



Federal Emergency Management Agency

Washington, D.C. 20472

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The Honorable Kenneth M. Carr
Chairman, Nuclear Regulatory
Commission
1717 H Street, NW
Washington, DC 20555

Dear Mr. Chairman:

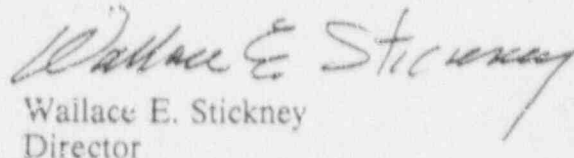
The purpose of this letter is to request your review and approval of the following two draft Federal Preparedness Circulars (FPCs) entitled:

1. Emergency Succession to Key Positions of Federal Departments and Agencies; and
2. Delegation of Emergency Authorities.

These documents are revisions to two extant documents published in 1984.

I would appreciate your having appropriate staff review these drafts and return your comments within 30 days of this date to the Honorable Antonio Lopez, Associate Director, National Preparedness Directorate, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472. Questions about these drafts should be directed to Ms. Melissa M. Howard, Chief, Planning Division, 202-646-3581.

Sincerely,


Wallace E. Stickney
Director

Enclosures

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PDR COMMS NRCC
CORRESPONDENCE PDR

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FEDERAL PREPAREDNESS CIRCULAR

Federal Emergency Management Agency
Washington, D.C. 20472

FPC _____

TO: Heads of Federal Departments and Agencies

SUBJECT: Emergency Succession to Key Positions of Federal
Departments and Agencies

1. Purpose. This Federal Preparedness Circular (FPC) provides guidance to Federal departments and agencies for the establishment and maintenance of plans for emergency succession to key positions.

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

3. Supersession. This FPC supersedes FPC 61, Emergency Succession to Key Positions of Federal Departments and Agencies, dated May 3, 1984.

4. Authorities.

a. Sections 202 and 1701(2) of EO 12656, Assignment of Emergency Preparedness Responsibilities, dated November 18, 1988.

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

5. Summary. Federal departments and agencies with assigned emergency continuity of government responsibilities are responsible for, at the headquarters and regional levels, establishing, promulgating, and maintaining orders of succession to key positions. Such orders of succession are an essential part of the program of each Federal department and agency to ensure performance of essential functions while continuing as a viable part of the Federal Government during any national security emergency.

6. Reference.

a. FPC 60, Continuity of the Executive Branch of the Federal Government at the Headquarters Level During National Security Emergencies, dated November 20, 1990.

b. FPC 64, Continuity of the Executive Branch of the Federal Government at the Regional Level During National Security Emergencies, dated November 20, 1990.

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7. Policies.

a. Each Federal department and agency with NSEP responsibilities that MAY NOT be interrupted in a national security emergency should, consistent with existing law and Executive orders, establish an order of succession. The order of succession to the position of head of the Federal department or agency should be established to a minimum depth of six, with a minimum of three in separate locations outside the Washington, DC, area whenever possible. Where a suitable field structure exists, the successors located outside the Washington, DC, area should include all Regional Directors.

b. An order of succession to the position of head of each constituent agency (bureau or equivalent) should be established to a minimum depth of three. Succession to management positions in other key headquarters levels of authority should be provided to a minimum depth of three at any point where policy and directional functions are carried out.

c. Each Federal department and agency with NSEP responsibilities that is organized according to the standard Federal regional structure, shall establish an order of succession to the position of Regional Director or equivalent, to a minimum depth of three. Succession to other key regional management positions where policy and directional functions are carried out, should be to a minimum depth of three. Departments and agencies not organized according to the standard Federal regions should provide for succession to key staff positions to a minimum depth of three to assure national continuity of authority.

d. Each Federal department or agency and instrumentality with national security emergency responsibilities that MAY be interrupted during a national security emergency should establish an order of succession to the position of head of the agency to a minimum depth of three. This is to ensure a surviving, authorized, management capability when such agencies are reconstituted after the emergency.

e. Variations in depth and geographic dispersion are permissible as long as the effect is overall consistency with the principle of providing succession to office in emergencies of all types.


8. Procedures. The following procedures should be used for developing orders of succession to office:

a. Acting Head of Department or Agency. In accordance with the order of succession, the most senior surviving official who is in a position to direct the department or agency functions as

acting head of the department or agency until appointed by the President or until relieved.

b. Relief by Individual Higher in Order of Succession. When an official is aware that an official higher in the order of succession is only temporarily absent, the official acts in the position but does not succeed to office.

c. Relief of Delegate by Successor. When delegation of emergency authority is at variance with line of succession, the authority rests with the delegate until such time as a legitimate successor can relieve the delegate of the authority.

d. Maintenance of List of Succession. Each order of succession should be established in terms of positions or titles rather than names of individuals. Names, locations, and telephone numbers of incumbents should be included in versions provided to the department or agency Emergency Coordinator and emergency operations center (if there is one). 

9. Responsibilities. The heads of Federal departments and agencies with assigned national security emergency responsibilities are responsible for the following:

a. Establishing the orders of succession specified by this FPC, consistent with applicable statutes and Executive orders, and distribute them at least annually to interested parties;

b. Including the orders of succession in the vital records of the department or agency;

c. Revising orders of succession, as necessary, and distributing revised versions promptly as changes occur;

d. Establishing the rules and procedures to be followed by designated officials when dealing with the issues of succession to office in emergency situations;

e. Including in succession procedures the conditions under which succession takes place, method of notification, and any temporal, geographical, or organizational limitations of authorities;

f. Assigning successors (to the extent possible) among the emergency teams established to perform essential emergency functions; and

g. Establishing orientation programs designed to prepare successors for their emergency duties. These programs should provide for both general indoctrination and specific operational

and functional information which a successor needs in an emergency. At least one such session should be held annually to enable successors to become familiar with their emergency duties.

10. Distribution. This FPC is distributed to the heads of Federal departments and agencies, Senior Policy Officials, emergency planners, and other interested parties.

Wallace E. Stickney
Director

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FEDERAL PREPAREDNESS CIRCULAR

Federal Emergency Management Agency
Washington, D.C. 20472

FPC _____

TO: Heads of Federal Departments and Agencies

SUBJECT: Delegation of Authorities for Emergency Situations

1. Purpose. This Federal Preparedness Circular (FPC) provides guidance to Federal departments and agencies to assist in establishing and maintaining delegation of emergency authorities.

2. Applicability and Scope. The provisions of this FPC are applicable to all Federal departments and agencies with assigned national security emergency preparedness (NSEP) responsibilities in Executive Order (EO) 12656, Assignment of Emergency Preparedness Responsibilities.

3. Supersession. This FPC supersedes FPC 62, Predelegation of Emergency Authorities, dated May 3, 1984.

4. Authorities.

a. Sections 202 and 1701(2), EO 12656, Assignment of Emergency Preparedness Responsibilities, dated November 18, 1988.

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

5. Reference.

a. FPC 60, Continuity of the Executive Branch of the Federal Government at the Headquarters Level During National Security Emergencies, dated November 20, 1990.

b. FPC 64, Continuity of the Executive Branch of the Federal Government at the Regional Level During National Security Emergencies, dated November 20, 1990.

6. Summary. To ensure rapid response to emergency situations in all areas where actions may be required, Federal departments and agencies with assigned emergency missions should delegate authorities for making policy determinations and decisions at appropriate headquarters and regional levels and locations.

7. Background. Federal departments and agencies are responsible for developing plans and taking actions as necessary to ensure the department or agency can perform its essential functions during any national security emergency. One of the requirements is to provide for delegation of authorities for emergency situations.

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8. Delegation Guidelines. The following guidelines are provided to assist Federal departments and agencies in developing and determining the adequacy of their delegations of authorities for emergency situations:

a. Identify the program and administrative authorities needed for effective operations at all organizational levels having (NSEP) responsibilities;

b. Identify the circumstances under which the authority is to be exercised;

c. Provide the necessary documented authorities at all points where emergency actions may be required, including the limits of authority and accountability;

d. State explicitly the authority of designated successors to exercise department or agency direction, including any exceptions;

e. Include authority to redelegate functions and activities, as appropriate; and

f. Specify responsibilities and authorities of individual department and agency representatives designated to participate as members of interagency emergency response teams.

g. Indicate the circumstances under which delegated authorities become effective and when they are terminated.

9. Responsibilities. Heads of Federal departments and agencies having assigned responsibilities for national security emergency preparedness and operations shall provide for delegation of emergency authorities and ensure officials expected to assume authorities in an emergency receive training for carrying out their duties. Training programs shall provide specific operational information and materials.

10. Distribution. This FPC is distributed to the heads of Federal departments and agencies, Senior Policy Officials, emergency planners, and other interested parties.

Wallace E. Stickney
Director