

EXECUTIVE ORDER NO. 248

WHEREAS, on February 28, 2003, the President of the United States, in Homeland Security Directive No. 5 (HSPD-5), directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System ("NIMS") to provide a consistent, nationwide approach for federal, State, local, and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic security incidents, regardless of cause, size, or complexity; and

WHEREAS, the Federal Emergency Management Agency ("FEMA") Administrator, as head of the National Integration Center, is charged with managing and maintaining NIMS and, in accordance with the Post-Katrina Emergency Management Reform Act of 2006, issues NIMS guidance and supports its implementation; and

WHEREAS, the Federal Homeland Security Act of 2002, as amended, provides that the term "emergency response providers" includes Federal, State, and local governmental and nongovernmental emergency public safety, fire, law enforcement, emergency response, emergency medical (including hospital emergency facilities), and related personnel, agencies, and authorities; and

WHEREAS, in Executive Order No. 50 (2005), New Jersey adopted NIMS as the standard for all incidents and emergency response events, and prescribed particular training requirements for emergency response providers; and

WHEREAS, the training requirements set forth in Executive Order No. 50 (2005) are outdated and no longer match current FEMA guidelines for the NIMS Incident Command System ("ICS") curriculum; and

WHEREAS, the New Jersey Office of Emergency Management ("NJOEM") is responsible for NIMS compliance, providing oversight and coordination of NIMS ICS training and preparedness grants, and facilitating training programs for emergency response providers; and

WHEREAS, the current NIMS ICS components are an integral part of various incident management training programs and other activities provided throughout the State every year; and

WHEREAS, the State Director of Emergency Management is authorized to issue directives requiring NIMS-compliant training requirements for emergency response providers; and

WHEREAS, NJOEM is the State entity best positioned to review ongoing requirements for NIMS compliance, establish minimum training requirements based on the NIMS curriculum, and determine appropriate NIMS training qualifications for emergency response providers;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by the virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. Executive Order No. 50 (2005) is hereby rescinded.
2. Within 30 days of this Order, NJOEM shall issue a comprehensive emergency management directive that includes the establishment of minimum requirements and qualifications for NIMS-compliant trainings for emergency response providers, other personnel, and government officials as required by FEMA's NIMS training program.
3. NIMS shall continue as the standard for incident management for all planned events and incidents in this State.

4. NJOEM shall work with federal, State, county, and municipal stakeholders with responsibility for incident management to develop and deliver NIMS-compliant training programs.

5. All State departments and agencies shall incorporate NIMS into existing training programs and exercises, wherever appropriate.

6. All State, county, and municipal agencies shall maintain compliance with federal emergency management training requirements and NJOEM directives. Eligibility for federal preparedness grants shall be contingent upon compliance with any NJOEM directives issued pursuant to this Order.

7. All State, county, and municipal agencies are authorized to issue such directives, administrative orders, regulations and other guidance as may be necessary to mandate the use of NIMS at all planned events and incidents by personnel within their subject areas of responsibility, in coordination and compliance with the directives of the State Director of Emergency Management.

8. This Order shall take effect immediately.

GIVEN, under my hand and seal this
20th day of July,
Two Thousand and Twenty-one,
and of the Independence of
the United States, the Two
Hundred and Forty-Sixth.

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor