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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

February 5, 1990

The Honorable Robert H. Morris
Acting Director
Federal Emergency Management Agency
Washington, D.C. 20472

Dear Mr. Morris:

I am responding to your letter of December 13, 1989, requesting the Nuclear Regulatory Commission (NRC) to review two draft Federal Preparedness Circulars (FPCs) dealing with the Continuity of Government Program. Although we have no comments on the content of the draft circulars, we are concerned that the attachments to the circulars identify the NRC as a Category I (formerly Category "A") agency.

The NRC has participated actively in Federal Emergency Management Agency (FEMA)-sponsored activities related to national security emergency planning and preparedness and views its participation as an important agency obligation. However, the assignment of Category I to the NRC on the basis of its National Security Emergency Preparedness responsibilities is inconsistent with the Commission's understanding of NRC's role and function during a national security emergency.

During the past five years, the Commission has given considerable thought to defining NRC's responsibilities during national security emergencies. It has concluded that NRC's most likely role in a national emergency would be to support other Federal agencies, primarily the Department of Energy, which would be responsible for the assessment and allocation of all sources of electric energy. The Commission has also concluded that the NRC has functions that could be interrupted for a short time in the event of a nuclear attack. This view of NRC's capabilities and functions is consistent with the responsibilities detailed for NRC in Executive Orders 11490 and 12656 and is embodied in the NRC's Manual Chapter 0601 on the Continuity of Government Program, approved by the Commission on May 20, 1988. The Commission's participation in FEMA-sponsored exercises over the years has been based on this understanding of its role as well.

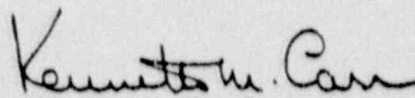
Moreover, in 1984, the Commission sought comments from the heads of certain executive branch departments and agencies regarding NRC's role in the Continuity of Government Program. At that time, FEMA,

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the Department of Energy, the National Security Council, the Department of State, and the Department of Defense agreed that NRC should be designated a Category "B" (now Category II) agency. On June 4, 1985, the NRC's Executive Director for Operations formally requested FEMA to redesignate the NRC as an agency with Category "B" responsibilities and to assist the NRC staff in making appropriate modifications to NRC plans and procedures. Most recently, the Commission in 1986 revisited the issue of the NRC's role during a national security emergency and confirmed NRC's designation as a Category "B" agency. The NRC conveyed this decision to Mr. George Woloshyn, Associate Director, Emergency Operations Directorate, FEMA, on January 27, 1987.

We are unaware of any change in our responsibilities under the Continuity in Government Program that would warrant our redesignation as a Category I agency. Therefore, we request that you revise the enclosures to both circulars when they are issued in final form to list NRC under Category II.

Sincerely,


Kenneth M. Carr

cc: Mr. Antonio Lopez, FEMA

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FEDERAL PREPAREDNESS CIRCULAR

Federal Emergency Management Agency
Washington, D.C. 20472

FPC _____

October 20, 1989

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

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

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

5. References.

a. FPC 61, Emergency Succession to Key Positions of the Federal Departments and Agencies, May 3, 1984.

b. FPC 62, Predelegation of Emergency Authorities, May 3, 1984.

c. FPC , Continuity of the Executive Branch of the Federal Government at the Regional Level During National Security Emergencies, (publication date to be determined).

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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, 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 post-emergency 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 head of each Federal department and agency to provide for the following:

a. Succession to Office. Order-of-succession lists are to be officially recorded and disseminated; they are to 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. 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

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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 Federal Departments and Agencies, 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. 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/her current position. Further guidance is provided in FPC 62, Predelegation of Emergency Authorities, 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 survivable 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

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headquarters, and the necessary verification procedures shall be specified.

(2) Emergency Action Documentation. 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 post-emergency 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 three categories of executive branch departments and agencies are:

(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

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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 departments and agencies 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

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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 agencies 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. 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 post-emergency 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.

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,

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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 , 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. Federal departments and agencies shall ensure the receipt, control, and maintenance of classified material in their primary and the alternate emergency operating facilities. 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 emergency periods that can be used to define the posture of the Federal Government during emergencies in which the continuity of the Federal Government is threatened. These periods are the crisis monitoring, the emergency response, and the recovery and reconstitution periods.

a. Crisis Monitoring Period. 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 Period. When the President determines that the executive branch crisis management

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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 Period. 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 provide 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.

Robert H. Morris
Acting Director

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

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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
Nuclear Regulatory Commission
Office of Personnel Management
United States Postal Service

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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
National Aeronautics and Space Administration
National Archives and Records Administration
National Credit Union Administration
National Labor Relations Board
National Mediation Board
National Science Foundation
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)

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FEDERAL PREPAREDNESS CIRCULAR

Federal Emergency Management Agency
Washington, D.C. 20472

FPC _____

October 20, 1989

TO: HEADS OF FEDERAL DEPARTMENTS AND AGENCIES

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

1. Purpose. This Federal Preparedness Circular (FPC) provides general guidance to all Federal departments and agencies on the preservation of regional continuity of the civil elements of the Federal Government 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 the Office of Emergency Planning Circular 9100.4, Federal Preparedness Planning and Emergency Operations at Regional Level, June 27, 1973.

4. Authorities.

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

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

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

5. References.

a. FPC , Continuity of the Executive Branch of the Federal Government at the Headquarters Level During National Security Emergencies (publication to be determined).

b. FPC 61, Emergency Succession to Key Positions of the Federal Departments and Agencies, May 3, 1984.

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c. FPC 62, Predelegation of Emergency Authorities, May 3, 1984.

d. Office of Management and Budget (OMB) Circular A-105, Standard Federal Regions, April 4, 1974.

6. Summary of Policy. 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 responsibility for developing and maintaining regional emergency plans and programs. Central to the conceptual framework for regional COG is the establishment of regional crisis management organizations to perform department or agency essential regional functions at their respective regional headquarters and functionally organized Regional Emergency Management Teams (REMT's). Each REMT is to have the capability to manage the performance of regional level essential functions and to support the activities of the national government in response to national security emergencies. The REMT must have the capability to operate outside the uniform regional council of cities, when necessary.

7. Background. It is the policy of the Federal Government to develop, implement, and maintain measures to ensure performance of essential functions at all levels of government.

a. To facilitate a comprehensive and cohesive response by the Federal Government to national security emergencies, regional elements of the Federal Government have a responsibility to support and complement the performance of essential functions by their respective Federal department and agency national-level officials.

b. FPC , Continuity of the Executive Branch of the Federal Government at the Headquarters Level During National Security Emergencies, assigned executive branch departments and agencies to one of three categories commensurate with their responsibilities in response to national security emergencies. Category I and II departments and agencies are listed in attachment A. 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 the capability to operate immediately and continuously, and the nature and characteristics of their emergency responsibilities. The three categories of executive branch departments and agencies are:

(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

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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 National Security Emergency Preparedness (NSEP) responsibilities. There is no requirement to establish an emergency operating capability.

c. 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.

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 head of each Federal department and agency to provide for succession to office; delegation of emergency authority; the safekeeping of essential resources, facilities, and records; and the establishment of emergency operating capabilities at the regional level. The establishment of an emergency operating capability depends on a variety of emergency preparedness measures such as alternate emergency operating facilities; emergency action documentation; and redundant and enduring communications assets.

a. Federal departments and agencies in category I shall identify their regional elements that must perform emergency functions at the regional level and shall designate them as either category I, II, or III regional elements in accordance with criteria established by FPC and discussed in subparagraph 7b.

b. Federal departments and agencies in category II shall identify their regional elements that must perform emergency functions at the regional level and shall designate them as either category II or III regional elements in accordance with criteria established by FPC and discussed in subparagraph 7b.

c. Regional elements assigned to category I must develop and

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maintain the capability to perform their essential governmental functions in national emergency situations from at least two locations: their primary regional headquarters, and an alternate emergency operating facility operated by the Federal Emergency Management Agency (FEMA). The office-where current day-to-day business is conducted is the primary regional headquarters. The staff assigned to serve at the primary regional headquarters during emergencies will comprise the department's or agency's primary regional crisis management organization. The staff assigned to serve at the alternate regional headquarters will comprise a functionally organized REMT.

9. Responsibilities.

a. Category I Regional Elements. Category I departments and agencies that have category I regional elements shall develop emergency operations plans and programs that include, but are not limited to the following:

(1) Assigning officials to two regional teams to perform essential functions of the department or agency:

(a) A regional crisis management organization to perform the department's or agency's essential functions at its regular office as long as its regular office is operable, unless otherwise notified by an appropriate authority; and

(b) An REMT to perform essential functions at the Federal Regional Center (FRC), or if an appropriate liaison activity with the REMT in the FRC can be established, at the department's or agency's emergency operating facility.

(2) Establishing training and exercise requirements for officials assigned to the regional crisis management organizations and the REMT's;

(3) Designating a senior representative from the department or agency regional crisis management organization to provide liaison support to the FEMA Regional Director for planning and coordination purposes;

(4) Relocating REMT members to the FRC or to the department's or agency's emergency operating facility;

(5) Assigning of responsibilities to plan for and carry out department or agency essential functions;

(6) Maintaining copies of regional plans developed in accordance with this FPC at their departments' or agencies' national headquarters and their primary and alternate regional headquarters; and

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(7) Providing FEMA Regional Directors two copies of regional plans; the personnel roster of regional crisis management organizations; and the personnel roster of the REMT's.

b. Category II Regional Elements. Regional elements identified as category II should plan to operate in an emergency from their regular offices as long as conditions permit or until other direction is given by an appropriate authority. Category II regional elements shall be prepared to resume essential services when conditions permit. When category II departments and agencies provide representatives to the National Emergency Management Team, they also may be asked to provide representatives to the REMT.

c. Category III Regional Elements. Regional elements identified as category III should continue to plan to operate in an emergency from their regular offices as long as conditions permit or until other direction is given by an appropriate authority. Category III regional elements will resume operations when directed.

d. Categories II and III Regional Elements. Departments and agencies having category II or category III regional elements will develop and maintain regional emergency operations plans for those elements. The plans should specify the minimum staff cadre required for reactivation of each category II regional element's regular office, if feasible, and at potential alternate locations. Copies of the plans shall be maintained at the national and regional headquarters of the department or agency, and two copies are to be provided to the FEMA Regional Director. The plans also should, inter alia, provide procedures for:

(1) Deactivation of the category II and category III regional elements in national emergencies during which the continuity of government is threatened;

(2) Reactivation of category II regional elements as soon as conditions permit; and

(3) Reactivation of category III regional elements upon instructions from national headquarters.

e. Continuity of National Authority. Federal 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. Security. Personnel assigned to the REMT's are required to have at least a SECRET clearance.

g. Logistical and Administrative Support. FEMA provides

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logistical and administrative support to the REMT's located at the FRC's. The FRC's may be activated for emergency operations upon instructions from the Director, FEMA, or as necessitated as a result of any circumstances which would reduce the operational capability at a department's or agency's primary location.

10. Coordination.

a. To facilitate effective and cohesive regional emergency preparedness planning practices, the establishment of interagency planning functional groups in such areas as economics, energy, human services, legal and law enforcement, communications, transportation, and other functional areas, as appropriate, is encouraged.

b. FEMA Regional Directors, as representatives of the Director, FEMA, are responsible for coordinating regional civil emergency preparedness planning and, when specifically authorized, operations.

c. The 10 standard Federal regions provide the basic framework for the distribution of Federal assets and resources for the construction of a nationwide regional continuity of government architecture (see attachment B). As a general policy, Federal departments and agencies are required to conform to 10 standard Federal regions or combinations thereof. OMB Circular A-105, Standard Federal Regions, dated April 4, 1974, provides for a standard regional organizational structure for regional coordination of national emergency plans and programs.

d. Regional emergency preparedness plans of category I Federal departments and agencies shall recognize the 10 standard Federal regions; however, the area of emergency management responsibility of each REMT may be defined as a standard Federal region or a combination of standard Federal regions.

e. Each Federal department and agency shall designate a lead office in each region to coordinate emergency planning for all of the department's or agency's offices in that region.

f. Federal departments and agencies with fewer than 10 regions should make arrangements with the appropriate FEMA Regional Directors within those standard Federal regions not otherwise covered. Each Federal department and agency with more than 10 regions will determine which regional offices will represent it in each standard Federal region. The FEMA Regional Director shall inform the Director, FEMA, of these arrangements.

g. Since FRC's have limited capacities, REMT members assigned to FRC's for emergency operations are limited to personnel required to perform essential functions. If it is determined that the essential regional functions of a department

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or agency cannot be performed by a REMT in the designated FEMA facility, then other facilities of the departments and agencies may be used. In such cases, appropriate representation with the REMT is required for interagency coordination and liaison purposes. REMT staffing allocations in the FRC's are determined by the FEMA Regional Director in coordination with the concerned departments' and agencies' national level authorities. Selection of REMT personnel shall be based on possession of knowledge and skills required to perform the department's or agency's essential functions.

11. Records. Based on policy guidance from FEMA, procedural guidance from the National Archives and Records Administration, applicable Federal departments' and agencies' directives, and other established Federal authorities, category I regional elements 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. Federal departments and agencies shall ensure the receipt, control, and maintenance of classified material in their primary and the alternate emergency operating facilities. Category II and category III regional elements shall establish records, as appropriate.

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

Robert H. Morris
Acting Director

Attachments

A - Category I, II, AND III Departments and Agencies

B - Standard Federal Regions

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Attachment A

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 Communication System
Nuclear Regulatory Commission
Office of Personnel Management
United States Postal Service

DRAFT

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
National Aeronautics and Space Administration
National Archives and Records Administration
National Credit Union Administration
National Labor Relations Board
National Mediation Board
National Science Foundation
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).

