Secretary
U.S. Department of Homeland Security
Washington, DC 20528

September 8, 2004

Dear Governor:

In Homeland Security Presidential Directive (HSPD)-5, *Management of Domestic Incidents,* the President directed me to develop and administer the National Incident Management System (NIMS). The NIMS provides a consistent nationwide approach for Federal, State[1], territorial, tribal, and local[2]governments to work effectively and efficiently together to prepare for, prevent, respond to, and recover from domestic incidents, regardless of cause, size, or complexity. On March 1, 2004, the Department of Homeland Security (DHS) issued the NIMS to provide a comprehensive national approach to incident management, applicable at all jurisdictional levels and across functional disciplines. HSPD-5 also required DHS to establish a mechanism for ongoing coordination to provide strategic direction for, and oversight of, the NIMS. To this end, the NIMS Integration Center (NIC) was established to support both routine maintenance and the continuous refinement of the NIMS.

All Federal departments and agencies are required to adopt the NIMS and use it in their individual domestic incident management and emergency prevention, preparedness, response, recovery, and mitigation activities, as well as in support of all actions taken to assist State or local entities. The NIC is working with Federal departments and agencies to ensure that they develop a plan to adopt NIMS and that all fiscal year (FY) 2005 Federal preparedness assistance program documents begin the process of addressing State, territorial, tribal, and local NIMS implementation.

This letter outlines the important steps that State, territorial, tribal, and local entities should take during FY 2005 (October 1, 2004- September 30, 2005) to become compliant with the NIMS.

The NIMS provides the framework for locals, tribes, territories, States, and the Federal Government to work together to respond to any domestic incident. Many of the NIMS requirements are specific to local jurisdictions. In order for NIMS to be implemented

---

[1] As defined in the Homeland Security Act of 2002, the term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States." 6 U.S.C. 101 (14)

[2] As defined in the Homeland Security Act of 2002, Section 2(10): the term "local government" means "(A) county, municipality, city, town, township, local public authority, school district, special district, intrastate district, council of governments... regional or interstate government entity, or agency or instrumentality of a local government: an Indian tribe or authorized tribal organization, or in Alaska a Native village or Alaska Regional Native Corporation; and a rural community, unincorporated town or village, or other public entity." 6 U.S.C. 101(10)

successfully across the nation, it is critical that States provide support and leadership to tribal and local entities to ensure full NIMS implementation. We are looking to you and your State Administrative Agency (SAA) to coordinate with the State agencies, tribal governments, and local jurisdictions to ensure NIMS implementation. Given the importance and urgency of this effort, Federal, State, territorial, tribal, and local entities should begin efforts to implement the NIMS, if such efforts are not already underway.

Implementation of and compliance with the NIMS is critical to ensuring full and robust preparedness across our nation. HSPD-5 established ambitious deadlines for NIMS adoption and implementation. FY 2005 is a start up year for NIMS implementation and full compliance with the NIMS is not required for you to receive FY 2005 grant funds. Since FY 2005 is a critical year for initial NIMS adoption, you should start now by prioritizing your FY 2005 preparedness assistance (in accordance with the eligibility and allowable uses of the grant) to facilitate its implementation. The NIC is working with the Federal departments and agencies to identify all of preparedness assistance programs. The NIC will then provide this information to the States, territories, tribes, and local governments.

To the maximum extent possible, States, territories, tribes, and local entities are encouraged to achieve full NIMS implementation and institutionalization across the entire response system during FY 2005. This memorandum highlights the important features of NIMS implementation that should receive special emphasis in FY 2005, but does not represent all of the actions necessary to fully implement the NIMS.

The NIMS is the nation's first-ever standardized approach to incident management and response. The NIMS unifies Federal, State, territorial, tribal, and local lines of government into one coordinated effort. This integrated system makes America safer by establishing a uniform set of processes, protocols, and procedures that all emergency responders, at every level of government, will use to conduct response actions. This system ensures that those involved in emergency response operations understand what their roles are and have the tools they need to be effective.

This system encompasses much more than the Incident Command System (ICS), although ICS is a critical component of the NIMS. It also provides a common foundation for training and other preparedness efforts, communicating and sharing information with other responders and with the public, ordering resources to assist with a response effort, and for integrating new technologies and standards to support incident management. For the first time, all of the nation's emergency responders will use a common language, and a common set of procedures when working individually and together to keep America safe. The NIMS ensures that they will have the same preparation, the same goals and expectations, and most importantly, they will be speaking the same language.

Minimum FY 2005 NIMS Compliance Requirements:

State and territory level efforts to implement the NIMS must include the following:

- **Incorporating NIMS into existing training programs and exercises**
- **Ensuring that Federal preparedness funding (including DHS Homeland Security Grant Program, Urban Area Security Initiative (UASI) funds) support NIMS implementation at the State and local levels** (in accordance with the eligibility and allowable uses of the grants)
- **Incorporating NIMS into Emergency Operations Plans (EOP)**
- **Promotion of intrastate mutual aid agreements**
- **Coordinating and providing technical assistance to local entities regarding NIMS**
- **Institutionalizing the use of the Incident Command System (ICS)**

At the State, territorial, tribal, and local levels, jurisdictions should support NIMS implementation by:

- **Completing the NIMS Awareness Course: "National Incident Management System (NIMS), An Introduction" (IS 700)**

This independent study course developed by the Emergency Management Institute (EMI) explains the purpose, principles, key components, and benefits of NIMS. The course also contains "Planning Activity" screens, allowing participants an opportunity to complete some planning tasks during the course. The planning activity screens are printable so that they can be used after the course is complete. The course is available on-line and will take between forty-five minutes to three hours to complete. The course is available on the EMI web page at: http://training.fema.gov/EMIWeb/IS/is700.asp.

- **Formally recognizing the NIMS and adopting the NIMS principles and policies**

States, territories, tribes, and local entities should establish legislation, executive orders, resolutions, or ordinances to formally adopt the NIMS. The NIC will provide sample language and templates to assist you in formally adopting the NIMS through legislative and/or executive/administrative means.

- **Establish a NIMS baseline by determining which NIMS requirements you already meet**

We recognize that State, territorial, tribal, and local entities have already implemented many of the concepts and protocols identified in the NIMS. The 2004 DHS Homeland Security Grant Program encouraged grantees to begin utilizing the NIMS concepts, principles, terminology, and technologies. The NIC is developing the NIMS Capability Assessment Support Tool (NIMCAST). The NIMCAST is a web-based self-assessment system that States, territories, tribes, and local governments can use to evaluate their incident response and management capabilities. This useful tool identifies the

requirements established within the NIMS and can assist you in determining the extent to which you are already compliant, as well as identify the NIMS requirements that you are not currently meeting. As gaps in compliance with the NIMS are identified, States, territories, tribes, and local entities should use existing initiatives, such as the Office for Domestic Preparedness (ODP) Homeland Security grant programs, to develop strategies for addressing those gaps. The NIC will formally pilot the NIMCAST with a limited number of States in September. Upon completion of the pilot, the NIC will provide all potential future users with voluntary access to the system. Additional information about the NIMCAST tool will be provided later this year.

- **Establishing a timeframe and developing a strategy for full NIMS implementation**

States, territories, tribes, and local entities are encouraged to achieve full NIMS implementation during FY 2005. To the extent that full implementation is not possible during FY 2005, Federal preparedness assistance must be leveraged to complete NIMS implementation by FY 2006. By FY 2007, Federal preparedness assistance will be conditioned by full compliance with the NIMS. Again, in order for NIMS to be implemented successfully across the nation, it is critical that States provide support and leadership to tribal and local entities to ensure full NIMS implementation. States should work with the tribal and local governments to develop a strategy for statewide compliance with the NIMS.

- **Institutionalizing the use of the Incident Command System (ICS)**

If State, territorial, tribal, and local entities are not already using ICS, you must institutionalize the use of ICS (consistent with the concepts and principles taught by DHS) across the entire response system. The 9/11 Commission Report recommended national adoption of the Incident Command System (ICS) to enhance command, control, and communications capabilities. All Federal, State, territory, tribal, and local jurisdictions will be required to adopt ICS in order to be compliant with the NIMS. Additional information about adopting ICS will be provided to you by the NIC.

FY 2006 and FY 2007 Requirements:

In order to receive FY 2006 preparedness funding, the minimum FY 2005 compliance requirements described above must be met. Applicants will be required to certify as part of their FY 2006 grant applications that they have met the FY 2005 NIMS requirements. Additional information about NIMS compliance and resources for achieving compliance will be forthcoming from the NIC. In addition, FY 2005 Federal preparedness assistance program documents will address State and local NIMS compliance. The NIC web page, www.fema.gov/nims, will be updated regularly with information about the NIMS and guidance for implementation. The NIC may be contacted at the following:

Gil Jamieson, Acting Director
NIMS Integration Center
500 C Street, SW
Washington, DC 20472
(202) 646-3850
NIMS-Integration-Center@dhs.gov
web page: www.fema.gov/nims

Thank you for your support in implementing the NIMS. I look forward to continuing our collective efforts to better secure the homeland and protect our citizens and appreciate all of your hard work in this important endeavor.

Sincerely,

Tom Ridge

cc: State Administrative Agency
State Emergency Management Director
State Homeland Security Advisor
DHS Directorates and Offices
Homeland Security Advisory Council