L. 94–317, title III, § 301(b)(1), June 23, 1976, 90 Stat. 707;  
Pub. L. 107–188, title I, § 142(a)(1), (2), (b)(1), (c), June 12, 2002,  
116 Stat. 626, 627.)

1945

September

**Report on Dachau : By the O.S.S. (Office of Strategic Service). Known as the**  
precursor of the CIA, on the liberation of Dachau. <sup>2</sup>

## Truman Administration 1945-1953

1950

**Emergency Detention Act, Title II of the Internal Security Act of 1950:** Prohibited entry a facility named West Virginia Office of Controlled Conflict Operations, beneath Mount Weather. <sup>3</sup>

List of emergency detention centers under the old “Detention Act of 1950”

- (a) Elmendorf, AK
- (b) Montgomery, AL
- (c) Florence, AZ
- (d) Tuscon, AZ
- (e) Wickenburg, AZ

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<sup>1</sup> <https://www.govinfo.gov/content/pkg/USCODE-2023-title42/pdf/USCODE-2023-title42-chap6A-subchapII-partG-sec264.pdf>

<sup>2</sup> <https://www.eisenhowerlibrary.gov/sites/default/files/research/online-documents/holocaust/report-dachau.pdf>

<sup>3</sup> <https://www.govinfo.gov/content/pkg/COMPS-10345/pdf/COMPS-10345.pdf>

- (f) Tulalake, CA
- (g) Avon Park, FL
- (h) Sand Island, HI
- (i) Oakdale, LA
- (j) Fort Meade, MD
- (k) El Reno, OK
- (l) Greenville, SC
- (m) Allanwood, PA
- (n) Alderson, WV
- (o) Mills Point, WV

*This was repealed in 1971, but there were supposed to have been other bits of law that provided for the same thing. (List Below)*

THE PATRIOT ACT (2001) <sup>4</sup>.  
 IMMIGRATION AND NATIONALITY ACT (INA) <sup>5 6</sup>  
 AUTHORIZATION FOR USE OF MILITARY FORCE (AUMF, 2001) <sup>7</sup>  
 MILITARY COMMISSIONS ACT (2006, 2009) <sup>8</sup>  
 PUBLIC HEALTH EMERGENCY LAWS <sup>9</sup>  
 NATIONAL EMERGENCIES ACT (1976) <sup>10 11</sup>  
 FEDERAL CONTINUITY DIRECTIVES AND PLANS <sup>12</sup>  
 STATE LAWS AND EMERGENCY POWERS

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<sup>4</sup> <https://www.congress.gov/107/plaws/publ56/PLAW-107publ56.pdf>

<sup>5</sup> <https://www.govinfo.gov/content/pkg/STATUTE-66/pdf/STATUTE-66-Pg163.pdf> (as enacted)

<sup>6</sup> <https://www.uscis.gov/laws-and-policy/legislation/immigration-and-nationality-act> (codified)

<sup>7</sup> <https://www.congress.gov/107/plaws/publ40/PLAW-107publ40.pdf>

<sup>8</sup> <https://crsreports.congress.gov/product/pdf/R/R41163>

<sup>9</sup> <https://www.govinfo.gov/content/pkg/USCODE-2023-title42/pdf/USCODE-2023-title42-chap6A-subchapII-partG-sec264.pdf>

<sup>10</sup> <https://www.govinfo.gov/content/pkg/STATUTE-90/pdf/STATUTE-90-Pg1255.pdf> (as enacted)

<sup>11</sup> <https://www.govinfo.gov/content/pkg/COMPS-10385/uslm/COMPS-10385.xml> (as amended)

<sup>12</sup> <https://www.gpo.gov/docs/default-source/accessibility-privacy-coop-files/January2017FCD1-2.pdf>

## Eisenhower Administration 1953-1961

1953

April

**HEW (Department of Health, Education, and Welfare):** HEW, created in 1953, oversaw programs related to health, education, and welfare services in the USA. <sup>13 14</sup>

## Kennedy Administration 1961-1963

1962

February

**Executive Order 10995:** Takeover of communications media <sup>15</sup>

FR Citation: 34 FR 17567

Revokes: EO 10460, June 16, 1953

See: EO 11051, September 27, 1962

Amended by: EO 11084, February 15, 1963

Revoked by: EO 11556, September 4, 1970

**Executive Order 10997:** Takeover of all electric, power, petroleum, gas, fuels & minerals <sup>16</sup>

FR Citation: 27 FR 1522

See: EO 10952, July 20, 1961

Revoked by: EO 11490, October 28, 1969

**Executive Order 10988:** Takeover of food resources and farms. <sup>17</sup>

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<sup>13</sup> <https://www.govinfo.gov/content/pkg/STATUTE-67/pdf/STATUTE-67-Pg631.pdf#page=2>

<sup>14</sup> <https://www.presidency.ucsb.edu/documents/special-message-the-congress-transmitting-reorganization-plan-1953-creating-the-department>

<sup>15</sup> <https://www.federalregister.gov/executive-order/10995>

<sup>16</sup> <https://www.federalregister.gov/executive-order/10997>

<sup>17</sup> <https://www.federalregister.gov/executive-order/10998>

FR Citation: 27 FR 551

Revoked by: EO 11491, October 29, 1969

**Executive Order 10999:** Takeover of all modes of transportation, highways, seaports. <sup>18</sup>

FR Citation: 27 FR 1527

See: EO 10952, July 20, 1961

FR Doc. 62-9459, 27 FR 9418

FR Doc. 63-3328, 28 FR 3125

Revoked by: EO 11490, October 28, 1969

**Executive Order 11000:** Mobilization of all civilians into work brigades under government supervision. <sup>19</sup>

FR Citation: 27 FR 1532

See: EO 10952, July 20, 1961

Revoked by: EO 11490, October 28, 1969

**Executive Order 11001:** Allows government takeover of health, education & welfare. <sup>20</sup>

FR Citation: 27 FR 1534

See: EO 10952, July 20, 1961

Revoked by: EO 11490, October 28, 1969

**Executive Order 11002:** Designated USPS Postmaster to operate national registration of all persons. <sup>21</sup>

FR Citation: 27 FR 1539

See: EO 10952, July 20, 1961

Revoked by: EO 11490, October 28, 1969

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<sup>18</sup> <https://www.federalregister.gov/executive-order/10999>

<sup>19</sup> <https://www.federalregister.gov/executive-order/11000>

<sup>20</sup> <https://www.federalregister.gov/executive-order/11001>

<sup>21</sup> <https://www.federalregister.gov/executive-order/11002>

**Executive Order 11003:** Allows government to takeover airports and aircraft. <sup>22</sup>

FR Citation: 27 FR 1540

See: EO 10952, July 20, 1961

FR Doc. 63-3328, 28 FR 3125

Revoked by: EO 11490, October 28, 1969

**Executive Order 11004:** Allows Housing & Finance Authority to relocate communities, designate areas as abandoned & establish new locations for populace. <sup>23</sup>

FR Citation: 27 FR 1542

See: EO 10952, July 20, 1961

Revoked by: EO 11490, October 28, 1969

**Executive Order 11005:** Allows government takeover of railroads, inland waterways, and public storage facilities. <sup>24</sup>

FR Citation: 27 FR 1544

See: EO 10952, July 20, 1961

Revoked by: EO 11490, October 28, 1969

## September

**Executive Order 11051:** Authorizes all EO's into effect in times of national emergency declared by President, increased international tension or economic/financial crisis. All that needs to happen for FEMA to implement EO's is for President to declare a national emergency. <sup>25</sup>

## October

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<sup>22</sup> <https://www.federalregister.gov/executive-order/11003>

<sup>23</sup> <https://www.federalregister.gov/executive-order/11004>

<sup>24</sup> <https://www.federalregister.gov/executive-order/11005>

<sup>25</sup> [https://archives.federalregister.gov/issue\\_slice/1962/10/2/9679-9689.pdf](https://archives.federalregister.gov/issue_slice/1962/10/2/9679-9689.pdf)

**Executive Order 11490:** Authorizes the secretaries of the various agencies to prepare for any "national emergency" type situation. <sup>26</sup>

Signed: October 29, 1969

FR Citation: 34 FR 17567

Published: October 30, 1969

## Johnson Administration 1963-1969

### 1965

**Immigration and Nationality Act (Hart-Celler Act):** Abolished the national origins quota system, replacing it with a preference system emphasizing family reunification and skills. <sup>27</sup>

### 1966

**Houston-Galveston Area Council formed:** Established as a regional planning and services organization for the 13 county gulf-coast region of Texas. The council serves as a voluntary association of local governments and was created to address issues that extend beyond individual jurisdictions, such as transportation planning, emergency preparedness, economic development, and environmental quality.

H-GAC is one of the 24 regional councils in Texas, operating under the guidelines of the [Texas Association of Regional Councils \(TARC\)](#). It plays a crucial role in coordinating resources and fostering collaboration among local governments, businesses, and community organizations within the region.

Its creation and operation were influenced by broader federal and state initiatives including the [Law Enforcement Assistance Administration \(LEAA\)](#) and the [Department of Health, Education, and Welfare \(HEW\)](#)

### 1968

**Omnibus Crime Control and Safe Streets Act of 1968:** To provide federal grants and funding to improve law enforcement and criminal justice systems at the state and local levels. <sup>28</sup>

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<sup>26</sup> [https://archives.federalregister.gov/issue\\_slice/1969/10/30/17559-17599.pdf](https://archives.federalregister.gov/issue_slice/1969/10/30/17559-17599.pdf)

<sup>27</sup> <https://www.govinfo.gov/content/pkg/STATUTE-79/pdf/STATUTE-79-Pg911.pdf>

<sup>28</sup> <https://www.govinfo.gov/content/pkg/COMPS-1696/pdf/COMPS-1696.pdf>

**National Institute of Law Enforcement & Criminal Justice (NILECJ) created as a part of this Omnibus.** <sup>29</sup>

The U.S. Army Reserves Military Police, in coordination with other military and civilian law enforcement bodies, would enforce the guidelines set forth by the National Institute of Law Enforcement and Criminal Justice plan as they pertain to POW compounds. This would involve ensuring the proper treatment of prisoners, maintaining order, and adhering to the applicable national and international legal standards governing POW facilities. <sup>30 31 32</sup>

## September

**Operation Garden Plot:** The plan was initially created in response to the widespread civil rights protests, urban riots, and demonstrations during that time. <sup>33</sup>

Operation Garden Plot is still in effect as part of the broader contingency plans maintained by the U.S. military. The operation continues to be reviewed and updated as necessary, in alignment with changes to national security and law enforcement needs. U.S. Northern Command is responsible for overseeing domestic military operations, including civil support.

1969

## October

**Executive Order 11490:** Combined several EO's to allow all to take place if the President declares a national emergency. <sup>34</sup>

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<sup>29</sup> <https://www.ojp.gov/ncjrs/virtual-library/abstracts/national-institute-law-enforcement-and-criminal-justice-research>

<sup>30</sup> <https://www.icrc.org/en/law-and-policy/geneva-conventions-and-their-commentaries>

<sup>31</sup> [https://www.fichl.org/fileadmin/migrated/content\\_uploads/US\\_Army\\_Manual\\_Law\\_of\\_Land\\_Warfare\\_1940.pdf](https://www.fichl.org/fileadmin/migrated/content_uploads/US_Army_Manual_Law_of_Land_Warfare_1940.pdf)

<sup>32</sup> <https://www.icrc.org/en/document/prisoners-war-what-you-need-know>

<sup>33</sup> [https://www.governmentattic.org/2docs/DA-CivilDisturbPlanGardenPlot\\_1968.pdf](https://www.governmentattic.org/2docs/DA-CivilDisturbPlanGardenPlot_1968.pdf)

<sup>34</sup> [https://archives.federalregister.gov/issue\\_slice/1969/10/30/17559-17599.pdf](https://archives.federalregister.gov/issue_slice/1969/10/30/17559-17599.pdf)

Signed: October 28, 1969  
Published: October 30, 1969  
FR Citation: 34 FR 17567

Also provided regional capitols.

**Region I:** Boston, Massachusetts  
**Region II:** New York City, New York  
**Region III:** Philadelphia, Pennsylvania  
**Region IV:** Atlanta, Georgia  
**Region V:** Chicago, Illinois  
**Region VI:** Dallas-Fort Worth, Texas  
**Region VII:** Kansas City, Missouri  
**Region VIII:** Denver, Colorado  
**Region IX:** San Francisco, California  
**Region X:** Seattle, Washington

**1970**

**September**

**Executive Order 11556:** Revoked Executive Order 10995: Takeover of communications media. <sup>35</sup>

## **Nixon Administration 1969-1974**

**Null**

## **Ford Administration 1974-1977**

**1974**

**"Newstates of America,"** A proposed constitution was published by The Center for the Study of Democratic Institutions. "National Emergency," mentioned 134 times. <sup>36</sup>

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<sup>35</sup> <https://www.federalregister.gov/executive-order/11556>

<sup>36</sup> [https://archive.org/details/TNM/The\\_Center\\_for\\_the\\_study\\_of\\_democratic\\_instit\\_20180119\\_0100/page/n13/mode/2up](https://archive.org/details/TNM/The_Center_for_the_study_of_democratic_instit_20180119_0100/page/n13/mode/2up)



**1976**

**76-H-667, Complaint Against the Concentration Camp Program of the Dept of Defense:** Litigation was filed by Dr. William R. Pabst.<sup>37</sup>

**September**

**National Emergencies Act (Enacted), Public Law 94–412:** Grants the President broad authority to declare national emergencies, enabling use of specific emergency powers.<sup>38</sup>

**Relevant Provisions:** While the Act itself does not explicitly authorize detention, it allows the activation of statutes that could potentially be used to justify restrictions on individuals.

## **Carter Administration 1977-1981**

**1979**

**May**

**Presidential Memorandum 79-32:** FEMA created<sup>39</sup>

**June**

**Executive Order 12148:** Established FEMA by consolidating civil defense and emergency preparedness tasked federal agencies into a single entity.<sup>40</sup>

Delegates Director of FEMA powers vested in the President in the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988.

FR Citation: 54 FR 12571

Amends: EO 12148, July 20, 1979; EO 11795, July 11, 1974

Amended by Executive Order 12673 in 1989

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<sup>37</sup> [https://archive.org/stream/pdfy-aCW102KJbMaFGzPg/Pabst - Concentration Camp Plans for U.S. Citizens\\_djvu.txt](https://archive.org/stream/pdfy-aCW102KJbMaFGzPg/Pabst - Concentration Camp Plans for U.S. Citizens_djvu.txt)

<sup>38</sup> <https://www.govinfo.gov/content/pkg/STATUTE-90/pdf/STATUTE-90-Pg1255.pdf> (as enacted)

<sup>39</sup> <https://www.justice.gov/file/148856-0/dl>

<sup>40</sup> <https://irp.fas.org/agency/dhs/fema/eo12148.pdf>

## Reagan Administration 1981-1989

1982

### **National Security Directive 47 (NSDD 47, 1982)**

Laid the groundwork for the secret government's options to institute a police state, and its title is Emergency Mobilization Preparedness. As well as the suspension of the Constitution.<sup>41</sup>

1984

**REX-84A:** Code name of a mass detention scenario. Modeled on a 1970 Giuffreda-Meese-Reagan exercise in California known as Operation Cable Splicer. Designed to test the readiness of the U.S. Civilian and military agencies to respond to a serious national security crisis. Allowed military bases to be closed down and be turned into prisons.<sup>42</sup>

1986

**October**

**Immigration Reform and Control Act of 1986 (IRCA):** Focused on addressing unauthorized immigration and workplace enforcement.<sup>43</sup>

1988

**Executive Order 12657:** Assigned FEMA the responsibility of assisting in emergency preparedness planning at commercial nuclear power plants, ensuring coordinated response efforts in the event of a nuclear incident.<sup>44</sup> (*Signed November 18 by Reagan*)

1989

**Robert T. Stafford Disaster Relief and Emergency Assistance Act:** formalized federal disaster response and emphasized the need for coordinated assistance between federal, state, tribal, and local governments. It provided the legal foundation for agreements like MOUs to ensure collaboration during federally declared disasters.<sup>45</sup>

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<sup>41</sup> <https://www.reaganlibrary.gov/public/archives/reference/scanned-nsdds/nsdd47.pdf>

<sup>42</sup> <https://documents.theblackvault.com/documents/fema/2015-FEFO-00367-rex84.pdf>

<sup>43</sup> <https://www.govinfo.gov/content/pkg/STATUTE-79/pdf/STATUTE-79-Pg911.pdf>

<sup>44</sup> <https://www.archives.gov/federal-register/codification/executive-order/12657.html>

<sup>45</sup> <https://www.govinfo.gov/content/pkg/COMPS-2977/pdf/COMPS-2977.pdf>

## GHW Bush Administration 1989-1993

1989

### March

**Executive Order 12673:** Delegates Director of FEMA powers vested in the President in the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988.<sup>46</sup>

FR Citation: 54 FR 12571

Amends: EO 12148, July 20, 1979; EO 11795, July 11, 1974

1990

### November

**S.B. 2834, Public Law 101-647:**<sup>47</sup> Alternative to H.R. 4079.<sup>48</sup> Provisions in H.R. 4079 allowed for a FEMA to take over local, state and federal government in a state of national emergency for five-years.

## Clinton Administration 1993-2001

1994

**Executive Order 12898:** This order directs federal agencies, including FEMA, to identify and address disproportionately high and adverse human health or environmental effects on low-income and minority populations, integrating environmental justice into their missions.<sup>49</sup>

Common project types funded by FEMA that may trigger environmental justice considerations<sup>50</sup>

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<sup>46</sup> <https://www.federalregister.gov/executive-order/12673>

<sup>47</sup> <https://www.govinfo.gov/content/pkg/STATUTE-104/pdf/STATUTE-104-Pg4789.pdf>

<sup>48</sup> <https://www.govinfo.gov/content/pkg/BILLS-110hr4079ih/html/BILLS-110hr4079ih.htm>

<sup>49</sup> <https://www.fema.gov/fact-sheet/executive-order-12898-environmental-justice>

<sup>50</sup> <https://www.fema.gov/fact-sheet/executive-order-12898-environmental-justice>

Project Type	FEMA Program	Potential Environmental Justice Concern
Debris hauling	Public Assistance	The hauling route runs disproportionately through a low-income or minority community
Debris burning	Public Assistance, Hazard Mitigation Assistance	The debris burning is conducted disproportionately in or upwind of a low-income or minority community
Road repairs or mitigation	Public Assistance, Hazard Mitigation Assistance	Road closures that divert traffic primarily through low-income or minority neighborhood(s)
Relocation of public facilities (e.g., hospitals, fire stations, and parks)	Public Assistance, Hazard Mitigation Assistance	Disproportionate changes in environmental and health impacts from relocated facilities (such as contaminated sites or limiting available greenspace) or decrease in accessibility of relocated facilities
Closure, relocation, or consolidation of housing, employment opportunities, public schools	Public Assistance, Hazard Mitigation Assistance	Where the relocation would be to an area with disproportionately high environmental and human health hazards (such as contaminated sites, or an area with air quality issues), or decrease in accessibility of relocated facilities
Utility return to pre-disaster condition	Public Assistance	Where the pre-disaster condition would perpetuate disproportionate and adverse impacts
Alternate/Improved Projects and New Construction, Mitigation Reconstruction, Construction of New Communication Towers	Public Assistance, Hazard Mitigation Assistance, Grant Programs Directorate, High Hazard Potential Dams (HHPD) Grant Program	Disproportionate negative environmental and health impacts from new or improved facilities
Site locations of temporary housing or permanent housing construction	Individual Assistance	Location in an area with existing disproportionate and adverse environmental health hazards, forced relocation/displacement
Flood mitigation	Hazard Mitigation Assistance	Redirection of floodwaters that disproportionately affect low-income or minority communities

1996

## Emergency Management Assistance Compact (EMAC)

Public Law 104-321 <sup>51</sup>

**Legal Authority:** Recognized by all 50 states, the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, and other U.S. territories. It provides legal protection and reimbursement mechanisms for personnel and resources deployed under the compact.

<sup>51</sup> <https://www.congress.gov/104/plaws/publ321/PLAW-104publ321.pdf>

**Scope:** EMAC covers a wide range of emergencies, including natural disasters (e.g., hurricanes, earthquakes, wildfires), man-made incidents, public health emergencies, and other crises.

**Coordination:** Deployed personnel work under the operational control of the requesting state. Governor declares emergency, requests assistance - emergency medical, search-and-rescue, law enforcement and technical experts.

**Cause:** Developed in 1992 after Hurricane Andrew highlighted the need for improved state-to-state mutual aid.

## GW Bush Administration 2001-2009

### 2001

**Authorization for Use of Military Force (AUMF, 2001):** The AUMF authorized the use of military force against individuals or groups responsible for the 9/11 attacks or associated forces.<sup>52</sup>

**Relevant Provisions:**

The AUMF has been interpreted to allow the detention of individuals classified as "enemy combatants," including U.S. citizens (e.g., the case of José Padilla, detained as an enemy combatant in 2002). Detentions under the AUMF have been challenged for lacking due process.

### October

**The Patriot Act (2001):** Expands the government's surveillance, detention, and investigatory powers to combat terrorism. It permits the detention of non-citizens suspected of terrorism-related activities without immediate charges or trial.<sup>53</sup>

**Relevant Provisions:** Section 412: Allows the Attorney General to detain non-citizens if they are certified as threats to national security. Detainees may be held for seven days without charges, with potential for indefinite detention under immigration laws.

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<sup>52</sup> <https://www.congress.gov/107/plaws/publ40/PLAW-107publ40.pdf>

<sup>53</sup> <https://www.congress.gov/107/plaws/publ56/PLAW-107publ56.pdf>

## 2002

**Homeland Security Act (2002):** Expanded provisions related to national security and immigration enforcement. <sup>54</sup>

## 2003

**Homeland Security Presidential Directive-5 (HSPD-5):** mandated the creation of the National Incident Management System (NIMS) to provide a standardized approach to incident management. <sup>55</sup>

**National Incident Management System (NIMS):** NIMS encourages the use of agreements like MOUs to clarify roles and responsibilities among responding entities.

## 2005

**Hurricane Katrina:** Event highlighted gaps in coordination and communication among agencies. As a result, FEMA and partner organizations increasingly turned to Disaster-Specific MOUs to preemptively address these issues and streamline disaster responses.

## 2006

**Military Commissions Act (2006, 2009):** This Act provides a framework for trying detainees at Guantanamo Bay and authorizes the detention of "unlawful enemy combatants."

## 2008

**The National Response Framework (NRF):** The NRF was developed as part of the broader post-9/11 reforms and lessons learned from major disasters, including Hurricane Katrina (2005), which highlighted the need for a more effective and integrated response framework.

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<sup>54</sup> <https://www.congress.gov/107/plaws/publ296/PLAW-107publ296.htm>

<sup>55</sup> <https://www.govinfo.gov/content/pkg/PPP-2003-book1/pdf/PPP-2003-book1-doc-pg229.pdf>

2009

**Military Commissions Act (2006, 2009):** This Act provides a framework for trying detainees at Guantanamo Bay and authorizes the detention of "unlawful enemy combatants."

## Obama Administration 2009-2017

2011

**Presidential Policy Directive 8 (PPD-8):** outlines the United States' approach to national preparedness, aiming to strengthen the country's security and resilience by systematically preparing for high-risk threats like terrorism, cyber attacks, pandemics, and major natural disasters

2013

April

**ATP 3-57.1, Army Techniques Publication 3-57.1: Civil Affairs Support to Unified Land Operations,** was published.<sup>56</sup>

This document superseded the older FM 41-10 (Civil Affairs Operations)<sup>57</sup> and provided updated guidance on how U.S. Army Civil Affairs units should operate in support of military and civilian agencies during various types of operations, including humanitarian assistance, governance support, and disaster response efforts.

The publication was designed to enhance the integration of Civil Affairs units in unified land operations, aligning with the broader U.S. military doctrine and providing clarity on how these units should interact with both military and civilian organizations like FEMA during emergency response and disaster recovery operations.

**National Response Framework (NRF) Update:** Revised in May to enhance the focus on community resilience and added support for Presidential Policy Directive 8 (PPD-8), which emphasized national preparedness.

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<sup>56</sup> [https://armypubs.army.mil/epubs/DR\\_pubs/DR\\_a/pdf/web/atp3\\_57x10.pdf](https://armypubs.army.mil/epubs/DR_pubs/DR_a/pdf/web/atp3_57x10.pdf)

<sup>57</sup> <https://tile.loc.gov/storage-services/service/l1/llmlp/FM-41-10-1962/FM-41-10-1962.pdf>

**2016**

**National Response Framework (NRF) Update:** Updated in June to align with the National Preparedness Goal, emphasizing outcomes-driven planning and response.

**2017**

**January**

**Federal Continuity Directives and Plans:** Focuses on continuity of government plans and directives, often classified, may include provisions for the detention or restriction of individuals deemed threats to government operations during emergencies.<sup>58</sup>

## **Trump Administration 2017-2021**

**2019**

**National Response Framework (NRF) Update:** Updated in October to include a greater focus on integrating cybersecurity into disaster response, reflecting the evolving nature of threats and emergencies.

**2021**

**Executive Order 14058 (2021):** Signed by President Joe Biden, this order focuses on transforming federal customer experience and service delivery to rebuild trust in government, impacting how agencies like FEMA interact with the public.<sup>59</sup>

**Memorandum on Maximizing Assistance from FEMA (2021):** This memorandum directs FEMA to utilize its full capacity to support state, local, tribal, and territorial governments in responding to the COVID-19 pandemic, emphasizing the provision of emergency and disaster assistance.<sup>60</sup>

**December**

**National Emergencies Act (Amended), Public Law 94–412:** Grants President broad authority to declare national emergencies, enabling use of specific emergency powers.<sup>61</sup>

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<sup>58</sup> <https://www.gpo.gov/docs/default-source/accessibility-privacy-coop-files/January2017FCD1-2.pdf>

<sup>59</sup> <https://www.performance.gov/cx/executive-order/>

<sup>60</sup> [https://www.whitehouse.gov/briefing-room/presidential-actions/2021/02/02/memorandum-maximizing-assistance-from-the-federal-emergency-management-agency/?utm\\_source=chatgpt.com](https://www.whitehouse.gov/briefing-room/presidential-actions/2021/02/02/memorandum-maximizing-assistance-from-the-federal-emergency-management-agency/?utm_source=chatgpt.com)

<sup>61</sup> <https://www.govinfo.gov/content/pkg/COMPS-10385/uslm/COMPS-10385.xml> (as amended)



**Relevant Provisions:** While the Act itself does not explicitly authorize detention, it allows the activation of statutes that could potentially be used to justify restrictions on individuals.

The authority for **Equitable Long-Term Recovery and Resilience** stems from a combination of legislation, executive orders, and FEMA policies, primarily rooted in the following:

## 1. The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act)

- **Overview:** The Stafford Act provides the framework for federal disaster response and recovery efforts, including support for long-term recovery.
- **Key Provisions:**
  - **Section 404:** Establishes the Hazard Mitigation Grant Program (HMGP), which funds projects to reduce risk and enhance resilience.
  - **Section 406:** Addresses repair, restoration, and mitigation for public infrastructure.
  - **Equity Implications:** FEMA must ensure funds are allocated fairly to support underserved and vulnerable communities in recovery efforts.

## 4. Disaster Recovery Reform Act (DRRA) of 2018

## 5. FEMA Policy and Guidelines

- **Community Lifelines Framework:** Ensures that critical services such as health, safety, and economic stability are prioritized in long-term recovery for all populations.
- **National Disaster Recovery Framework (NDRF):** Provides guidance on how FEMA collaborates with other agencies and community stakeholders to ensure equitable recovery and resilience efforts.

## Summary of Tied Authorities

The authority for equitable long-term recovery and resilience comes from a blend of legislative acts like the **Stafford Act**, the **DRRA**, key executive orders emphasizing equity and climate resilience, and FEMA's operational policies. These sources collectively aim to ensure that recovery efforts are inclusive and strengthen communities' ability to withstand future disasters.