

# EXECUTIVE ORDERS

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**Executive Order No. 132: Designating the State Prevention and Preparedness Council; Establishing the Positions of Senior Advisor to the Governor for Counter-Terrorism and Senior Advisor to the Governor for Disaster Preparedness and Response; and Revoking Certain Executive Orders.**

WHEREAS, since the barbaric attacks on the World Trade Center and Pentagon on September 11, 2001, no state has done more than New York to establish a comprehensive statewide anti-terrorism strategy that utilizes communication, coordination, and collaboration at all levels of government and the private sector to enhance the ability of the State to detect, prevent, prepare for, respond to and recover from terrorist attacks;

WHEREAS, while we are ever cognizant of the threat posed to our great State by the cowardly and murderous acts of terrorists, we are equally mindful of the potential devastation to the State, its residents and its economy posed by natural disasters and other types of emergencies, such as 1998 North Country Ice Storm, the crash of TWA Flight 800, the Staten Island Tank Farm Explosion and, more recently, the failure of the interstate electric power grid;

WHEREAS, the Federal Government has created a National Strategy for Homeland Security and established the United States Department of Homeland Security to oversee not only national terrorism preparedness and response, but all domestic disaster preparedness and response;

WHEREAS, Homeland Security Presidential Directive No. 5 requires, on both the State and Federal level, the integration of crisis and consequence management planning relative to the prevention of, preparation for, response to and recovery from terrorist attacks, major disasters and other emergencies, into a single integrated function;

WHEREAS, the National Incident Management System envisioned by the Federal Department of Homeland Security provides for a standardized framework for implementing the National Response Plan and calls for the development of local, state and Federal Prevention and Preparedness Councils;

WHEREAS, the National Response Plan developed by the Federal Department of Homeland Security calls for the integration of current Federal domestic prevention, preparedness, response, and recovery plans into a single all-discipline, all-hazards approach;

WHEREAS, this Order is necessary to achieve functional and organizational consistency with the Federal Department of Homeland Security and compatibility with the National Response Plan, ensure efficiency and clarity in statewide all-hazards prevention, preparedness, response and recovery efforts, including the coordination of federal funding, and recognize the effectiveness of current State disaster management practices;

NOW, THEREFORE, I, GEORGE E. PATAKI, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Laws of the State of New York, do hereby designate the Disaster Preparedness Commission, established pursuant to Article 2-B of the Executive Law and in accordance with the powers granted therein, to act as the State Prevention and Preparedness Council, whose responsibilities shall include:

1. Directing and leading New York State's disaster preparedness efforts, including the response to and recovery from acts of terrorism, disasters, other emergencies and threats thereof. For purposes of this Order, the term "disaster" shall have the same meaning as in Executive Law Section 20(2)(a).
2. Overseeing, directing and managing the creation and operation of functional area multi-agency task forces responsible for the development and coordination of all state efforts in (a) all-hazards prevention, (b) all-hazards preparedness, (c) all-hazards response, (d) all-hazards recovery, (e) all-hazards federal grant administration and (f) such other functional areas as determined by the Council to be necessary or convenient. For purposes of this Order, the term "all-hazards" shall include acts of terrorism, disasters, other emergencies and threats thereof.
3. Establishing and coordinating disaster preparedness policies, protocols and strategies for state entities.
4. Coordinating the disaster preparedness, prevention, response and recovery efforts of the State Emergency Management Office, the Office of Public Security, the Division of Military and Naval Affairs and other state entities.
5. Establishing, facilitating and fostering partnerships and information sharing between and among State government, local governments, institutions of higher learning and private entities to better prepare the State to respond to and recover from acts of terrorism, disasters, other emergencies and threats thereof.
6. Designating existing local entities or facilitating the establishment of local entities which may be designated to act as Local Prevention and Preparedness Councils throughout the State to assist in crisis and consequence management at the local level.
7. Directing, through the Office of Public Security, the efforts of the Office of Cyber Security and Critical Infrastructure Protection to coordinate the policies, protocols, strategies and continuity plans for State entities to protect critical infrastructure within the State, including physical and cyber assets, from acts of terrorism, disasters, other emergencies and threats thereof.
8. Coordinating, through the Office of Public Security, the collection and maintenance by the Office of Cyber Security and Critical Infrastructure Protection of information pertaining to critical infrastructure assets in the State, including physical and cyber assets, to assist in protecting against, detecting, responding to and recovering from acts of terrorism, disasters, other emergencies and threats thereof.
9. Coordinating the procurement by state entities of resources relating to (a) homeland security, (b) disaster preparedness and (c) the collection, maintenance and dissemination of information pertaining to critical infrastructure assets in the State.
10. Performing such acts as may be necessary or convenient to carry out the duties and responsibilities set forth herein.

In carrying out the foregoing responsibilities, the Council shall coordinate and consult with the Senior Advisor to the Governor for

Counter-Terrorism and the Senior Advisor to the Governor for Disaster Preparedness and Response.

All state entities are hereby directed to cooperate fully with the State Prevention and Preparedness Council and provide any assistance necessary to carry out this Order. For purposes of this Order, the term "state entities" shall include all state agencies, departments, offices, divisions, boards, bureaus, commissions and other entities over which the Governor has executive power, the State University of New York, the City University of New York and all public benefit corporations, the heads of which are appointed by the Governor.

FURTHER, I do hereby establish the positions of Senior Advisor to the Governor for Counter-Terrorism, whose responsibilities shall include advising the Governor on the State's terrorism prevention and preparedness policies and strategies, and who shall serve as a liaison with Federal law enforcement and intelligence entities; and Senior Advisor to the Governor for Disaster Preparedness and Response, whose responsibilities shall include advising the Governor on the State's natural disaster preparedness, response and recovery policies and strategies.

FURTHER, by this Order I do hereby assign all powers and responsibilities of the Commission on Terrorism, as established by Executive Order 112, to the Office of Public Security, and revoke Executive Orders 112 and 123, which have been superseded by this Order.

(L.S.) GIVEN under my hand and the Privy Seal of the State in the City of Albany, this fifth day of December in the year two thousand three.

*BY THE GOVERNOR*  
/S/ George E. Pataki  
/s/ John C. Cahill  
*Secretary to the Governor*