

## **Voluntary Private Sector Preparedness Accreditation and Certification Program Proposed Target Criteria for Preparedness Standard**

**SUMMARY:** The attached table, a version of which will be included in the Department of Homeland Security's upcoming Federal Register notice, is a draft list of target criteria that DHS will consider in determining whether a recommended standard is "appropriate" and may be adopted by DHS as part of the new Voluntary Private Sector Preparedness Accreditation and Certification Program. We invite your views on the list.

**BACKGROUND:** In the "Implementing the Recommendations of the 9/11 Commission Act of 2007" (the 9/11 Act), Congress authorized DHS to establish a voluntary private sector preparedness accreditation and certification program. The designated officer in charge of that program is authorized to, among other things:

(1) support "the development and updating" of voluntary preparedness standards through organizations that "coordinate or facilitate the development and use of voluntary consensus standards and voluntary consensus standards development organizations" and

(2) consult with "representatives of appropriate organizations that coordinate or facilitate the development and use of voluntary consensus standards, appropriate voluntary consensus standards development organizations, each private sector advisory council created under section 102(f)(4), appropriate representatives of State and local governments, including emergency management officials and appropriate private sector advisory groups."

The designated officer shall then "adopt one or more appropriate voluntary preparedness standards that promote preparedness" and which "may be tailored to address the unique nature of various sectors within the private sector." Further, sec. 524(b)(2)(B)(ii) also authorizes the designated officer to "adopt additional voluntary preparedness standards or modify or discontinue the use of voluntary preparedness standards for the accreditation and certification program, as necessary and appropriate to promote preparedness."

The accreditation and certification program consists of the designation by DHS of a "highly qualified nongovernmental entity" to accredit third party certifying organizations, which will then certify compliance by private sector and other entities which volunteer for review by the third party certifying organizations with the standards adopted by the designated official. The statute directs that the activities of the third party certifying organizations will be monitored. It further provides for the annual review of the accreditation and certifying program and the voluntary preparedness standards used.

**NOTICE, CONSULTATION PROCESS:** DHS will soon publish a notice in the Federal Register outlining certain aspects of the Program, and will solicit comment and input from the public, and specifically from those who may seek to obtain voluntary certification, those who may seek to perform as certifying bodies, those who develop standards that address disaster/emergency preparedness and business continuity issues, and others. A version of the attached table will be part of that notice.

In order for DHS to adopt a standard to be part of the program, the designated officer must determine that it is "appropriate." An appropriate standard is one that is determined by the designated officer to promote private sector preparedness. The attached table is a draft list of target criteria that DHS will consider in determining whether a recommended standard does so. As will be further elaborated in the Federal Register notice, a standard need not contain all of these elements to be appropriate and therefore be considered for adoption by DHS, but the list is intended to guide the private sector in developing appropriate standards, and will be modified as necessary. We invite comment on this list.

Following review of the comments DHS receives on the Federal Register notice, the designated officer will select a preparedness standard or standards for the Program.

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### **PROGRAM:**

Some of the key guiding principles of the Program that will be outlined in the Federal Register notice include:

- a. The Program is voluntary.
- b. DHS is to adopt one or more appropriate voluntary preparedness standards that promote preparedness, considering the unique nature of various sectors within the private sector.
- c. The accreditation and credentialing program will be managed by a non-government body, including provision for the monitoring and inspection of the relevant operations of third party certifiers.
- d. The certification of private sector entities will be performed by non-government certifying bodies.
- e. The Program will include consideration for small businesses.
- f. In developing and implementing the Program, DHS will consider preparedness standards, business continuity standards, and best practices established under other provisions of Federal law, regulations, and as established by sector-specific agencies. DHS will coordinate with other preparedness and business continuity programs in other Federal agencies.
- g. The Program will assess whether a private sector entity complies with voluntary preparedness standards.

**ISSUES PRESENTED IN THE FEDERAL REGISTER NOTICE:** The Federal Register notice will invite comment on several areas, including the following:

1. Identification of target criteria (including examples of desired content) that may be used to evaluate and select comprehensive voluntary preparedness standard(s) that encompass disaster management, emergency management, and business continuity in a single framework.
2. The selection of target criteria to be used to evaluate and select current standard(s) for adoption in the Program.
3. Identification of additional existing standards that should be evaluated for adoption in the Program
4. Identification of standards, best practices, and approaches to improve and certify small business preparedness.

### **PROGRAM CONTACT INFORMATION:**

Voluntary Private Sector Preparedness Program  
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500 C Street S.W., Washington, D.C. 20472.  
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**SUPPLEMENTARY INFORMATION ON THE PROGRAM:** May be found at: <http://www.fema.gov/business/certification/index.htm>

## Voluntary Private Sector Preparedness Accreditation and Certification Program Proposed Target Criteria for Preparedness Standard

Proposed Target Criteria for Current Standard Selection			Examples of Desired Content for Comprehensive Preparedness Standard Criteria
	Subject Area	Critical Elements and Content	
1	Scope and Policy	<p>A scope and/or policy statement that addresses disaster/emergency management, business continuity management, and organizational resilience. We recommend that the standard contain the following:</p> <ol style="list-style-type: none"> <li>1. Scope.</li> <li>2. Policy.</li> <li>3. Principles.</li> <li>4. Purpose.</li> </ol>	<ol style="list-style-type: none"> <li>1. Establish the project to address preparedness management including provision of appropriate resources and authorities for conduct of project.</li> <li>2. Define scope and boundaries for development and implementation of the preparedness management program.</li> <li>3. Establish a policy to provide a framework for setting objectives and provide the direction and principles for action.</li> <li>4. Demonstrate top management and the organization's commitment to meeting the requirements of preparedness management.</li> </ol>
2	Requirements	<p>A requirement that acknowledges or otherwise directs the organization to identify and conform to applicable legal, statutory, regulatory and other requirements (e.g., codes of practice and standards of care). We recommend that the standard contain and incorporate the following, and ensure a process for identifying and addressing them:</p> <ol style="list-style-type: none"> <li>1. Legal.</li> <li>2. Statutory.</li> <li>3. Regulatory.</li> <li>4. Other.</li> </ol>	<ol style="list-style-type: none"> <li>1. Identify legal and other requirements which govern the organization's activity.</li> <li>2. Establish a procedure or process for identifying, registering and evaluating internal and external requirements pertinent to the organization's functions, activities and operations.</li> <li>3. Understand potential impact of laws, regulations, codes, zoning, standards or practices concerning emergency procedures specific to the location and industry.</li> </ol>
3	Objectives and Strategies	<p>A requirement that sets objectives and strategies. We recommend that the standard set or establish requirements for strategies and/or strategic plans designed to accomplish the organization's objectives in:</p> <ol style="list-style-type: none"> <li>1. Risk Management.</li> <li>2. Incident Prevention.</li> <li>3. Incident Preparedness.</li> <li>4. Incident Mitigation.</li> <li>5. Incident Response.</li> <li>6. Business Continuity.</li> <li>7. Incident Recovery.</li> <li>8. Corrective and Preventive Actions.</li> </ol>	<ol style="list-style-type: none"> <li>1. Develop strategic plans for incident prevention, preparedness, mitigation, response, business continuity, system resiliency, and recovery for short term (less than a month) and long term (up to one year).</li> <li>2. Identify type and availability of human, infrastructure, processing, and financial resources needed to achieve the organization's objectives.</li> <li>3. Identify roles, responsibilities, authorities and their interrelationships within the organization required to ensure effective and efficient operations.</li> <li>4. Plan the operational processes for actions required to achieve the organization's objectives.</li> <li>5. Include cyber and human security elements in control strategies and plans.</li> <li>6. Make arrangements (e.g., Memoranda of Agreements) and contingency preparedness plans that need to be in place to manage foreseeable emergencies.</li> <li>7. Develop Crisis Communication Plans with internal personnel (management, staff, response teams, etc.).</li> <li>8. Ensure the company's Communications Department has identified key resources designated to initiate crisis communications with employees, business partners, vendors, government and external media.</li> <li>9. Involve appropriate external parties during exercise events.</li> </ol>

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4	Risk Management	<p>A requirement for risk management to include hazard and threat identification, risk assessment, vulnerability analysis, and consequence / business impact analysis. We recommend that the standard provide for the conduct of:</p> <ol style="list-style-type: none"> <li>1. Hazards and Threats Identification.</li> <li>2. Risk Assessment.</li> <li>3. Impact Analysis.</li> <li>4. Vulnerability Assessment.</li> <li>5. Consequence / Business Impact Analysis.</li> </ol>	<ol style="list-style-type: none"> <li>1. Establish a process for risk identification, analysis, and evaluation.</li> <li>2. Identify assets, needs, requirements, and analysis of critical issues related to business disruption risks that are relevant to the organization and stakeholders.</li> <li>3. Identify hazards and threats, to include cyber and human security elements. These should include loss of IT; telecommunications; key skills; negative publicity; employee or customer health or safety; damage to organization's reputation; loss of access to organization's assets; utility systems; supply chain outage/disruption, and insider threats.</li> <li>4. Evaluate the probability of a disruptive event, dependencies and interdependencies with other assets and sectors, and consequences on business operations. Prioritize the issues identified as a result of the risk assessment and impact analysis.</li> <li>5. Set objectives and targets (including time frames) based on the prioritization of issues within the context of an organization's policy and mission.</li> <li>6. Evaluate and establish recovery time objectives.</li> <li>7. Assess vulnerability of organization, systems, and processes.</li> <li>8. Define risk treatment strategy and resources needed to address the organization's risks to business disruption.</li> </ol>

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5	<p>Operations, Control, and Risk Mitigation</p> <p>Requirements for the organization's incident management / business continuity strategy, tactics, operational plans and procedures, and/or contingency plans that will be used during emergencies, crises and other events threatening its operation; and the documentation thereof. We recommend that the standard contain provisions for the following:</p> <ol style="list-style-type: none"> <li>1. Operational Continuity.</li> <li>2. Incident Management.</li> <li>3. Coordination with Public Authorities.</li> </ol>	<ol style="list-style-type: none"> <li>1. Establish operational control measures needed to implement the strategic plan(s) and maintain control of activities and functions against defined targets.</li> <li>2. Develop procedures for controlling key activities, functions, and operations associated with the organization, including possible large extended workforce absences; and alternative work sites or remote working procedures.</li> <li>3. Establish processes and procedures for operational management and maintenance of infrastructure, plant, facilities, finance, etc. which have an impact on the organization's performance and its stakeholders.</li> <li>4. Establish processes and procedures for management of documents which are essential to the successful implementation and operation of the preparedness management program or system.</li> <li>5. Establish operational control measures needed to implement the strategic plan(s) and maintain control of activities and functions.</li> <li>6. Develop insider threat mitigation measures.</li> <li>7. Develop action plans for increased threat levels and tools to enhance situational awareness.</li> <li>8. Formalize arrangements for those who supply and contract their services to the organization which have an impact on the organization's performance, including mutual aid agreements.</li> <li>9. Determine the local and regional public authorities and their potential impact on your organization's plans including, but not limited to, the U.S. Department of Homeland Security, emergency management, fire, police, public utilities, and local &amp; nationally elected public officials.</li> <li>10. Work with local Public Information Officers to understand and follow protocol.</li> <li>11. Document the forms and processes to be used before or during an event or exercise to ensure activities and participants, etc., are captured for review and Plan response and recovery improvements.</li> <li>12. Collaborate with other organizations on preparedness issues of mutual concern.</li> </ol>
6	<p>Communications</p> <p>Requirements for communication and warning as they apply to disaster/emergency management and business continuity. We recommend that the standard contain provisions for the following:</p> <ol style="list-style-type: none"> <li>1. Warning and Notification.</li> <li>2. Event Communication.</li> <li>3. Crisis Management Communications.</li> <li>4. Information Sharing.</li> <li>5. Public Relations.</li> </ol>	<ol style="list-style-type: none"> <li>1. Develop and maintain a system required for communications and warning capability in the event of an incident / disruption.</li> <li>2. Identify requirements, messages, and content required for communication within the organization.</li> <li>3. Identify requirements, messages, and content required for external communication.</li> <li>4. Develop, coordinate, evaluate and exercise plans to communicate information and warnings with internal stakeholders and external stakeholders (including the media) for normal and abnormal conditions.</li> <li>5. Make arrangements for communications both within the organization and to/from external sources, including local, state and federal law enforcement and first responder organizations.</li> <li>6. Document procedures and identify tools to manage relationships and communications processes with external partners: business partners, governmental agencies, vendors, etc.</li> </ol>

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7	Competence and Training	Requirements for the competence / qualifications and training of organization's personnel, contractors, and other relevant stakeholders involved in emergency management and business continuity management. We recommend that the standard contain provisions for the following: <ol style="list-style-type: none"> <li>1. Competence.</li> <li>2. Training.</li> </ol>	<ol style="list-style-type: none"> <li>1. Assess, develop and implement training/education program(s) for the organization's personnel, contractors, and other relevant stakeholders.</li> <li>2. Identify and establish skills, competency requirements, and qualifications needed by the organization to maintain operations.</li> <li>3. Develop organizational awareness and establish a culture to support emergency / disaster preparedness and business continuity management.</li> <li>4. Determine organizational interface protocol, identification and training requirements and assign appropriate internal staff or support representative(s).</li> </ol>
8	Resource Management	Requirements for resources management and/or logistics as it relates to the allocation of human, physical, and financial resources in the event of incidents/emergencies that threaten operations We recommend that the standard contain provisions for the following: <ol style="list-style-type: none"> <li>1. Resource Management.</li> <li>2. Logistics and Business Processes.</li> </ol>	<ol style="list-style-type: none"> <li>1. Identify and assure availability of human, infrastructure, and financial resources in the event of a disruption.</li> <li>2. Establish and document provisions for adequate finance and administrative resources and procedures to support the management program or system under normal and abnormal conditions.</li> <li>3. Make arrangements for mutual aid and community assistance.</li> </ol>
9	Assessment and Evaluation	Requirements for assessments, audits and/or evaluation of disaster / emergency management and business continuity programs. We recommend that the standard contain provisions for Periodic Assessment and Performance Evaluation.	<ol style="list-style-type: none"> <li>1. Establish metrics and mechanisms by which the organization assesses its ability to achieve the program's goals and objectives on an ongoing basis.</li> <li>2. Determine nonconformities and the manner in which these are dealt with.</li> <li>3. Conduct internal audits of system or programs.</li> <li>4. Plan, coordinate, and conduct tests or exercises.</li> <li>5. Evaluate and document exercise results.</li> <li>6. Review exercise results with management to ensure corrective action is taken.</li> <li>7. Report audits and verification results to chief executive officer.</li> </ol>
10	Continuing Review (ongoing management and maintenance)	Requirements for program revision and process improvement including correction actions. We recommend that the standard contain provisions for the following: <ol style="list-style-type: none"> <li>1. Review.</li> <li>2. Maintenance.</li> <li>3. Process improvement.</li> </ol>	<ol style="list-style-type: none"> <li>1. Conduct management review of programs and/or system to determine its current performance, to ensure its continuing suitability, adequacy and effectiveness, and to instruct improvements and new directions when found necessary.</li> <li>2. Make provisions for improvement of programs, systems, and/or operational processes.</li> </ol>