

**Transmittal Letter from the Director of FEMA
to Federal Agencies on the Execution of Executive Order 12699**

Individual Agency Progress Reports

Note: The following transmittal letter on the execution of Executive Order 12699 was submitted by the Director of FEMA to the Secretary of Energy, the Honorable James D. Watkins. Identical letters were sent by the Director of FEMA to all Federal agency heads responsible for ensuring the execution of the Order.



Federal Emergency Management Agency

Washington, D.C. 20472

JUN 30 1992

The Honorable James D. Watkins
Secretary of Energy
Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Dear Mr. Secretary:

The Federal Emergency Management Agency (FEMA) is required to gather information from affected Federal agencies on the status of implementation of the January 5, 1990, Executive Order 12699, "Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction," 55 Fed. Reg. 835.

This Executive Order assigns me the responsibility of reporting to the President the status of execution of the order by Federal agencies. FEMA will be including such an assessment in the National Earthquake Hazards Reduction Program biennial report for fiscal years 1991 and 1992. Specifically, I must report on the status of your Department's procedures, progress toward your implementation plan, and the impact of the order on your Department operations. FEMA's report must be sent to the Congress by December 30, 1992, pursuant to "42 U.S.C. sec. 7704(b)(1)(D); E.O. 12699 sec. 5."

I am therefore requesting your personal involvement to insure that the information on the implementation of the order, which reflects your Department's position, is provided by your designated seismic safety coordinator, Mr. James R. Hill. This information must be sent to FEMA by July 15, 1992.

The National Earthquake Hazards Reduction Program Reauthorization Act of 1977, as amended, 42 U.S.C. sec. 7701, et seq., and the order mandate that final regulations or procedures be issued by February 1, 1993 (42 U.S.C. sec. 7705b(a)(3); E.O. 12699 sec. 4(b)). Accordingly, the progress of your Department toward issuance of regulations is of particular interest. Your Department's plan for the implementation of these regulations or procedures through the usual budget process also should be provided.

The Executive Order also requires that seismic design and construction standards be adopted for agency use. Enclosed is a copy of the Recommendation of Design and Construction Practices in Implementation of Executive Order 12699 prepared by the Interagency Committee on Seismic Safety in Construction (ICSSC) using consensus procedures. The ICSSC considers these recommended seismic design and construction practices to be cost-effective and appropriate for adoption by Federal agencies.

A separate letter requesting detailed information on the progress of your Department toward implementation has been sent from Gary D. Johnson, Assistant Associate Director of FEMA's Office of Earthquakes and Natural Hazards, to Mr. James R. Hill.

I thank you for your continuing co-operation and support in this important effort on seismic safety.

Sincerely,

Wallace E. Stickney
Director

Enclosure

cc: Mr. James R. Hill

March 4, 1992

**Recommendation of Design and Construction Practices
in Implementation of Executive Order 12699
by the Interagency Committee on Seismic Safety in Construction
to the Federal Emergency Management Agency**

Section 4(a) of Executive Order 12699, "Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction" makes the ICSSC, using consensus procedures, responsible to FEMA for recommending seismic design and construction standards and practices appropriate for implementation of the Order by Federal agencies. Accordingly, the ICSSC recommends as appropriate for implementing the Order the use of the most recent edition of those standards and practices that are substantially equivalent to or exceed the seismic safety level in the most recent or immediately preceding edition of the NEHRP Recommended Provisions for the Development of Seismic Regulations for New Buildings.

Each of the model codes listed below has been found to provide a level of seismic safety substantially equivalent to that provided by use of the 1988 NEHRP Recommended Provisions:

- 1991 ICBO Uniform Building Code
- 1992 Supplement to the BOCA National Building Code
- 1992 Amendments to the SBCC Standard Building Code

Revisions of these model codes that are substantially equivalent to or exceed the then current or immediately preceding edition of the NEHRP Recommended Provisions, as it is updated triennially, can be considered to be appropriate for implementing the Order.

State, county, local, or other jurisdictional building ordinances adopting and enforcing these model codes in their entirety, without significant revisions or changes in the direction of less seismic safety, are also deemed adequate for implementing the Order. In all other circumstances, substantial equivalency of the ordinances to the seismic safety level contained in the NEHRP Recommended Provisions must be determined by the responsible agency before the Order can be considered as having been properly implemented.

Department of Agriculture



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20250

May 20 1992

Mr. Wallace E. Stickney
Director
Federal Emergency Management Agency
Washington, D.C. 20472

Dear Mr. Stickney:

Thank you for your letter concerning the President's Executive Order 12699, "Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction," which requires appropriate earthquake design and construction standards to be adopted for all newly constructed Federal buildings and Federally-leased buildings. I appreciate your interest in this Order and in ensuring that affected Agencies within the Department of Agriculture (USDA) implement the directive effectively and consistently.

The Department is well aware of this Order, which furthers the goals of the Earthquake Hazards Reduction Act of 1977, as amended. USDA has had Seismic Safety Coordinators in place, as recommended in the Order, for several years. The current Coordinator is Mr. Earl R. Bell, Architect, of the Farmers Home Administration Program Support Staff. Mr. Bell may be contacted at (202) 720-9619. Additionally, the Department has nine representatives serving on various subcommittees of the Interagency Committee on Seismic Safety in Construction.

These USDA personnel are available to assist the Federal Emergency Management Agency in preparing its upcoming report to the President concerning these safety initiatives. You may rest assured that each of the Agencies involved will be prepared to provide you with a status report of its efforts to enforce Executive Order 12699 when this information is required.

Again, I appreciate your interest in the Department's swift implementation of the Order. I look forward to working with your Agency to ensure that buildings constructed by the Government meet the recommended safety standards.

Sincerely,

A handwritten signature in cursive script that reads "Edward Madigan".

Edward Madigan
Secretary



DEPARTMENT OF AGRICULTURE
OFFICE OF ASSISTANT SECRETARY FOR ADMINISTRATION
WASHINGTON, D.C. 20250

SEP 6 1992

Mr. Wallace E. Stickney
Director
Federal Emergency
Management Agency
Washington, D.C. 20472

Dear Mr. Stickney:

This is in response to your request that we report on the status of implementation of the January 5, 1990, Executive Order 12699, "Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction". We apologize for the lateness of this response and appreciate the time extension that was provided by Mr. Zeizel.

We understand that the National Earthquake Hazards Reduction Program Reauthorization Act mandates that final regulations or procedures be issued by February 1, 1993. Several of our agencies have authority to design and construct various structures or assist in the financing of newly constructed buildings. Although representatives of those agencies were knowledgeable of the requirement to develop regulations or procedures and they participated in several seismic committee gatherings, the Department did not coordinate the effort on a Department-wide basis. Effective immediately, we are assigning a new project coordinator. That person is:

Richard S. Levin
Departmental Architect
USDA, Office of Operations
Real Property Management Division
Room 1566, South Building
Washington, D.C. 20250
ph: (202) 720-6855

The Department's technical expert will be:

Walter D. Aughenbaugh
Chief, Engineering Branch
USDA, Office of Operations
Facilities Management Division
Room S-208, South Building
Washington, D.C. 20250
ph: (202) 720-2804

Mr. Wallace E. Stickney

2

It is our intent to actively pursue adherence to the Executive Order and the Act. Our goal is to have procedures in place by February 1, 1993, or shortly thereafter.

We foresee a need for assistance from your staff in providing information concerning background and other technical matters. Considering the short time-frame and our recent entry into this project, your staff's cooperation will be useful in bringing us up to date.

Sincerely,

A handwritten signature in black ink, appearing to read "C R Hilty". The signature is fluid and cursive, with a large initial "C" and "R" followed by the name "Hilty".

Charles R. Hilty
Assistant Secretary
for Administration

Architect of the Capitol



Washington, DC 20515

July 16, 1992

Mr. Wallace E. Stickney
Director
Federal Emergency Management Agency
Washington, D. C. 20472

Dear Mr. Stickney:

This is in response to your letter of June 30, regarding the Seismic Safety design of new buildings. This Office will voluntarily use the most recent edition of the Supplement to the BOCA Code in the design of new buildings. As you are aware, this office has jurisdiction for new building design in the Capitol Complex, as well as operation and renovation of existing buildings, under the direction of the House Office Building Commission and the Senate Committee on Rules and Administration. We concur that the 1992 Supplement to the BOCA Code satisfies the intent of the NEHRP Act of 1977, as amended.

Responsibility for design rests with the Architect of the Capitol but design development and coordination is carried-out by the Director of Architecture and the Director of Engineering.

The Director of Engineering has made a special effort to stay abreast of information and technology in this regard and our Structural Engineer is planning to participate in future educational activities.

I trust that this information is useful in your preparation of the referenced report to the Congress.

Cordially,

A handwritten signature in black ink that reads "George M. White". The signature is written in a cursive, flowing style.

George M. White, FAIA
Architect of the Capitol

Central Intelligence Agency

Central Intelligence Agency



Washington D C 20505

16 July 1992

The Honorable Wallace E. Stickney
Director
Federal Emergency Management Agency
Washington, D.C. 20472

Dear Mr. Stickney:

As Director of the Central Intelligence Agency, I fully recognize the need for involvement and compliance in appropriate seismic design and construction standards in accordance with Executive Order 12699. We are in the process of amending our internal regulations for design and construction, coordinating with other government regulatory agencies, and adopting appropriate leasing language. We intend to have seismic standards in place by 1 February 1993.

I have designated the Chief of Facilities Management Group (C/FMG) within the Directorate of Administration as the Agency's focal point. The C/FMG will respond to Mr. Gary Johnson's request for Agency progress on seismic safety. The reply memorandum to Mr. Johnson and the Agency's 1992 Progress Report will be sent by 15 July 1992.

Thank you for calling to my attention the importance of the Agency's compliance with the Executive Order and the need for Agency participation in the overall seismic safety effort. I trust the C/FMG correspondence with your staff will satisfy implementation and compliance requirements.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert M. Gates".

Robert M. Gates
Director of Central Intelligence

Central Intelligence Agency



Washington D C 20505

15 July 1992

Mr. Gary Johnson
Assistant Associate Director
Office of Earthquakes and Natural Hazards
Federal Emergency Management Agency
Washington, D.C. 20472

Dear Mr. Johnson:

I can assure you that the Central Intelligence Agency (CIA) recognizes the need to enforce appropriate seismic design and construction standards in accordance with Executive Order 12699. We are taking appropriate steps to have the standards in place no later than 1 February 1993. As you requested in your 10 June 1992 memorandum, I have enclosed the Agency's 1992 Progress Report on the Executive Order, which reflects our position.

In a separate letter, the Director of Central Intelligence is responding to Mr. Stickney's letter dated 30 June 1992.

If you have questions or need any additional information, Michael J. Barrett, who is the Chief of the Real Estate Branch, can be reached at (703) 874-4916.

Sincerely,

A handwritten signature in black ink, appearing to read "H. A. Montefusco", with a long horizontal flourish extending to the right.

H. A. Montefusco
Chief, Facilities Management Group
Office of Logistics

Enclosure

1992 PROGRESS REPORT TO FEMA
ON
EXECUTIVE ORDER 12699

1. INTRODUCTION

The Central Intelligence Agency's (CIA) seismic safety responsibilities and jurisdictions are worldwide. The CIA has no real regulatory responsibilities but relies on other government agencies, such as the General Services Administration (GSA), to enforce compliance with Executive Order 12699.

2. STATUS OF AGENCY PROCEDURES

The Chief, Facilities Management Group has been appointed the Agency Focal Point Officer as our Seismic Safety Coordinator to coordinate among Agency offices. We also plan to have the regulations and procedures implementing the Order in place no later than 2 February 1993. At the present time, we do not believe there are any major obstacles to implementing the Order.

The Agency first became involved in the seismic safety requirements of the Executive Order when two Agency representatives attended a seminar sponsored by FEMA on 23-24 September 1991.

After a careful review of the four host building codes, we plan to implement seismic safety procedures with the help of our Agency Focal Point Officer. All current and future construction projects will be considered worldwide so that appropriate compliance with the Executive Order can be accomplished.

The Seismic Safety Coordinator will assimilate projects to determine the applicability of building codes for a particular area. He will also review all construction projects so that all seismic safety design and construction standards can be incorporated into the construction documents.

So far, our special initiatives include: draft amendments to internal Agency regulations and coordination with the GSA in developing appropriate leasing language which will conform to the requirements of the Executive Order.

3. PROGRESS ON IMPLEMENTATION PLAN

To date, the Agency has sent representatives to the Executive Order implementation seminar, drafted amendments to our CIA internal regulations, and coordinated with the GSA on appropriate leasing language in our lease agreements.

We anticipate the costs of our construction contracts will increase as a result of adherence to the seismic requirements. We plan to coordinate with our Comptroller's office to assure that appropriate funds are allocated to cover any increases in construction costs.

4. IMPACT ON AGENCY OPERATIONS

We already insist that our contractors follow applicable building codes, which include codes regulating seismic safety.

The impact of the Order will reduce the risks to the lives of government employees who are occupants of buildings owned or leased by the Federal Government.

So far, the Agency has not undertaken any particular actions to enhance training and education; however, we plan to do so in the near future.

Department of Commerce



UNITED STATES DEPARTMENT OF COMMERCE
Chief Financial Officer
Assistant Secretary for Administration
Washington D C 20230

AUG 6 1992

Honorable Wallace E. Stickney
Director, Federal Emergency
Management Agency
Washington, D.C. 20472

Dear Mr. Stickney:

Thank you for your letter regarding the Department of Commerce's implementation of Executive Order 12699, "Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction," 55 Fed. Reg. 835.

The Department's process began with identification of all affected program areas. This procedure has been completed, and as a result, two bureaus within the Department could be affected by the Order. They are the National Institute of Standards and Technology (NIST) and the National Oceanic and Atmospheric Administration (NOAA). NIST periodically constructs facilities for various types of research, and NOAA will be involved in constructing small facilities to house new radar equipment. This is the degree of effect the Order will place on the Department's programs involving real property activities.

We are reviewing various design guidelines and building codes to ascertain the appropriate procedures for implementing the Order. We expect to have these procedures in place and the regulations issued by October 1, 1992.

The Department of Commerce's implementation of the Order will be completed through the usual budget process by means of approved funding allocations and authorized staffing levels.

Thank you for your interest in the Department of Commerce's implementation of the Order and our effort to improve the seismic safety of new building construction.

Sincerely,


Preston Moore



UNITED STATES DEPARTMENT OF COMMERCE
Chief Financial Officer
Assistant Secretary for Administration
Washington D C 20230

17 JUL 1992

Mr. Gary D. Johnson
Assistant Associate Director
Office of Earthquakes and
Natural Hazards
Federal Emergency Management Agency
Washington, D.C. 20472

Dear Mr. Johnson:

Thank you for your letter regarding the Department of Commerce's (DOC's) progress towards implementing Executive Order 12699, "Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction," 55 Fed. Reg. 835.

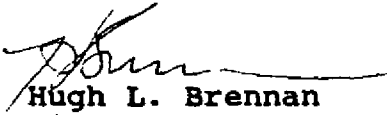
The DOC's process began by selecting a Seismic Safety Coordinator who assumed the responsibility of identifying all affected program areas. Our inquiries revealed that only two bureaus within the DOC could ultimately be affected by the Order. They are the National Institute of Standards and Technology (NIST) and the National Oceanic and Atmospheric Administration (NOAA). NIST periodically constructs facilities for various types of research, and NOAA will be engaged in constructing small buildings to house new radar equipment. This is the degree of effect the Order will place on our programs involving real property activities.

At the present time, we are reviewing various design guidelines and building codes in an effort to ascertain the procedures which would be deemed adequate for implementing the Order. We expect to have these procedures in place and the issuance of regulations completed by October 1, 1992. It is the responsibility of the Seismic Safety Coordinator to collect, document and assess seismic safety information as well as the issuance of policy and procedures regarding seismic safety in construction.

The DOC's implementation of the Order will be completed through the usual budget process by means of approved funding allocations and authorized staffing levels. No additions to staff or special funding is considered necessary at this time, and we don't anticipate any negative impact that the Order may place on the DOC.

Thank you for your interest in the Department of Commerce's endeavor towards implementing the Order and our effort to improve the seismic safety of new building construction.

Sincerely,



Hugh L. Brennan
Director, Procurement and
Administrative Services

Department of Defense
(Air Force, Army, Navy)

Air Force



DEPARTMENT OF THE AIR FORCE
WASHINGTON DC



OFFICE OF THE ASSISTANT SECRETARY

MAY 22 1992

Mr. Wallace E. Stickney
Director
Federal Emergency Management Agency
Washington, DC 20472

Dear Mr. Stickney:

This letter is in response to your March 20, 1992 letter pertaining to Executive Order 12699 on seismic safety of new Federal building construction.

For many years the Air Force has been designing its facilities to comply with nationally recognized seismic standards. As a result of this action, our new facilities comply with the standards promulgated by Executive Order 12699. Our seismic safety coordinator, Mr. Satish Abrol, HQ USAF/CECR, (703) 695-8193, is available to discuss the initiative with your staff and to ensure consistency throughout the Air Force.

Sincerely,

GARY D. VEST

Deputy Assistant Secretary of the Air Force
(Environment, Safety and Occupational Health)



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE
WASHINGTON DC
20330-5140

15 JUL 1992

The Honorable Wallace E. Stickney
Director
Federal Emergency Management Agency
Washington, DC 20472

Dear Mr. Stickney

This is in reply to your letter, 30 June 1992, to the Secretary of the Air Force requesting information on the implementation status of Executive Order 12699, "Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction," and its impact on the FY91 and FY92 Construction Programs.

For many years, the Air Force has been designing its facilities to comply with nationally recognized seismic standards. As a result, our new facilities comply with the standards promulgated by Executive Order 12699. Our technical manual "Seismic Design for Buildings" was completely revised in FY92 to meet the requirements of Public Law 101-614. Two other documents "Seismic Design Guidelines for Essential Buildings" and "Seismic Design Guidelines for Upgrading Existing Buildings" are being revised and will be published in the next two to four years. These manuals will comply with the guidance developed by the Interagency Committee on Seismic Safety in Construction (ICSSC), which addresses standards for new and existing buildings.

In FY92, we established a systems engineering function at Air Force Civil Engineering Support Agency (AFCESA), Tyndall AFB, FL, to provide technical expertise in all engineering fields. AFCESA is now in the preliminary stages of establishing a seismic screening program for existing facilities. Along with this effort, we are actively involved in ICSSC committees and we disseminate the latest developments in seismic design to our engineers worldwide on a regular basis.

We are proud of our accomplishments in seismic safety and will continue to strive for continued successes.

Sincerely

A handwritten signature in cursive script, appearing to read "Gary S. Flora".

GARY S. FLORA
The Civil Engineer