



FEDERAL PREPAREDNESS CIRCULAR

Federal Emergency Management Agency
Washington, D.C. 20472

FPC 60

November 20, 1990

TO: HEADS OF FEDERAL DEPARTMENTS AND AGENCIES

SUBJECT: Continuity of the Executive Branch of the Federal Government at the Headquarters Level During National Security Emergencies

1. Purpose. This Federal Preparedness Circular (FPC) provides guidance to Federal departments and agencies on measures required to preserve continuity of the civil elements of the Federal Government and ensure executive branch performance of essential functions during national security emergencies.

2. Applicability and Scope. The provisions of this FPC are applicable to all Federal departments and agencies with Continuity of Government (COG) responsibilities assigned in Section 202 of Executive Order (EO) 12656, Assignment of Emergency Preparedness Responsibilities.

3. Supersession. The provisions of this FPC supersede FPC 60, Continuity of the Executive Branch of the Federal Government in National Emergencies, dated May 3, 1984.

4. Authorities.

a. EO 12656, Sections 104(c) and 202, and Part 17, Assignment of Emergency Preparedness Responsibilities, dated November 18, 1988.

b. EO 12148, Section 2-101, Federal Emergency Management, dated July 20, 1979, as amended.

c. EO 12472, Section 1(c)(1), Assignment of National Security and Emergency Preparedness Telecommunications Functions, dated April 3, 1984.

5. References.

a. FPC 61, Emergency Succession to Key Positions of the Federal Departments and Agencies.

b. FPC 62, Predelegation of Emergency Authorities.

c. FPC 64, Continuity of the Executive Branch of the Federal Government at the Regional Level During National Security Emergencies.

6. Summary of Policy. The policy of the Federal Government is that Federal departments and agencies develop plans and programs in coordination with one another to ensure the performance of their functions during any emergency which threatens the continuity of the executive branch of the Federal Government. By assigning each Federal department and agency to one of three categories on the basis of their National Security Emergency Preparedness (NSEP) responsibilities as described in EO 12656, a conceptual framework in which the Federal Government may operate in response to these emergencies is established. This framework requires Federal departments and agencies, depending on their assigned category, to establish a crisis management organization at their national headquarters to enhance their departments' or agencies' capability to respond to any emergency; staff a functionally organized National Emergency Management Team (NEMT) capable of managing national-level emergency functions from a location outside of the Washington, DC, area, when necessary; and establish a capability to conduct recovery and reconstitution activities during a postemergency period.

7. Background. National security is dependent upon the Federal Government's ability to ensure COG, at the Federal, State, and local levels, in any national security emergency situation that might confront the Nation. In order to have sufficient capabilities at all levels of government to meet essential defense and civilian needs during a national security emergency and preserve the constitutional form of government of the United States, it is necessary for the Federal Government to ensure performance of essential governmental functions by duly authorized departments and agencies during crises or emergency situations, including a nuclear attack on the United States.

8. Policy. Section 202 of EO 12656 requires the head of each Federal department and agency to ensure the continuity of essential functions in any national security emergency. To accomplish this, it is necessary for the heads of Federal departments and agencies to provide for the following:

a. Succession to Office. Order-of-succession lists are officially recorded and disseminated to appropriate personnel as determined by the agency head; subject to applicable law, they include all executive-level appointees plus such other professional staff executives as necessary to provide leadership and fulfill key responsibilities at locations from which national authority may be exercised. Subject to applicable law, succession to the position of head of a department or agency assigned NSEP responsibilities should be established at the national level to a minimum depth of six, whenever possible, with

a minimum of three in separate locations outside the Washington, DC, area, if possible. Where a suitable field structure exists, the successors located outside the Washington, DC, area should include all Regional Directors. Constituent bureaus, and other appropriate organizational elements, should provide comparable depth and distribution of orders of succession for their leadership and key positions. In general, succession pertains to an individual who assumes a position (and thus acquires the authority that goes with the assumed position). Further guidance is provided in FPC 61, Emergency Succession to Key Positions of the Federal Departments and Agencies, dated May 3, 1984.

b. Delegation of Emergency Authority. Consistent with all applicable statutes and EO's, heads of Federal departments and agencies having responsibilities for emergency preparedness and operations shall provide for delegation of emergency authorities. Delegation of emergency authority shall be officially recorded and disseminated to appropriate personnel as determined by the agency head. Statements delegating authority shall include identification of the limits of authority and accountability, and the circumstances under which the authority is to be exercised. Any exceptions to the delegated authority should be stated explicitly. The delegations should include the authority to redelegate functions and activities. In general, delegation of emergency authority pertains to allowing an individual to exercise selected authorities during emergencies which are not typically exercised by the person in his or her current position. Further guidance is provided in FPC 62, Predelegation of Emergency Authorities, dated May 3, 1984.

c. Safekeeping of Essential Resources, Facilities, and Records. Protection of government resources, facilities, and records should be given continuing attention. This can be accomplished, in part, by taking advantage of opportunities to disperse resources, facilities, and emergency operating records; by achieving redundancy of essential equipment; by increasing the protective capabilities of facilities in the design stage; by informing and training personnel in personal and family protection measures; by periodic readiness exercises; by using emergency capabilities when possible during normal activities; and by training in emergency duties.

d. Establishment of Emergency Operating Capabilities. The successful establishment of emergency operating capabilities rests on the accomplishment of a variety of emergency preparedness measures and the acquisition of essential resources.

(1) Alternate Emergency Operating Facilities. To increase the survivability, the level of redundancy, and the ability of the Federal Government to perform its essential functions during an emergency response period, Federal departments and agencies must be prepared to carry out their

essential functions from remote locations to support the Federal response to the ongoing emergency. The types of alternate relocation facilities are described in paragraph 10. Alternate headquarters shall be officially designated; the order in which the headquarters may assume control, the circumstances under which the presence of higher authority relieves another headquarters, and the necessary verification procedures shall be specified.

(2) Emergency Operations Plans and Documents.

Procedures for emergency operations should be established, published, and distributed to all appropriate personnel. These procedures should include identification of emergency assignments and responsibilities, emergency duty stations, alerting or notification procedures, and other actions and measures to be taken under various civil readiness levels, or official orders, including those related to agency reconstitution. Relevant civil defense instructions and procedures for reporting postemergency availability also should be included.

(3) Redundant and Enduring Communications Capabilities.

Each Federal department and agency shall work within the framework established by, and cooperate with those organizations assigned responsibilities in EO 12472, to ensure adequate NSEP telecommunications in support of the performance of emergency functions assigned in EO 12656.

9. Categories of Department and Agency Emergency

Responsibilities. Executive branch departments and agencies are assigned to one of three categories commensurate with their responsibilities in response to national security emergency conditions. A list of category I and II departments and agencies is provided in the attachment. All other agencies and instrumentalities of the Federal executive branch are in category III. These assignments have been established by assessing the national essentiality of the functions to be performed by the department or agency, the degree of need for immediate capability to operate continuously, and the nature and characteristics of their emergency responsibilities.

a. The following are the three categories of executive branch departments and agencies:

(1) Category I. This category consists of Federal departments and agencies expected to play a major role in establishing broad policy parameters, participating in setting national priorities, and defining and implementing strategies for response to national security emergencies. Category I Federal departments and agencies are required to have a continuous emergency operating capability during national security emergencies.

(2) Category II. This category consists of Federal departments and agencies that provide special services to support the implementation of national policies and strategies in response to national security emergencies. These Federal departments and agencies are required to establish an emergency operating capability, but that capability may be interrupted during extreme emergencies such as nuclear attack.

(3) Category III. This category consists of Federal departments and agencies without significant NSEP responsibilities. There is no requirement to establish an emergency operating capability.

b. Categories I and II. The head of each category I and II Federal department and agency must determine the appropriate category of emergency responsibility for each of their national and regional component organizations and identify the appropriate times for their contribution to the national or regional level performance of essential functions.

c. Categories I, II, and III. Any Federal department or agency may request a change in designated category. These requests should be submitted to the Director, Federal Emergency Management Agency (FEMA), for approval by the Assistant to the President for National Security Affairs on behalf of the National Security Council.

10. Responsibilities.

a. Category I. The heads of Federal departments and agencies, and designated components of the Executive Office of the President in category I must be prepared to carry out their national-level essential functions from their regular headquarters and at least two alternate emergency operating facilities, one of which would be with all other category I departments and agencies.

(1) The primary emergency operating capability shall be established at the department's or agency's national headquarters. The department's or agency's crisis management organization shall have the primary responsibility for managing its department's or agency's response to the national security emergency in coordination with representatives of other Federal departments and agencies, when appropriate.

(2) The second emergency operating capability shall be established at a designated facility. A functionally organized NEMT comprised of representatives from each of the Federal departments and agencies in category I shall have the capability to manage the national security emergency from the designated facility. Depending on the nature and characteristics of the emergency situation, some heads of Federal departments and

agencies in category II may be asked to provide representatives to the NEMT.

(3) The third emergency operating capability shall be to establish a capability to conduct recovery and reconstitution activities during the recovery and reconstitution period for their respective departments and agencies. The establishment of this capability in currently employed Federal regional facilities or offices located in low risk areas is recommended. Alternate emergency facilities are to be selected principally from existing facilities. Cooperation between agencies in the collocation of functionally related organizations is recommended. This emergency operating capability may be enhanced to support the performance of a department's or agency's emergency functions during a transattack period if the head of the department or agency determines that additional resources are required beyond those that would operate as part of the NEMT.

b. Category II. The heads of Federal departments and agencies in category II must be prepared to carry out their national-level essential functions from their regular headquarters and at least one alternate emergency operating facility.

(1) The primary emergency operating capability shall be at the department's or agency's national headquarters. The department's or agency's crisis management organization shall have the primary responsibility for managing its department or agency response to the national security emergency in coordination with representatives of other Federal departments and agencies, when appropriate.

(2) The second emergency operating capability shall be established to conduct recovery and reconstitution activities. The establishment of this capability in currently employed Federal regional facilities or offices located in low-risk areas is recommended.

c. Category III. Federal departments and agencies in category III do not have emergency assignments requiring advance arrangements for alternate locations for emergency operations. However, these agencies must establish a capability to reconstitute activities in the postemergency period.

d. Security. Members of the NEMT shall have a TOP SECRET clearance. Other emergency management officials will have security clearances commensurate with their emergency responsibilities and as determined by their respective department and agency heads.

e. Continuity of National Authority. Departments and agencies in categories I and II with regional structures that have or can establish a capability for effective and continuous emergency operation shall prepare them to accept interim authority and responsibility for performance of essential national functions, consistent with existing law.

f. Regional Responsibilities. To ensure continuity of the executive branch of the Federal Government at the regional level, the heads of all Federal departments and agencies are responsible for assigning their regional elements emergency preparedness functions and the responsibility for developing and maintaining regional emergency plans and programs. Further guidance is provided in FPC 64, Continuity of the Executive Branch of the Federal Government at the Regional Level During National Security Emergencies.

11. Records. Based on policy guidance from FEMA, procedural guidance from the National Archives and Records Administration, applicable Federal department and agency directives, and other established Federal authorities, category I Federal departments and agencies must determine records necessary to accomplish assigned essential functions during the emergency situation. Duplicate sets of such records shall be maintained at their primary and alternate emergency operating facility. In compiling the essential records, agencies are encouraged to make maximum use of microform documents and/or computer format records to reduce storage space requirements. Category II and III Federal departments and agencies shall establish records, as appropriate.

12. Conceptual Framework for COG Operations. During a national security emergency, the posture the Federal Government takes in response to a national security emergency situation is intricately linked to the nature and characteristics of the emergency. There are three general periods that can be used to describe the postures of the Federal Government during emergencies in which the continuity of the Federal Government is threatened. These general periods are crisis monitoring, emergency response, and recovery and reconstitution.

a. Crisis Monitoring. During an emergency, all of the executive branch departments and agencies of the Federal Government can be expected to operate in an emergency mode. Each Federal department and agency in Categories I and II should have a crisis management organization within its national headquarters to enhance its capability to respond to emergencies and be prepared to participate in interagency emergency coordination groups. The crisis management organizations and the interagency coordination groups shall have an emergency operating capability to monitor, respond to, and manage the emergency on a 24-hour a day, 7-day a week basis. To facilitate effective and cohesive responses to national security emergencies, interagency

functional groups in such areas as economics, energy, human services, legal and law enforcement, communications, transportation, and other functional areas are appropriate.

b. Emergency Response. When the President determines that the executive branch crisis management organizations and the interagency coordination groups operating in the Washington, DC, metropolitan area are vulnerable or unable to manage the emergency, an alternate emergency management capability must be in place and prepared to assume the operational responsibility for managing the emergency. Accordingly, Category I departments and agencies must identify cadres of senior officials to represent them on a functionally organized NEMT. Depending on the nature and characteristics of the national security emergency, the NEMT shall, upon direction, deploy to a designated emergency operating facility outside of the Washington, DC, area. The NEMT shall monitor the emergency situation and be prepared and authorized to assume the overall managerial responsibility for the performance of essential functions, when directed by the President. Category II departments and agencies may be asked to provide representatives to the NEMT. Upon activation by the President, the NEMT is responsible for the performance of the essential noninterruptible functions of the Federal Government. The cadres from category I departments and agencies that comprise the NEMT are required to hold the necessary authorities of their department and agency officials and to hold or have access to the data necessary for effective emergency management at the national level. If additional facilities are needed to support the cadres of the departments and agencies, they are the responsibility of the respective departments and agencies. Any such external department and agency support facilities must be survivable and be equipped with survivable communications.

c. Recovery and Reconstitution. When the emergency response period ends, the NEMT has the primary responsibility for national-level recovery and reconstitution efforts in the geographical areas affected. Category I and II departments and agencies shall establish recovery and reconstitution emergency operating facilities outside Washington, DC, to support the national recovery and reconstitution efforts. Each category I and II department and agency shall establish a facility with supplies and equipment, and an automated information processing and communications capability suitable for initiation and subsequent expansion of agency activities at the appropriate time. Federal departments and agencies in category III shall be prepared to reactivate their regular agency structures when required by appropriate authority.

13. Distribution. This FPC is distributed to the heads of Federal departments and agencies, their emergency coordinators, planners and program managers, and other interested parties.


Wallace E. Stickney
Director

Attachment - Category I, II, and III Departments and Agencies

Attachment

CATEGORY I, II, AND III DEPARTMENTS AND AGENCIES

1. CATEGORY I DEPARTMENTS AND AGENCIES

EXECUTIVE DEPARTMENTS

Department of Agriculture
Department of Commerce
Department of Defense
Department of Energy
Department of Health and Human Services
Department of Housing and Urban Development
Department of the Interior
Department of Justice
Department of Labor
Department of State
Department of Transportation
Department of the Treasury
Department of Veterans Affairs

EXECUTIVE OFFICE OF THE PRESIDENT

National Security Council
Office of Management and Budget
Office of Science and Technology Policy

AGENCIES

Central Intelligence Agency
Environmental Protection Agency
Federal Communications Commission
Federal Emergency Management Agency
Federal Reserve Board
General Services Administration
Interstate Commerce Commission
National Communications System
Office of Personnel Management
United States Postal Service

2. CATEGORY II DEPARTMENTS AND AGENCIES

EXECUTIVE DEPARTMENTS

Department of Education

EXECUTIVE OFFICE OF THE PRESIDENT

Council on Environmental Quality

AGENCIES

Commodity Futures Trading Commission
Export-Import Bank of the United States
Farm Credit Administration
Federal Deposit Insurance Corporation
Federal Mediation and Conciliation Service
Government Printing Office
National Aeronautics and Space Administration
National Archives and Records Administration
National Credit Union Administration
National Labor Relations Board
National Mediation Board
National Science Foundation
Nuclear Regulatory Commission
Railroad Retirement Board
Securities and Exchange Commission
Selective Service System
Small Business Administration
Tennessee Valley Authority
United States Information Agency

3. CATEGORY III DEPARTMENTS AND AGENCIES

Other elements of the executive branch
(e.g., commissions, bureaus, et cetera)