



**MEMORANDUM OF UNDERSTANDING
BETWEEN THE
BUSINESS EXECUTIVES FOR NATIONAL SECURITY,
ITS AFFILIATED CALIFORNIA PARTNERSHIPS, AND THE
GOVERNOR'S OFFICE OF EMERGENCY SERVICES**

1. PURPOSE OF THE AGREEMENT

Private businesses play a significant role in protecting their employees and community during disasters. Businesses also play a vital role in working with government to facilitate and provide emergency response and recovery from all types of disasters.

This memorandum of understanding (MOU) formalizes the relationship between the Business Executives for National Security ("BENS") and the State of California's Office of Emergency Services so that this association, including its affiliated California partnerships, can be fully integrated into the state's Standardized Emergency Management System.

2. AUTHORITIES

This MOU is under the authority of Government Code 8550, 8570, 8588.1, and 8607 and other statutes as appropriate.

3. PREPAREDNESS ROLES AND RESPONSIBILITIES

System: Like the public sector, the private sector will support emergency response and recovery consistent with the Standardized Emergency Management System and the National Incident Management System. Private sector facilities that are primarily intended to provide a locally based function will integrate with emergency management at the city and county government levels, as appropriate. Private sector facilities that are primarily intended to provide a regional or multi-county function will integrate with the system at the state level.

OES: OES mitigates, plans, prepares for, responds to, and aids in recovery from the effects of emergencies that threaten lives, property, and the environment. OES is the central emergency planning and response agency in California government and coordinates state agency activities and coordinates with the federal government in support of local government requests for assistance during emergencies and disasters.

Partners: BENS is a national, non-partisan, non-profit organization. BENS facilitates regional public-private partnerships designed to strengthen disaster response and homeland security capabilities through public-private collaboration. BENS currently operates two partnerships in California: the Bay Area Business Force in Northern California and the Homeland Security Advisory Council, Region I (HSAC) in Southern California.

Currently, the Bay Area Business Force and HSAC partnerships are mobilizing private sector support in four general categories:

- **Organized Collaboration:** The partnerships link businesses to state and local government emergency operations centers to improve communication before, during and after a crisis. This collaboration helps to get the right private sector resources to the right places faster;
- **Surge Capacity/Supply Chain Management:** Businesses pledge their resources (warehouse or office space, trucks, equipment, skilled personnel, etc.) on a pro bono basis through regional, web-based registries that can be quickly tapped by first responders;
- **Mass Vaccination/Treatment:** Participating companies contribute volunteers and skilled management to assist state and local governments in the design, testing, and execution of plans to dispense vaccines and medical supplies in the event of a pandemic or biological attack;
- **Leadership and Strategic Support:** Partnerships apply best business practices and civic leadership from some of the nation's top executives to help government improve disaster response and homeland security capabilities.

4. COORDINATION DURING EMERGENCIES

Notification: OES and BENS-affiliated partnerships will use the Response Information Management System (“RIMS”) for mutual notification of emergency conditions that may affect the business or state’s interests. This will also include a designated access point at OES for the association’s representatives during disasters.

Communications: OES will provide limited access to RIMS for disaster situational information. This will enable BENS to better monitor the disaster events and the need for critical resources. To the extent resources are available; information systems will be enhanced to include modules specifically useful for inter-business coordination and resource acquisition.

Business Operations Center: BENS partnership staff will advise and assist OES in developing a Business Operations Center (“BOC”) within the State Operations Center for the purposes of creating and maintaining efficient and coordinated private sector interaction during emergencies.

Coordination: BENS partnership stakeholders and staff will work cooperatively with OES to ensure business resources are most efficiently provided consistent with established procedures and government requests, and to help develop procedures for implementation of this MOU. OES will provide regular training of partnership staff and its business partners.

Activation: OES will provide emergency operations center access for pre-designated representatives of the partnerships during proclaimed emergencies, and at other such times as determined appropriate by the Director of OES. OES reserves the right to limit access to emergency operations centers based upon safety or security needs. Upon the request of OES, the partnerships will provide one or more pre-designated representative(s) to the state’s operations center and/or the affected Region’s Emergency Operations Center to liaise with businesses who can support emergency response activities.

5. POST EMERGENCY ACTIVITIES

The partnerships will work with OES and other business entities to evaluate lessons learned after each proclaimed disaster.

6. PROTECTION OF INFORMATION

Information essential to affect emergency response will be shared amongst business partners and OES consistent with applicable laws and the need to protect sensitive proprietary information. Information provided by the partnerships and marked as confidential, shall be protected by OES to the extent allowed by law.

7. ADMINISTRATION

Associated Costs: All costs associated with this MOU will be the responsibility of and subject to the express pre-approval of partnership Chairs. If necessary, OES will provide assistance to the partnerships in documenting and verifying expenses to the extent feasible.

No Creation of Rights or Liabilities: Nothing herein is intended to create a new financial obligation of OES or the State of California, or create any third-party right or obligation against either party to this MOU.

Term: This MOU shall remain in effect until such time as either party to the agreement terminates their participation in writing and provides 60-days notice to the other party of their intent to terminate.

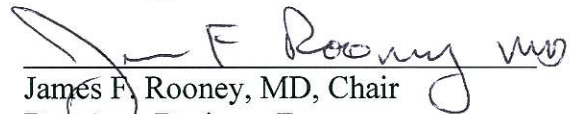
8. SIGNATURES



Henry R. Renteria, Director
Governor's Office of Emergency Services



06/26/08
Donald S. Hayes, Chief Operating Officer
Business Executives for National Security



James F. Rooney, MD, Chair
Bay Area Business Force



Marc B. Nathanson, Chair
Homeland Security Advisory Council,
Region 1