

**ROUTING AND TRANSMITTAL SLIP**

Date 7 OCT 1986

TO: (Name, office symbol, room number, building, Agency/Post)		Initials	Date
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Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

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REMARKS

#2  
#1 - ACTION

PLEASE PROVIDE RESPONSE FOR THE  
ACTING DDA'S SIGNATURE.

SUSPENSE: <sup>15</sup>~~10~~ OCTOBER 1986 ← Is this possible?  
Seems infeasible.  
Jim

*Nat'l Sec. Emergency Preparedness*

*Executive Order: 11490 (Draft review)*

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)	Room No.—Bldg.
EXA/DDA	Phone No.

STAT

5041-102

\* U.S.G.P.O.: 1983-421-529/325

OPTIONAL FORM 41 (Rev. 7-76)  
Prescribed by GSA  
FPMR (41 CFR) 101-11.206

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As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
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Coordination	Justify	

**REMARKS**

*Jim,  
OS reviewed this  
and discussed it with  
appropriate DI and DO elements.  
They have no comment.*

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**EXECUTIVE SECRETARIAT  
ROUTING SLIP**

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Date

Remarks

**General Counsel**  
**86-03578**

Executive Secretary  
**24 Sep 86**

Date

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**3637** (10-81)



# Federal Emergency Management Agency

Washington, D.C. 20472

General Counsel  
86-03578

Security Registry  
4337X

September 19, 1986

MEMORANDUM FOR: EMERGENCY COORDINATORS  
 FEDERAL DEPARTMENTS AND AGENCIES

FROM: *B.A. Maguire*  
 Associate Director  
 National Preparedness

SUBJECT: Revised Draft Executive Order 11490

Attached is a proposed Executive order (E.O.) entitled "Responsibilities of the Federal Departments and Agencies for National Security Emergency Preparedness" (Attachment A). The proposal would amend E.O. 11490, "Assigning Preparedness Functions to Federal Departments and Agencies," dated October 30, 1969.

The September 15, 1986, transmittal from John H. Carley, General Counsel, the Office of Management and Budget (OMB), to General Counsels of Federal Departments and Agencies (Attachment B), outlines how the proposed order was developed and changes from the previous 1984 version of the draft order. Attachment C is a line-in/line-out version which indicates changes from the previous 1984 version of the proposed order. The OMB has requested formal comments on the proposed order by October 6, 1986. Any comments you may have on the proposed order should be submitted through your Agency's General Counsel to OMB. In addition, we would be pleased if you would share your comments with us. Should you choose to do so, please send them to the Federal Emergency Management Agency, National Preparedness Programs, Office of Federal Preparedness, 500 C Street, S.W., Room 630, Washington, D.C., 20472, attention: Sean P. Foohey.

Local reproduction of copies is encouraged in order to facilitate review by all concerned. Also, a limited number of additional copies are available from this office.

Members of the interagency task force that prepared this draft would be pleased to provide an information briefing to you and your staff. If you would like to have such a briefing, please contact Mr. Foohey at 646-3597.

Attachments



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PART 1 - PREAMBLE

Section 101. National Security Emergency Preparedness Policy. The policy of the United States is to have sufficient capabilities at all levels of government to meet essential defense and civilian needs during any national security emergency. A national security emergency is any occurrence, including natural, technological, or other emergency, which seriously degrades or seriously threatens the national security of the United States. Policy for national security emergency preparedness shall be established through the National Security Council. All national security emergency preparedness activities shall be consistent with the goal of preservation of our Constitutional government.

Sec. 102. Scope. (1) This Order addresses all national security emergency preparedness functions and activities, including planning and operational activities of the Federal departments and agencies, which complement national defense readiness planning and operational capabilities. These functions and activities provide the foundation for the United States Government to respond in mobilizing essential resources to meet a national security emergency.

(2) This Order does not apply to natural, technological, or other emergencies, unless such situations constitute a national security emergency.

(3) This Order does not apply to routine emergencies to which response is normally the responsibility of individuals, the private sector, volunteer organizations, local and/or State governments, and/or specified Federal departments and agencies acting pursuant to their own statutory or other authorities.

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(4) The Department of Defense and other agencies are exempt from provisions of this Order that pertain to providing information on, or evaluation of, military policies, plans, programs, or states of military readiness.

(5) National security emergency preparedness telecommunications functions and responsibilities are not assigned by this Order. All such functions are otherwise assigned by Executive Order.

(6) National security emergency preparedness assignments shall be based, wherever possible, on extensions of the regular missions of the Executive agencies.

Sec. 103. Management of National Security Emergency Preparedness.

(1) The National Security Council is the principal forum for consideration of national security emergency preparedness policy. The Assistant to the President for National Security Affairs, in consultation with members of the National Security Council, is responsible for developing, coordinating, and insuring implementation of national security emergency preparedness policy approved by the President.

(2) The Assistant to the President for National Security Affairs is responsible for oversight of the Federal government's national security emergency preparedness programs.

(3) National security emergency preparedness functions shall be managed by the Federal department or agency having primary responsibility, and shall be supported by other departments and agencies having related responsibilities.

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(4) All Federal departments and agencies shall be prepared to respond effectively to any national security emergency, including those situations for which no formal plans or procedures have been established. Federal departments and agencies shall develop plans, provide guidance, train, equip, exercise, evaluate, and be prepared to implement their emergency management capabilities. Such capabilities shall be adequate to respond to all national security emergencies, including those that are international or national in scope, and those that may occur within any region of the Nation. National security emergency preparedness planning will assure decentralized capabilities whenever feasible.

(5) All Federal departments and agencies will consider national security emergency preparedness factors in the conduct of their regular functions, particularly those functions essential in time of emergency. Emergency plans, programs, and an appropriate state of readiness, including organizational infrastructure, shall be developed as an integral part of the continuing activities of each Federal department and agency having the responsibility for carrying out such plans and programs during any national security emergency.

(6) The Director of the Federal Emergency Management Agency shall serve as an advisor on issues of emergency preparedness, mobilization preparedness, civil defense, continuity of government, natural and technological disasters, and other issues, as appropriate.

(7) The Director of the Federal Emergency Management Agency shall assist in the implementation of national security emergency preparedness policy through a coordinating role with the other Federal departments and agencies and with State and local governments; provide periodic reports

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to the National Security Council on implementation of national security emergency preparedness policy; and provide staff support as requested by the National Security Council.

(8) All Federal departments and agencies shall provide appropriate data and information to the National Security Council for the purpose of monitoring implementation of national security emergency preparedness policy.

(9) All Federal departments and agencies will conduct and/or participate, as appropriate, in national security emergency preparedness exercises designed to demonstrate their emergency management capabilities.

Sec. 104. Relationship Between National Security Emergency Preparedness and Domestic Policy. All appropriate Cabinet members and agency heads shall be consulted regarding national security emergency preparedness policy issues having major domestic policy implications. Likewise, the National Security Council and all other appropriate Cabinet members and agency heads shall be consulted concerning domestic policy issues relating to national security emergency preparedness.

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PART 2 - GENERAL PROVISIONS

Sec. 201. General. Each Federal department and agency, as appropriate and to the extent necessary to fulfill its responsibilities for national security emergency preparedness, shall:

(1) Design preparedness measures to permit a rapid and effective transition from routine to emergency operations, and to make effective use of the period following initial indication of a probable national security emergency. This will include:

(a) Development of a system of emergency actions that defines alternatives, processes, and issues to be considered during various stages of national security emergencies.

(b) Identification of low-cost actions that can be taken in peacetime or during the early stages of a crisis to reduce significantly the lead times associated with full emergency action implementation.

(2) Design plans and procedures to retain maximum flexibility for the President in the implementation of emergency actions.

(3) Establish the management infrastructure needed to implement national security emergency preparedness plans.

(4) Base national security emergency preparedness measures on the use of existing organizations, resources, and systems to the maximum extent practicable.

(5) Make recommendations to the National Security Council for establishment and implementation of policies for, and coordination and evaluation of, national security emergency preparedness activities and functions of the Federal government.

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(6) Coordinate with Federal departments and agencies, State and local government offices, and other organizations. Relations with appropriate segments of the private sector shall be maintained to foster mutual understanding of Federal national security emergency plans.

(7) Assist in developing State and local plans for providing essential services, and develop national plans to support State and local plans.

(8) Assure that plans consider the consequences of funding disruptions upon State and local government and private sector-provided essential services.

(9) Appoint a senior policy official as Emergency Coordinator, responsible for developing and maintaining a multi-year emergency preparedness plan for the department or agency to include objectives, programs, and budgetary requirements.

(10) Identify and correct regulations and other legal constraints which unreasonably delay or otherwise interfere with effective emergency management.

(11) Cooperate in compiling, evaluating, and exchanging relevant data related to all aspects of national security emergency preparedness.

(12) Develop dynamic governmental and public information programs for both routine and emergency conditions.

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(13) Provide emergency information concerning Acts of Congress, presidential proclamations, Executive orders, regulations, and notices of actions to the Archivist, National Archives and Records Administration, for publication in the Federal Register, or in the Emergency Federal Register, if established.

(14) Develop and conduct training programs that incorporate emergency preparedness and civil defense information necessary to insure the operational effectiveness of assigned resources, systems, and facilities.

Sec. 202. Continuity of Government. Each Federal department and agency will assure the continuity of its essential functions in any national security emergency and will take such actions as may be necessary to assure that its essential functions will be performed. These include provisions for succession to office; predelegation of emergency authority; safekeeping of essential resources, facilities, and records; establishment of emergency sites; and planning for emergency actions. These activities shall be in accordance with guidance provided by, and subject to evaluation by, the National Security Council.

Sec. 203. Resource Management. Each Federal department and agency, as appropriate, shall:

(1) Develop national plans to mobilize personnel, equipment, facilities, and other resources.

(2) Evaluate the use of alternative resources to meet essential demands during and following national security emergencies.

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(3) Assess the essential emergency requirements for the production, distribution, and use of resources in their areas of responsibility, and develop options and procedures for enhancing the effective utilization of those resources, and for resolving resource deficiencies.

(4) Participate, as appropriate, in a system of standby and voluntary agreements, to be coordinated by the Director of the Federal Emergency Management Agency, subject to the approval of the Attorney General and in consultation with the Chairman of the Federal Trade Commission.

(5) Develop international, national, and regional plans to set priorities and allocate resources among civilian and military claimants, to the extent authorized by law. The Secretary of Defense shall review the priorities and allocations systems that are developed by other departments and agencies to meet Department of Defense needs.

(6) Prepare plans to claim from the responsible resource agencies the materials, energy, water, minerals, land, equipment, supplies, services, and workforce needed to carry out assigned responsibilities and other essential functions, and cooperate with other agencies in developing programs to insure availability of such resources in an emergency.

(7) Monitor the Nation's workforce needs and identify occupations and skills for which there may be a critical need in the event of a national security emergency. Develop plans and procedures for assuring the availability of such occupations and skills, including plans for avoidance of depletion of the workforce where most crucially needed and/or plans for workforce augmentation.

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(8) Develop criteria for the utilization of scarce resources in post-incident recovery from national security emergencies.

Sec. 204. Protection of Essential Resources and Facilities. Each Federal department and agency, as appropriate within its substantive areas, shall:

(1) Identify facilities and resources essential to the national defense and national welfare, assess their vulnerabilities to national security emergencies, and develop strategies, plans, and programs to minimize the loss resulting from attack or disruption during such emergencies, and to assure continued provision of essential services, including the establishment of physical security and mitigation standards for facilities and resources subject to regulatory or contractual oversight and recommendation of standards for those not so subject.

(2) Participate in interagency activities established by the National Security Council to assess the relative importance of various facilities and resources to essential military and civilian needs to integrate response strategies and procedures.

(3) Provide facilities protection guidance material adapted to the needs of essential facilities and services.

(4) Maintain a capability, both at national and regional/field levels, to estimate the effects of attack on essential resources and facilities.

(5) Encourage design and construction measures which can reduce the consequences of natural and technological (including radiation) hazards.

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Sec. 205. Federal Benefit, Insurance, and Loan Programs. The head of each Federal department and agency that administers a loan, insurance, or benefit program which relies upon the Federal government payment system shall coordinate with the Secretary of the Treasury in developing plans for the continuation or restoration of such programs in national security emergencies.

Sec. 206. Research. The Director of the Office of Science and Technology Policy and the heads of Federal departments and agencies having significant research and development programs shall advise the National Security Council of scientific and technological developments that should be considered in national security emergency preparedness planning.

Sec. 207. Redelegation. The head of each Federal department and agency is hereby authorized, to the extent permitted by law, to redelegate the functions assigned by this Order, and to authorize successive redelegations to organizations, officers or employees within that department or agency.

Sec. 208. Transfer of Functions. Recommendations for transfer of any emergency preparedness function assigned under this Order or for assignment of any new emergency preparedness function shall be coordinated with all affected Federal departments and agencies before submission to the National Security Council.

Sec. 209. Retention of Existing Authority. Nothing in this Order shall be deemed to derogate from assignments of functions to any Federal department or agency or officer thereof made by statute, Executive Order, or Presidential directive or memorandum.

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PART 3 - DEPARTMENT OF AGRICULTURE

Sec. 301. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Secretary of Agriculture shall:

(1) Develop plans to provide adequate and continuing production, processing, storage, and distribution of essential food resources in national security emergencies, and to provide for the domestic distribution of seed, feed, fertilizer, and farm equipment, with priority distribution to the normal wholesale level.

(2) Plan to provide agricultural products to meet international responsibilities in national security emergencies.

(3) Develop plans and procedures for administration and use of Commodity Credit Corporation inventories of food resources in national security emergencies.

(4) Develop plans and direct activities for the use of resources under the jurisdiction of the Secretary of Agriculture and, in cooperation with the Departments of Commerce, Defense, and Interior, the Tennessee Valley Authority, and other government entities, plan for the national security emergency operation, production, and processing of forest products.

(5) Develop, under the guidance of the Secretary of Defense, plans and programs for water to be used in agricultural production and food processing in national security emergencies.

(6) Prepare, in cooperation with Federal, State, and local agencies, plans and programs to prevent and control fires in rural areas of the United States.

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(7) Develop plans to provide the Nation's farmers with production resources, including national security emergency financing capabilities.

(8) Develop plans, consistent with those of the Department of Health and Human Services and the Environmental Protection Agency, for national security emergency agricultural health services and forestry, including:

(a) Diagnosis and control or eradication of diseases, pests, or agents of biological or chemical warfare against animals, crops, timber, or products thereof;

(b) Protection, treatment, and handling of livestock and poultry, or products thereof, which have been exposed to or affected by hazardous agents;

(c) Use and handling of crops, agricultural commodities, and timber which have been exposed to or affected by hazardous agents; and

(d) Assuring the safety and wholesomeness, and minimizing losses from hazards, of animals and animal products and agricultural commodities and products under continuous inspection by the Department of Agriculture or owned by the Commodity Credit Corporation or by the Department of Agriculture.

Sec. 302. Support Responsibilities. The Secretary of Agriculture shall:

(1) Assist the Federal Emergency Management Agency in formulating and carrying out plans for stockpiling strategic and critical agricultural materials, including assessment of national and international requirements for food and fiber in national security emergencies.

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(2) Assist the Departments of Health and Human Services, Interior, and Treasury, and State governments, with repatriation of United States citizens evacuated from foreign countries to the Continental United States.

(3) Assist the Secretary of the Treasury in preparedness activities intended to reduce susceptibility to manipulated economic pressures.

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## PART 4 - DEPARTMENT OF COMMERCE

Sec. 401. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Secretary of Commerce shall:

(1) Develop control systems for priorities, allocation, production, and distribution of materials and other resources made available under such systems for national defense and essential civilian programs and the construction and operation of facilities assigned to them.

(2) Develop procedures by which new production facility construction proposals will be reviewed for appropriate location in light of such factors as security and the availability of labor, water, power, housing, and other support requirements.

(3) Identify those industrial products which are essential to mobilization readiness, national defense, or post-attack survival and recovery; conduct comprehensive vertical integration studies for industrial impact on readiness objectives; and identify the facilities capable of producing such products and evaluate the importance of such facilities to the national security.

(4) Analyze potential effects of national security emergencies on actual production capability, taking into account the entire production complex, including shortages of resources, and recommend preparedness measures that would strengthen capabilities for production in emergencies.

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(5) Develop plans, in conjunction with the Secretary of the Treasury, for providing emergency assistance to essential business establishments through direct or participation loans for the financing of production facilities and equipment.

(6) Prepare for the regulation and control of exports and imports under the jurisdiction of the Department of Commerce, as required in national security emergencies.

(7) Provide for the collection and reporting of census information on the status of human and economic resources, including population, housing, agriculture, manufacture, mineral industries, business, transportation, foreign trade, construction, and governments, as required for national security emergency planning purposes.

(8) Plan, create, and maintain a capability for the conduct of emergency surveys to provide information on the status of populations national security emergency preparedness plans and programs of the Federal government.

(9) Develop overall plans and programs to ensure that the fishing industry continues to produce essential protein in national security emergencies.

Sec. 402. Support Responsibilities. The Secretary of Commerce shall:

(1) Assist the Federal Emergency Management Agency in formulating and carrying out plans for stockpiling strategic and critical materials for industrial production, construction, and distribution.

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(2) Cooperate in developing machine tool trigger orders and, based upon defense and energy requirements, determine which orders to activate.

(3) Provide meteorological, hydrologic, and marine weather data and information to Federal, State and local agencies, as appropriate.

(4) Provide current and forecast meteorological information about wind speed and direction, low level stability, precipitation and other meteorological and hydrologic factors affecting the transport or dispersion of radioactive and other hazardous materials and make this information available to Federal, State, and local authorities for public dissemination, as appropriate.

(5) Provide geodetic, hydrographic, climatic, seismic, and oceanographic data and services to Federal, State, and local agencies, as appropriate.

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PART 5 - DEPARTMENT OF DEFENSE

Sec. 501. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Secretary of Defense shall:

- (1) Provide the military response to national security emergencies.
- (2) Develop, with industry, reliable capabilities for the rapid increase of defense production.
- (3) Develop and maintain national security emergency plans, programs, and mechanisms to ensure:
  - (a) Efficient management of military support to Federal, State, and local governments, in cooperation with the Attorney General and the Director of the Federal Emergency Management Agency; and
  - (b) Effective mutual support between the military, civil government, and private sector, in cooperation with the Director of the Federal Emergency Management Agency and the heads of other Federal departments and agencies.
- (4) Develop and operate damage assessment systems and assist the Federal Emergency Management Agency and other departments and agencies in their responsibilities as stated in Section 204(3).
- (5) Arrange, through agreements with the heads of other Federal departments and agencies, for transfer of certain Federal and civilian resources to the jurisdiction and/or operational control of the Department of Defense in national security emergencies.
- (6) Develop overall plans for the management, control, allocation, and use of the water resources of the Nation, in cooperation with the Federal departments and agencies having statutory or delegated water responsibilities. This includes:

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(a) Coordination of national security emergency water resource planning at the regional, State, and local levels;

(b) Developing plans and maintaining river control operations for the prevention and control of floods affecting water resources under the jurisdiction of the Secretary of the Army;

(c) Developing plans for national security emergency assistance to public water supply utilities; and

(d) Developing plans to assure continued operation of waterways and harbors.

(7) Manage all emergency planning and response activities pertaining to Department of Defense nuclear facilities including offsite coordination.

(8) Assist the Secretary of Labor in determining and planning how best to mobilize the Nation's scientific and engineering workforce for national security emergencies. Seek information from the Director of the National Science Foundation concerning the Nation's scientific and engineering workforce.

(9) Coordinate with the Administrator of the National Aeronautics and Space Administration on development and maintenance of technologically advanced systems, equipment, and methodologies.

Sec. 502. Support Responsibilities. The Secretary of Defense shall:

(1) Advise and assist the Director of the Federal Emergency Management Agency, the Secretary of Commerce, and the heads of other Federal departments and agencies in the development of plans and programs to support military mobilization. This includes providing, as appropriate:

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(a) Military requirements, prioritized and time-phased to the extent possible, for selected end-items and supporting services, materials, and components; and

(b) Recommendations for use of financial incentives and other powers under Title III of the Defense Production Act of 1950, as amended.

(2) Advise and assist other Federal departments and agencies in the development of national security emergency manpower policies including information relating to the size and composition of the Armed Forces and military and civilian personnel force levels.

(3) Advise and assist other Federal departments and agencies in planning for the protection of or evacuation and repatriation of United States citizens in threatened areas overseas.

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PART 6 - DEPARTMENT OF EDUCATION

Sec. 601. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Secretary of Education shall:

(1) Develop plans for the earliest possible resumption of educational systems following national security emergencies. This includes assistance to educators and educational institutions to locate and use surviving facilities, equipment, books, and educational personnel.

(2) Provide national leadership and coordination in conducting education and training to meet shortages of critical skills and educational specialties.

(3) Identify and assess changes to educational systems which may occur in national security emergencies.

(4) Provide assistance to local educational agencies for national security emergency related costs.

(5) Develop plans for dissemination of emergency preparedness (self-help) information through educational institutions and the media during national security emergencies.

Sec. 602. Support Responsibilities. The Secretary of Education shall:

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PART 7 - DEPARTMENT OF ENERGY

Sec. 701. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Secretary of Energy shall:

(1) Conduct national security emergency planning and administer operational programs for fuel and power, including those of the Electric Power Marketing Administration, the Federal Energy Regulatory Commission, the Strategic Petroleum Reserve, and the Naval Petroleum and Oil Shale Reserves, including:

(a) Providing information, in cooperation with Federal and State officials, on energy supply and demand conditions and on the availability of critical materials in the energy supply system; and

(b) Developing, in consultation with the energy industry, the necessary plans, programs, and procedures to discharge these responsibilities.

(2) Identify energy facilities essential to the mobilization, deployment, and sustainment of resources to support the national defense and national welfare, and develop strategies to ensure continued provision of minimum essential services in national security emergencies.

(3) Ensure continuity of production of nuclear weapons.

(4) Provide guidance and oversight for all national security emergency planning activities pertaining to Department of Energy nuclear materials facilities.

(5) Assure the security of nuclear materials, nuclear weapons or devices, and all other Department of Energy programs.

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(6) Participate, as required, in search, recovery, and deactivation operations for nuclear materials, weapons or devices.

Sec. 702. Support Responsibilities. The Secretary of Energy shall:

(1) Provide such advice and resources as can be made available to assist Federal, State, and local officials in protecting the public health and safety and minimizing property and environmental damage.

(2) Consult with the Director of the Federal Emergency Management Agency in energy national security emergency planning and in the development of energy resource management procedures and regulations.

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PART 8 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

Sec. 801. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Secretary of Health and Human Services shall:

(1) Promote the development of State and local plans for the provision of health services in national security emergencies, and develop appropriate plans to support such State and local plans.

(2) Develop national plans to mobilize the health industry and health resources for national security emergencies.

(3) Develop national plans to set priorities and allocate health resources among civilian and military claimants.

(4) Develop health and medical survival information programs for individuals and groups, to be used in the event that professional emergency health services are unavailable for extended periods, and develop and require, to the extent permitted by law, a nationwide program to train health professionals and paraprofessionals in special knowledge and skills which would be useful in national security emergencies.

(5) Develop programs to reduce or eliminate adverse health effects produced by biological, chemical, or radiological agents.

(6) Develop guidelines which will assure reasonable and prudent standards of purity and/or safety in the manufacture and distribution of food, drugs, biological products, medical devices, food additives, and radiological products in national security emergencies.

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(7) Prepare national plans for assisting States in rehabilitation of persons injured or disabled by national security emergencies.

(8) Develop plans and procedures to assist State and local governments in the provision of emergency human services, including lodging, feeding, clothing, registration and inquiry, social services, and family reunification.

(9) Develop, in coordination with the Department of Education, human services educational and training materials including self-help program materials for use with human service organizations and professional schools; also, develop and distribute civil defense information relative to emergency human services to the States, voluntary agencies, and professional groups.

(10) Develop plans and procedures for assistance to noncombatant United States citizens or dependents evacuated from overseas areas.

(11) Develop plans for national security emergency:

(a) Payment of health insurance claims for Medicare and Medicaid eligible recipients;

(b) Financial assistance to human services institutions and/or individuals; and

(c) Continuation or restoration of the Social Security program.

Sec. 802. Support Responsibilities. The Secretary of Health and Human Services shall:

(1) Assist the Chairman of the Railroad Retirement Board in developing plans for continuation of benefit payments during national security emergencies.

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PART 9 - DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Sec. 901. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Secretary of Housing and Urban Development shall:

(1) Develop plans for construction and management of housing in national security emergencies, including:

(a) Providing temporary housing using Federal financing arrangements for repair and restoration of damaged housing; construction and management of housing units; use of tents, inflatable structures, recreational vehicles, and manufactured housing; and conversion of non-residential structures to residential use.

(b) Providing for shelter by encouraging construction of shelters and use of low-cost design and construction techniques to maximize population protection.

(2) Develop plans, in cooperation with the Director of the Environmental Protection Agency, to restore community facilities including water and waste disposal facilities, damaged in national security emergencies.

Sec. 902. Support Responsibilities. The Secretary of Housing and Urban Development shall:

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PART 10 - DEPARTMENT OF THE INTERIOR

Sec. 1001. Lead Responsibilities. In addition to the responsibilities covered in Parts 1 and 2, the Secretary of the Interior shall:

(1) Develop programs and encourage the exploration, development, and mining of strategic and critical and other nonfuel minerals for national security emergency purposes.

(2) Provide guidance to mining industries in the development of plans and programs to insure continuity of production during national security emergencies.

(3) Develop, under the guidance of the Secretary of Defense, plans and programs relative to water and water resources under the jurisdiction of the Secretary of the Interior.

(4) Plan for the management, control, allocation, and use of land of the Nation in national security emergencies and coordinate land emergency planning at the Federal, State, and local levels.

Sec. 1002. Support Responsibilities. The Secretary of the Interior shall:

(1) Assist the Federal Emergency Management Agency in formulating and carrying out plans for stockpiling strategic and critical minerals.

(2) Cooperate with the Department of Commerce in the identification and evaluation of essential facilities.

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PART 11 - DEPARTMENT OF JUSTICE

Sec. 1101. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Attorney General shall:

(1) Coordinate all Federal government law enforcement activities, including Federal law enforcement liaison with State and local governments.

(2) Coordinate domestic planning for national security emergency law enforcement contingencies which are beyond the capabilities of local officials and agencies, to ensure that all agencies provide adequate support.

(3) Manage the Federal government's law enforcement response to all domestic terrorist incidents, except for those aircraft hijackings under the exclusive authority of the Federal Aviation Administration.

(4) Develop plans for national security emergencies for the control of aliens within the United States and, in consultation with the Secretaries of State, Treasury, Health and Human Services, and Defense, develop plans for the control of persons attempting to enter or leave the United States.

(5) Develop plans, in consultation with the Secretaries of State and Treasury, for the seizure and administration of property of enemy aliens during national security emergencies, under provisions of the Trading With The Enemy Act, as amended.

(6) Develop plans and procedures for the administration of laws governing the import, manufacture, and distribution of narcotics, and render all possible aid and assistance in the control of Government stockpiles of narcotic drugs, during national security emergencies.

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(7) Develop, in consonance with national civil defense programs, a program for instruction and training for law enforcement officers, and assist the States in preparing for the conduct of intrastate and interstate law enforcement operations to meet extraordinary needs for police services.

(8) Develop plans and procedures for the custody and protection of prisoners and the use of available Federal penal and correctional institutional resources for mass feeding and housing during national security emergencies, in cooperation with local authorities, and advise States and their political subdivisions regarding the use of State and local prisons, jails, and prisoners during such emergencies.

(9) Develop procedures for assisting Federal, State and local authorities in identifying fatalities and reuniting families in national security emergencies.

(10) Maintain liaison with Federal courts and with the Congress to ensure mutual understanding of Federal plans involving law enforcement and the exercise of legal powers during national security emergencies.

(11) Develop plans for the continuity of essential law enforcement, legal advice, judicial, and correctional Federal government functions during national security emergencies.

Sec. 1102. Support Responsibilities. The Attorney General shall:

(1) Review and provide legal advice regarding emergency directives, procedures, extraordinary measures, and voluntary agreements prepared by Federal departments and agencies for use in national security emergencies.

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(2) Develop plans for providing legal advice and document review for the President, the Cabinet, and the heads of Executive departments and agencies in national security emergencies.

(3) Assist the private sector, local and State governments, and other Federal departments and agencies in the development of national asset protection plans.

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PART 12 - DEPARTMENT OF LABOR

Sec. 1201. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Secretary of Labor shall:

(1) Develop plans and issue guidance designed to use civilian workforce resources effectively. Such plans shall include, but not necessarily be limited to:

(a) Priorities and allocations, recruitment, referral, training, employment stabilization (including appeals procedures), use assessment, and determination of critical skill categories;

(b) Methods for determining critical skill and occupation categories for use in recruitment, based on essential military and civilian production priorities; and

(c) Programs for increasing the availability of critical workforce skills and occupations in high demand.

(2) Develop plans and procedures for wage, salary, and benefit costs stabilization, and for assisting operating stabilization agencies.

(3) Develop plans and procedures for wage and salary administration and death and disability compensation for authorized civil defense workers and, as appropriate, measures for unemployment payments, re-employment rights, occupational safety and health, and other protections and incentives for the civilian labor force during national security emergencies.

(4) Develop, in consultation with other appropriate government agencies and private entities, plans and procedures for effective labor-management relations during national security emergencies.

Sec. 1202. Support Responsibilities. The Secretary of Labor shall:

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PART 13 - DEPARTMENT OF STATE

Sec. 1301. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Secretary of State shall:

(1) Provide overall foreign policy direction, coordination, and supervision to other Federal departments and agencies in the formulation and execution of continuity of government and national security emergency preparedness activities that have foreign policy implications, affect foreign relations, or depend, directly or indirectly, on the policies and capabilities of the Department of State.

(2) Prepare to carry out Department of State responsibilities in the conduct of the foreign relations of the United States during national security emergencies, under direction of the President, including, but not limited to:

(a) Formulation and implementation of foreign policy and, in consultation with other appropriate Federal agencies, negotiation of contingency and post-emergency plans, intergovernmental agreements, and arrangements with our allies;

(b) Formulation, negotiation, and execution of policy affecting the relationships of the United States with neutral States;

(c) Formulation and execution of political strategy toward hostile or enemy States;

(d) Formulation and execution of economic measures with respect to other nations, in consultation, as appropriate, with the Secretaries of Commerce, Defense, and Treasury;

(e) Conduct of mutual assistance activities;

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(f) Providing foreign assistance, including continuous supervision and general direction of authorized economic and military assistance programs;

(g) Protection or evacuation of United States citizens and nationals abroad and safeguarding their property, in consultation with the Secretaries of Defense and Health and Human Services;

(h) Protection of international organization and foreign diplomatic, consular, and other official personnel and property, or other assets, in the United States; and

(i) Formulation of policies and provisions for assistance to displaced persons and refugees abroad.

Sec. 1302. Support Responsibilities. The Secretary of State shall:

(1) Develop planning assumptions concerning accessibility of foreign sources of supply.

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PART 14 - DEPARTMENT OF TRANSPORTATION

Sec. 1401. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Secretary of Transportation shall:

(1) Develop and promulgate overall national policies, plans, programs, procedures, and systems to meet essential civil and military transportation needs in national security emergencies.

(2) Be prepared to direct all modes of civil transportation in national security emergencies, including air, surface, water, pipelines, and public storage and warehousing, to the extent such responsibility is vested in the Secretary of Transportation by law. This direction may include:

(a) Implementation of priorities for all transportation resource requirements for service, equipment, facilities, and systems; and

(b) Allocation of transportation resource capacity.

(3) Develop and furnish military requirements for selected end items and related logistics areas required for Coast Guard support of the Department of Defense.

(4) Participate in and provide for United States transportation representation to international civil emergency preparedness planning and related activities.

(5) Cooperate with State and local highway agencies in the management of all Federal, State, city, local and other highways, roads, streets, bridges, tunnels, and publicly-owned highway maintenance equipment during national security emergencies.

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Sec. 1402. Support Responsibilities. The Secretary of Transportation shall:

(1) Develop plans and procedures, in cooperation with the Department of Defense, for the involvement of the Coast Guard in collecting, compiling, and publishing information on the physical characteristics and facilities of ports of the United States and its possessions and territories.

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PART 15 - DEPARTMENT OF THE TREASURY

Sec. 1501. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Secretary of the Treasury shall:

(1) Develop plans and authorities to maintain stable economic conditions and a market economy during national security emergencies; emphasize measures to minimize inflation and disruptions; and minimize reliance on direct controls of the monetary, credit, and financial systems:

(a) Develop plans to increase capabilities to minimize economic dislocations by carrying out appropriate fiscal, monetary, and regulatory policies and reducing susceptibility to manipulated economic pressures.

(b) Provide the Government with efficient and equitable financing sources and payment mechanisms.

(c) Provide fiscal authorities with adequate revenue-raising powers to meet any additional resource requirements.

(d) Develop, in consultation with the Chairman of the Board of Governors of the Federal Reserve System, and in cooperation with the Comptroller of the Currency, the Chairmen of the Federal Deposit Insurance Corporation, the Federal Home Loan Bank Board, the National Credit Union Administration, and the Farm Credit Administration, and the Director of the Federal Emergency Management Agency, plans for the continued or resumed operation and liquidity of banks, savings and loans, credit unions, and farm credit institutions, measures for the reestablishment of evidence of assets or liabilities, and provisions for currency withdrawals and deposit insurance.

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(2) Provide for the protection of United States financial resources including currency and coin production and redemption, Federal check disbursement facilities, and precious monetary metals.

(3) Provide for preservation of, and facilitate emergency operations of, public and private financial institution systems, and provide for their restoration during or after national security emergencies.

(4) Provide for participation in bilateral and multilateral financial arrangements with foreign governments.

(5) Maintain the Federal government accounting and financial reporting system.

(6) Protect the President, the Vice President, other officers in the order of succession, and other designated persons.

(7) Develop plans for restoration of the economy following a nuclear attack; for the development of emergency monetary, credit, and Federal benefit payment programs of those Federal departments and agencies that have responsibilities dependent on the policies or capabilities of the Department of the Treasury; and for implementation of national policy on sharing war losses.

(8) Develop plans for initiating tax changes, waiving regulations, or, in conjunction with the Secretary of Commerce, for granting loans (including participation in or guarantees of loans) for the expansion of capacity, the development of technological processes, or the production of essential materials.

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(9) Develop plans to expand production capacity abroad for essential materials, make foreign barter arrangements, or acquire emergency imports, using, as appropriate, the resources of the Export-Import Bank, or resources available to the Bank.

(10) Develop plans for encouraging capital inflow and discouraging the flight of capital from the United States and the impounding of securities in the hands of enemy aliens, in conjunction with the Attorney General, the Secretary of Commerce, and the Chairman of the Securities and Exchange Commission.

(11) Regulate financial and commercial transactions within the scope of existing law, in consultation with the Attorney General and the Secretaries of Commerce and State.

(12) Control the movement of people and materiel across the borders, in conjunction with the Secretary of Commerce and the Attorney General.

Sec. 1502. Support Responsibilities. The Secretary of the Treasury shall:

(1) Cooperate with the Attorney General on law enforcement activities which may cause or occur during national security emergencies.

(2) Cooperate and consult with the Chairman of the Commodity Futures Trading Commission with regard to trading of commodity futures and options contracts, maintenance and restoration of stable and orderly markets, protection of records of ownership and transactions, and restoration of markets and accounts in the event major trading centers are destroyed or inoperable.

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(3) Cooperate and consult with the Chairman of the Securities and Exchange Commission in the development of emergency financial control plans and regulations for stock trading, while maintaining exclusive authority over temporary closure of security exchanges and protection of securities, and in the development of plans for the maintenance and restoration of stable and orderly markets for the purpose of reestablishing industry and commerce during or after national security emergencies.

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PART 16 - ENVIRONMENTAL PROTECTION AGENCY

Sec. 1601. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Administrator of the Environmental Protection Agency shall:

(1) Develop Federal plans and foster development of State and local plans designed to prevent or minimize the ecological impact of hazardous agents introduced into the environment in national security emergencies.

(2) Develop, in conjunction with the Secretary of Defense, plans to assure the provision of potable water supplies to meet community needs under national security emergency conditions, including claimancy for materials and equipment for community water systems.

(3) Develop, for national security emergencies, guidance on acceptable emergency levels of nuclear radiation, assist in determining acceptable emergency levels of biological agents, and help to provide detection and identification of chemical agents.

Sec. 1602. Support Responsibilities. The Administrator of the Environmental Protection Agency shall:

(1) Assist other Federal agencies that are responsible for developing plans for the detection, reporting, assessment, protection against, and reduction of effects of hazardous agents introduced into the environment.

(2) Consult with the Secretary of Defense on environmental protection policies that affect national security emergency preparedness.

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PART 17 - FEDERAL EMERGENCY MANAGEMENT AGENCY

Sec. 1701. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Director of the Federal Emergency Management Agency shall:

(1) Support national security emergency preparedness planning, facilitating coordination between Federal departments and agencies and State and local governments, and assisting in the implementation of National Security Council policy through coordination among Federal departments and agencies.

(2) Assist State and local government entities and private organizations in providing effective preparedness for national security emergencies, including development of plans and procedures for assuring continuity of government, and support planning for prompt and coordinated Federal assistance to States and localities in responding to national security emergencies.

(3) Design, coordinate, and administer policies and programs to enhance Federal, State, and local capabilities for crisis management, population protection, and recovery in the event of an attack on the United States.

(4) Develop, under the direction of the National Security Council, and in cooperation with appropriate Federal departments and agencies, the implementation of policies and coordination mechanisms to insure efficient mobilization of Federal, State, local, and private sector resources in response to national security emergencies.

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(5) Formulate and carry out plans for stockpiling strategic and critical materials, with the assistance of other Federal departments and agencies.

(6) Provide the National Security Council an annual assessment of Federal, State, and local capabilities to respond to national security emergencies.

(7) Support public education and training activities to assist Federal, State, and local government entities in planning for and implementing national security emergency preparedness programs, including radiological defense programs, and encourage volunteer activities at the community level.

(8) Coordinate the planning and evaluation of national security emergency exercises among the Federal departments and agencies.

(9) Assist other Federal departments and agencies in coordination of programs to ensure the continuance of industry and infrastructure functions essential to national security, to include:

(a) Coordinated assessment of vulnerabilities to disruption and development of strategies for protection, restoration, and mitigation; and

(b) Stimulation of business and industry to conduct all-hazard emergency preparedness planning.

(10) Assist the National Security Council in assuring that plans are developed for continuity of the Executive Branch during national security emergencies.

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(11) Develop, with the assistance of the Secretary of Defense, capabilities to assess actual attack damage, as well as capabilities to estimate the effects of potential attacks on the Nation, in accordance with Sec. 204(3).

(12) Provide guidance on resource-claimancy and appropriate use of Defense Production Act authorities, in order to improve the capability of industry and infrastructure systems, including transportation and energy, to meet national security emergency needs.

Sec. 1702. Support Responsibilities. The Director of the Federal Emergency Management Agency shall:

(1) Assist the Secretaries of Commerce and Defense, and the heads of other Federal departments and agencies, as appropriate, in preparing plans to mobilize industry in order to achieve timely and sufficient production of military and essential civilian materiel needed during national security emergencies.

(a) Establish and maintain plans and mechanisms, subject to evaluation by the National Security Council, for the effective coordination of resource claimancy and voluntary allocation of resources among all Federal departments and agencies and between the Federal government and the States, at both national and regional levels, during national security emergencies. Such plans and mechanisms shall support the operations of any Federal department or agency having authority to establish priorities and allocate resources in national security emergencies.

(b) Coordinate development and operation of a system of standby and voluntary agreements, subject to the approval of the Attorney General and in consultation with the Chairman of the Federal Trade Commission.

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(2) Assist the Secretaries of Defense and Labor and the Director of the Selective Service System, as appropriate, in developing plans and systems to ensure that the Nation's human resources are available to meet essential military and civilian needs in national security emergencies.

(3) Assist the Secretaries of Defense, Health and Human Services, and State in the coordination and implementation of plans for the protection, evacuation, and repatriation of United States citizens in threatened areas overseas, their onward movement, and followup assistance after their arrival at their final destinations.

(4) Coordinate and integrate, in cooperation with the Secretary of State, United States civil resources preparedness planning with allies, especially member nations of the North Atlantic Treaty Organization.

(5) Assist Emergency Coordinators of the other Federal departments and agencies and convene, as needed, meetings of the Emergency Coordinators to address national security emergency preparedness issues.

(6) Assist other Federal departments and agencies in enhancement and supplementation of State and local efforts to provide services for dealing with mass casualties and other mass care needs resulting from national security emergencies.

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PART 18 - GENERAL SERVICES ADMINISTRATION

Sec. 1801. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Administrator of General Services shall:

(1) Develop national security emergency plans and procedures for the operation, maintenance, and protection of Federally owned and occupied buildings, and for the construction, alteration, and repair of such buildings.

(2) Develop national security emergency operating procedures for the control, acquisition, leasing, assignment, and priority of occupancy of real property by the Federal government, and by State and local governments acting as agents of the Federal government.

(3) Develop national security emergency operational plans and procedures for the use of public utility services by Federal departments and agencies.

(4) Plan for and provide, operate, and maintain automated information processing facilities and services designed to meet the essential requirements of Federal civil departments and agencies during national security emergencies.

(5) Develop plans and procedures for providing general transportation and traffic management services for essential activities of Federal civil departments and agencies during national security emergencies.

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(6) Prepare plans and procedures for operation of government-wide supply programs to meet the requirements of Federal departments and agencies during national security emergencies, including the development of policies, methods, and procedures for procurement and requisitioning of private property when authorized by law or other authority.

(7) Develop plans and operating procedures for the use, in national security emergencies, of excess and surplus real and personal property by Federal, State, and local governmental entities. Review property holdings of Federal departments and agencies not having national security emergency functions to determine their availability and develop plans for the lease, loan, or disposal of real and personal property and the rehabilitation of personal property.

(8) Promote, with respect to Federal buildings and installations, in accordance with National Security Council policy and assistance from the Director of the Federal Emergency Management Agency and the Secretary of Defense, a government-wide program to minimize the effects of attack and establish shelter management organizations, including safety and service personnel, shelter management service, first aid, police, and evacuation service.

Sec. 1802. Support Responsibilities. The Administrator of General Services shall:

(1) Assist the Director of the Federal Emergency Management Agency in the formulation of plans and programs relating to the certification of procurement programs, subsidy payments, the Machine Tool Trigger Order Program, and plant improvement programs provided for by the Defense Production Act of 1950, as amended.

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(2) Assist the Director of the Federal Emergency Management Agency in formulating plans, programs, and reports relating to the stockpiling of strategic and critical materials.

(3) Provide instructions and advice on selection, maintenance, and preservation of essential records in national security emergencies, in cooperation with the Archivist, National Archives and Records Administration.

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PART 19 - INTERSTATE COMMERCE COMMISSION

Sec. 1901. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Chairman of the Interstate Commerce Commission shall:

(1) Develop, in coordination with owners and transportation associations, plans and preparedness programs for the reduction of vulnerability, maintenance, restoration, and operation of privately owned railroads, motor carriers, inland waterway transportation systems, and public storage facilities and services in national security emergencies.

(2) Prepare orders and regulations for the operation of domestic surface transportation and storage industries in national security emergencies.

Sec. 1902. Support Responsibilities. The Chairman of the Interstate Commerce Commission shall:

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PART 20 - NUCLEAR REGULATORY COMMISSION

Sec. 2001. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Chairman of the Nuclear Regulatory Commission shall:

(1) Assure the development and maintenance of national security emergency preparedness programs, including security and safeguards programs, by licensed facilities and activities. Order the suspension or limitation of operation of Commission-licensed nuclear facilities and activities as necessary to maintain public health and safety.

(2) Develop contingency plans, in consultation with the Department of Energy and other Federal departments and agencies as appropriate, for dealing with threats, thefts, and sabotage relating to special nuclear materials, high-level radioactive wastes, and nuclear facilities.

(3) Facilitate the recapture of special nuclear materials from licensees where necessary to assure the use, preservation, or safeguarding of such materials for the common defense and security.

Sec. 2002. Support Responsibilities. The Chairman of the Nuclear Regulatory Commission shall:

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PART 21 - OFFICE OF PERSONNEL MANAGEMENT

Sec. 2101. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Director of the Office of Personnel Management shall:

- (1) Prepare plans to simplify the administration of the Federal civilian personnel system in national security emergencies.
- (2) Develop national security emergency work force policies for Federal civilian personnel.
- (3) Develop plans to implement, in national security emergencies, wage and salary stabilization policies for Federal civilian personnel.
- (4) Develop plans for coordinating and controlling civilian recruiting practices by Federal agencies to increase the effectiveness of recruitment efforts during national security emergencies.
- (5) Develop plans for the reassignment or transfer of Federal civilian employees in national security emergencies.
- (6) Develop plans and procedures for a system of registration of Federal employees to provide a means of returning to duty, employees separated from their agencies during national security emergencies.
- (7) Develop plans to operate, during national security emergencies, the essential aspects of Federal salary, wage, and benefit systems.

Sec. 2102. Support Responsibilities. The Director of the Office of Personnel Management shall:

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- (1) Assist Federal agencies to achieve the best use of Federal civilian personnel in national security emergencies.
- (2) Render personnel management and staffing assistance to new and expanding Federal agencies in national security emergencies.
- (3) In consultation with the Secretary of Defense and the Director of the Selective Service System, develop plans and procedures for a system to control requests for the selective deferment of employees of Federal departments and agencies during national security emergencies.

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PART 22 - SELECTIVE SERVICE SYSTEM

Sec. 2201. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Director of the Selective Service System shall:

(1) Provide, as required, the untrained manpower that would be required to staff the armed forces during a national security emergency while protecting individual rights through a fully developed system of administrative due process. Specific requirements for the numbers of people and delivery schedules shall be established by the Secretary of Defense.

(2) Maintain an alternative service program which will provide meaningful work for those registrants who claim and receive conscientious objector status.

(3) Implement, upon direction of the National Security Council, appropriate deferments.

Sec. 2202. Support Responsibilities. The Director of the Selective Service System shall:

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PART 23 - TENNESSEE VALLEY AUTHORITY

Sec. 2301. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Chairman of the Tennessee Valley Authority shall:

(1) Develop plans and maintain river control operations for the prevention or control of floods affecting the Tennessee River System during national security emergencies.

Sec. 2302. Support Responsibilities. The Chairman of the Tennessee Valley Authority shall:

(1) Assist the Secretary of Energy in the development of plans for the integration of the Tennessee Valley Authority power system into nationwide national security emergency programs.

(2) Assist the Secretaries of Defense, Interior, and Transportation in the development of plans for operations and maintenance of inland waterway transportation in the Tennessee River System during national security emergencies.

(3) Assist the Secretary of Health and Human Services in the development of plans and programs covering national security emergency health services in the Tennessee Valley Authority area.

(4) Assist the Secretaries of Commerce and Defense in the production of fertilizers, perform chemical research in munitions, maintain standby munitions production facilities, and plan for converting fertilizer facilities to munitions production in national security emergencies.

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(5) Assist the Secretary of Commerce in the development of plans for the harvesting and processing of fish in national security emergencies.

(6) Assist the Secretaries of Agriculture, Commerce, and Interior in the development of plans for the production and processing of forest products in national security emergencies.

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PART 24 - UNITED STATES INFORMATION AGENCY

Sec. 2401. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Director of the United States Information Agency shall:

(1) Plan for the implementation of foreign information programs to promote an understanding abroad of the status of national security emergencies within the United States.

(2) Maintain the capability to provide television and simultaneous direct radio broadcasting, in major languages, to all areas of the world, and the capability to provide wireless file to all United States Embassies during national security emergencies.

(3) Advise other Federal departments and agencies on the implications of foreign opinions during national security emergencies.

(4) Provide information to the military command in theaters of military operations.

Sec. 2402. Support Responsibilities. The Director of the United States Information Agency shall:

(1) Assist other Federal departments and agencies in the execution of psychological operations.

(2) Make available to the appropriate United States military commander in a theater of military operations all United States citizen personnel on the staff of the Agency who agree to remain to serve in support of psychological operations.

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August 1, 1986

PART 25 - UNITED STATES POSTAL SERVICE

Sec. 2501. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Postmaster General shall:

(1) Prepare plans and programs to provide essential postal services during national security emergencies.

(2) Provide mail service to Federal departments and agencies at both regular and relocation sites during national security emergencies.

Sec. 2502. Support Responsibilities. The Postmaster General shall:

(1) Assist the Attorney General in the registration of enemy aliens residing in the United States.

(2) Assist the Secretary of Health and Human Services in registering displaced persons and families.

(3) Assist other Federal departments and agencies in locating and leasing privately-owned property for Federal use during national security emergencies.

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August 1, 1986

PART 26 - VETERANS ADMINISTRATION

Sec. 2601. Lead Responsibilities. In addition to applicable responsibilities covered in Parts 1 and 2, the Administrator of Veterans Affairs shall:

(1) Develop plans for provision of emergency health care services to the veteran beneficiaries in Veterans Administration medical facilities (veterans with service-connected disabilities will have first priority), to active duty military (second priority), and to civilians in communities affected by national security emergencies.

(2) Provide compensation, pension, rehabilitation, education, and insurance payments to eligible veterans consistent with overall Federal plans for the continuation of Federal benefit payments.

(3) Develop plans for mortuary services for eligible veterans, and advise on methods for interment of the dead in national security emergencies involving large numbers of casualties.

Sec. 2602. Support Responsibilities. The Administrator of Veterans Affairs shall:

(1) Assist the Secretary of the Treasury and the heads of other Federal departments and agencies in the performance of insurance and loan guaranty functions in national security emergencies.

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August 1, 1986

PART 27 - GENERAL

Sec. 2701. Executive Order 11490, as amended, is hereby revoked.

This Order shall be effective immediately.

THE WHITE HOUSE,

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**EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503**

September 15, 1986

LETTER TO GENERAL COUNSELS OF FEDERAL DEPARTMENTS AND AGENCIES

Enclosed, in accordance with the provisions of Executive Order No. 11030, is a proposed Executive order, submitted by the National Security Council, entitled "Responsibilities of the Federal Departments and Agencies for National Security Emergency Preparedness."

The proposal would amend Executive Order No. 11490, "Assigning Preparedness Functions to Federal Department and Agencies," which was signed by former President Nixon on October 30, 1969. That Order is in need of updating and revision.

During the early part of this Administration, an effort was made to revise that Executive Order, and several drafts were circulated to the affected departments and agencies for review. A number of issues were resolved in that review and led to the issuance of a National Security Defense Directive on this subject.

The proposed represents a renewed effort to revise Executive Order No. 11490. It was drafted under the guidance of a Senior Interagency Group for National Security Emergency Preparedness (SIG-NSEP). The group is chaired by the National Security Council with members from the Departments of Defense, Justice, Treasury, the Office of Management and Budget and the Federal Emergency Management Agency.

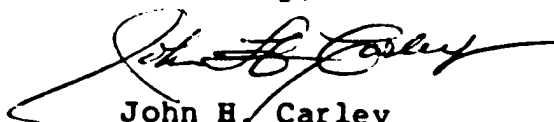
The proposed order would consolidate the policy and specific jurisdictional assignments approved by Federal agencies in the previous 1984 versions of the draft order. An effort has been made to adopt a format more compatible with the order's intended role of not only assigning overall responsibilities of all Federal agencies, but also providing a reference document which clearly enumerates the important lead and support responsibilities of each agency. The proposal does not attempt to direct how an affected agency will carry out its NSEP responsibilities.

Also enclosed is a summary that describes the new structure of the order. This also includes a brief description of agency sections that have been consolidated. Copies of the 1984 draft, previously reviewed by your agency, are available from this office along with a summary of changes from that version to this version.

On behalf of the Director of the Office of Management and Budget, I would appreciate receiving any comments you may have on the proposed order. If you have any comments, they should be submitted no later than Monday, October 6, 1986.

Comments or inquiries may be submitted by telephone to Mr. John F. Cooney of this office (395-5600).

Sincerely,

A handwritten signature in cursive script, appearing to read "John H. Carley".

John H. Carley  
General Counsel

Enclosure

THE WHITE HOUSE

WASHINGTON

6337

September 10, 1986

MEMORANDUM FOR JAMES C. MILLER

FROM: JOHN M. POINDEXTER *for*

SUBJECT: Proposed Revision of Executive Order 11490

Executive Order (EO) 11490 is the basic order assigning responsibilities for national security emergency preparedness to the Federal departments and agencies. The current version was approved in 1969 (Tab C), and is in need of updating and revision.

Attached is a proposed revision of EO 11490 (Tab B), entitled "Responsibilities of the Federal Departments and Agencies for National Security Emergency Preparedness." I asked that the proposed revisions be coordinated with the requisite departments and agencies for comment in preparation for presentation to the President.

This draft has been developed under the auspices of the Senior Interagency Group for National Security Emergency Preparedness (SIG-NSEP) which was established by NSDD-188. A guiding principle in the drafting process was to avoid a "laundry list" of agency functions. Instead, the draft defines agency responsibilities in generic terms, requires timely attention by each agency to its essential emergency preparedness actions, and assures the major actions are mutually supportive.

I would appreciate your coordination of the interagency review of this order on an expedited basis. To assist in this endeavor we have attached a proposed letter of transmittal to the Federal departments and agencies for your use. The NSC point of contact for this matter is Norman Mingle, 395-3055. Thank you for your assistance.

Attachments

Tab A Proposed Transmittal Memorandum  
Tab B Draft EO 11490  
Tab C Current EO 11490, October 1969

PROPOSED TRANSMITTAL MEMORANDUM

Executive Order 11490, "Assigning Preparedness Functions to Federal Department and Agencies," was signed by former President Nixon on October 30, 1969. The order is in need of updating and revision.

During the early part of this Administration, an effort was made to revise this Executive Order and it was circulated to the affected departments and agencies for review. A number of issues were resolved in that review and led to the issuance of National Security Defense Directive (NSDD) 188.

The enclosed is a renewed effort to review EO 11490. It was drafted under the guidance of a Senior Interagency Group for National Security Emergency Preparedness (SIG-NSEP). The group is chaired by the National Security Council with members from the Departments of Defense, Justice, Treasury, the Office of Management and Budget and the Federal Emergency Management Agency.

The revised EO attempts to consolidate the policy and specific jurisdictional assignments approved by federal agencies in the previous 1984 version of the draft order. An effort has been made to adopt a format more compatible with the order's intended role of not only assigning overall responsibilities of all Federal agencies but also providing a reference document by clearly enumerating the important lead and support responsibilities of each agency.

The document does not attempt to direct how the agency carries out its responsibilities.

The draft order has been written by personnel who are not experts on all the functions of your agency. We, therefore, ask for your close review of the agency-by-agency sections of the draft.

A copy of the existing (1969) EO is enclosed with the draft order for your reference. Copies of the 1984 draft, previously reviewed by your agency, are available from this office along with differences from that version to this version. Also, enclosed is a summary that describes the new structure of EO 11490. This also includes a brief description of agency sections that have been consolidated.

Attachments

OVERVIEW OF DIFFERENCES BETWEEN EXTANT EO 11490  
AND THE REVISED DRAFT

The redraft includes only those responsibilities which are sufficiently important to national security emergency preparedness that to be unprepared to carry them out would constitute a significant and unacceptable threat to the national security.

The reviewed document is organized as follows:

- The Preamble states NSEP policies and principles, defines "national security emergency," delimits coverage, and codifies the precepts of National Security Decision Directive (NSDD) 188;

- The new General Provisions outline responsibilities applicable to all federal departments and agencies, including such items as emergency coordination, continuity of government, and resource management; and

- The individual department/agency sections enumerate lead and support responsibilities unique to each.

In the interest of brevity, the NSEP responsibilities of certain agencies have been incorporated with those of the "primary" agency. Specifically:

- Functions of the Commodity Futures Trading Commission, the Export-Import Bank, the Federal Bank Supervisory Agencies, and the Securities and Exchange Commission appear in Part 15, Department of the Treasury;

- Functions of the Federal Trade Commission, the Government Printing Office, and the Small Business Administration are covered in the General Provisions;

- Functions of the National Aeronautics and Space Administration relating to research and development are covered in the General Provisions; those relating to technical developments applicable to military systems/equipment appear in Part 5, Department of Defense;

- Functions of the National Science Foundation, which concern providing information on the Nation's scientific and engineering workforce, appear in the Department of Defense section; and

- Railroad Retirement Board responsibilities are covered in the General Provisions and in the sections on the Departments of Health and Human Services (Part 8), Transportation (Part 14), and the Treasury (Part 15).

Provisions of EO 10421, "Providing for the Physical Security of Facilities Important to the National Defense," have been incorporated into redrafted EO 11490 General Provisions, Section 204. Accordingly, we will recommend that EO 10421 be revoked.



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August 1, 1986

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## EXECUTIVE ORDER

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### [ASSIGNMENT OF EMERGENCY PREPAREDNESS FUNCTIONS TO] RESPONSIBILITIES OF THE FEDERAL DEPARTMENTS AND AGENCIES FOR NATIONAL SECURITY EMERGENCY PREPAREDNESS

By the authority vested in me as President by the Constitution and laws of the United States of America, including Reorganization Plan No. 1 of 1958, as amended (23 Fed. Reg. 4991); Reorganization Plan No. 1 of 1973 (38 Fed. Reg. 9579); Reorganization Plan No. 3 of 1978 (43 Fed. Reg. 41943); the National Security Act of 1947, as amended (50 U.S.C. 401 et seq.); the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 et seq.); the Federal Civil Defense Act of 1950, as amended (50 U.S.C. App. 2251 et seq.); and the Disaster Relief Act of 1974 (42 U.S.C. 5121 et seq.), and in order to facilitate effective national [preparedness] planning to assure performance of government functions at every level, in any [domestic or] national security emergency, it is hereby ordered as follows:

Deletions  
in accord  
with  
proposed  
Preamble

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DEPARTMENTS AND AGENCIES

NOTE: Additions are underscored; deletions are in brackets [ ]; and annotations appearing in right-hand margin indicate reasons for the change.

# DRAFT

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PART 1 - PREAMBLE

Section 101. National Security Emergency Preparedness Policy. The policy of the United States is to have sufficient capabilities at all levels of government to meet essential defense and civilian needs during any national security emergency. A national security emergency is any occurrence, including natural, technological, or other emergency, which seriously degrades or seriously threatens the national security of the United States. Policy for national security emergency preparedness shall be established through the National Security Council. All national security emergency preparedness activities shall be consistent with the goal of preservation of our Constitutional government.

NSDD-188  
Statement  
of Policy  
p.1

EO 11490  
§103(1)

NSDD-188  
Principle  
p.1

NSDD-47  
Specific  
Policies  
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p.4

Sec. 102. Scope. (1) This Order addresses all national security emergency preparedness functions and activities, including planning and operational activities of the Federal departments and agencies, which complement national defense readiness planning and operational capabilities. These functions and activities provide the foundation for the United States Government to respond in mobilizing essential resources to meet a national security emergency.

EO 11490  
§102(1)

EO 11490  
§102(1)  
and  
NSDD-188  
Statement  
of Policy  
p.1

(2) This Order does not apply to natural, technological, or other emergencies, unless such situations constitute a national security emergency.

POCs

(3) This Order does not apply to routine emergencies to which response is normally the responsibility of individuals, the private sector, volunteer organizations, local and/or State governments, and/or specified Federal departments and agencies acting pursuant to their own statutory or other authorities.

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(4) The Department of Defense and other agencies are exempt from provisions of this Order that pertain to providing information on, or evaluation of, military policies, plans, programs, or states of military readiness.

E0 11490  
§102(1)

(5) National security emergency preparedness telecommunications functions and responsibilities are not assigned by this Order. All such functions are otherwise assigned by Executive Order.

E0 11490  
§102(4)

(6) National security emergency preparedness assignments shall be based, wherever possible, on extensions of the regular missions of the Executive agencies.

E0 12148  
§2-202

Sec. 103. Management of National Security Emergency Preparedness.

(1) The National Security Council is the principal forum for consideration of national security emergency preparedness policy. The Assistant to the President for National Security Affairs, in consultation with members of the National Security Council, is responsible for developing, coordinating, and insuring implementation of national security emergency preparedness policy approved by the President.

NSDD-188  
Principles  
p.1

(2) The Assistant to the President for National Security Affairs is responsible for oversight of the Federal government's national security emergency preparedness programs.

NSDD-188  
p.2

(3) National security emergency preparedness functions shall be managed by the Federal department or agency having primary responsibility, and shall be supported by other departments and agencies having related responsibilities.

E0 11490  
§213(2)

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(4) All Federal departments and agencies shall be prepared to respond effectively to any national security emergency, including those situations for which no formal plans or procedures have been established. Federal departments and agencies shall develop plans, provide guidance, train, equip, exercise, evaluate, and be prepared to implement their emergency management capabilities. Such capabilities shall be adequate to respond to all national security emergencies, including those that are international or national in scope, and those that may occur within any region of the Nation. National security emergency preparedness planning will assure decentralized capabilities whenever feasible.

EO 11490  
§202(4)

EO 11490  
§202(1)  
& (3)

(5) All Federal departments and agencies will consider national security emergency preparedness factors in the conduct of their regular functions, particularly those functions essential in time of emergency. Emergency plans, programs, and an appropriate state of readiness, including organizational infrastructure, shall be developed as an integral part of the continuing activities of each Federal department and agency having the responsibility for carrying out such plans and programs during any national security emergency.

EO 11490  
§202(2)

EO 11490  
§202(2),  
(4), and  
§213(3)

(6) The Director of the Federal Emergency Management Agency shall serve as an advisor on issues of emergency preparedness, mobilization preparedness, civil defense, continuity of government, natural and technological disasters, and other issues, as appropriate.

NSDD-188  
p.2

(7) The Director of the Federal Emergency Management Agency shall assist in the implementation of national security emergency preparedness policy through a coordinating role with the other Federal departments and agencies and with State and local governments; provide periodic reports

NSDD-188  
Principle  
pp.1,2

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to the National Security Council on implementation of national security emergency preparedness policy; and provide staff support as requested by the National Security Council.

NSDD-188  
NSC Focal  
Point, p3

(8) All Federal departments and agencies shall provide appropriate data and information to the National Security Council for the purpose of monitoring implementation of national security emergency preparedness policy.

EO 12148  
§2-206

POCs, per  
NSDD-188  
Principle:  
p.2

(9) All Federal departments and agencies will conduct and/or participate, as appropriate, in national security emergency preparedness exercises designed to demonstrate their emergency management capabilities.

FEMA  
Exercise  
Plng Comm

Sec. 104. Relationship Between National Security Emergency Preparedness and Domestic Policy. All appropriate Cabinet members and agency heads shall be consulted regarding national security emergency preparedness policy issues having major domestic policy implications. Likewise, the National Security Council and all other appropriate Cabinet members and agency heads shall be consulted concerning domestic policy issues relating to national security emergency preparedness.

POCs, per  
NSDD-188  
NSC Focal  
Point, p3

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[PART 1 - PURPOSE AND SCOPE]

Entire section - replaced by new Preamble & General Provisions

[Section 101. Purpose. This Order sets forth the assignment of emergency preparedness functions to Federal departments and agencies.]

[Sec. 102. Scope. (1) This Order is concerned with the emergency preparedness planning functions of Federal departments and agencies, which complement the national defense readiness planning responsibilities of the Departments of Defense and Energy; together, these measures provide the basic foundation for the United States' overall emergency preparedness posture. The activities undertaken by Federal departments and agencies pursuant to this Order, except as provided in Sections 206, 212, 501(31), 701(8) and 701(9), shall be in accordance with policy and planning guidance provided by, and subject to evaluation by, the Federal Emergency Management Agency, and shall be responsive to the full spectrum of potential emergencies, including domestic and national security emergencies. The Department of Defense is exempt from provisions of this Order and related documents that pertain to providing information to, or evaluation by, the Federal Emergency Management Agency with respect to military policies, plans, programs, or states of military readiness.]

[(2) Nothing in this Order shall be deemed to constitute authority to implement the emergency plans prepared pursuant to this Order. Such plans may be implemented only under authority provided by statute or by an Order or directive issued by the President pursuant to statutes or the Constitution of the United States.]

[(3) The functions assigned in Part 2 of this Order apply to all Federal departments and agencies listed in this Order. Additional functions assigned to particular Federal departments and agencies are described in Parts 3 through 37.]

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[(4) This Order does not assign national security or emergency preparedness telecommunications functions. All such functions, together with accompanying policy, planning and oversight responsibilities, are assigned by Executive Order No. 12472.]

[(5) This Order does not supersede the assignment of functions or responsibilities with respect to crisis management, management of terrorist incidents, emergency mobilization preparedness, or combatting terrorism contained in any previous National Security Decision Directives.]

[Sec. 103. Definitions. As used in this Order:]

[(1) "National Security Emergency" means any natural, technological or other occurrence which, because of its scope or intent, seriously degrades or threatens the national security of the United States.]

[(2) "Domestic Emergency" means any natural disaster or other emergency that does not seriously endanger national security, but which is of such a catastrophic nature that it cannot be managed effectively without substantial Federal presence, or which arises within spheres of activity in which there is an established Federal role.]

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## [PART 2 - GENERAL PROVISIONS]

Entire  
section  
replaced by  
new Preambl  
& General  
Provisions

[Sec. 201. Continuity of Government. Each Federal department and agency is charged with the duty of assuring the continuity of its functions in any emergency. Each Federal department and agency with essential functions, whether expressly identified in this Order or not, shall develop plans and take such actions, including but not limited to those specified in this Order, as may be necessary to assure that it will be able to perform its essential functions. These include plans for maintaining the continuity of essential functions of the department or agency through programs concerned with:]

- [(1) Succession to office.]
- [(2) Predelegation of emergency authority.]
- [(3) Safekeeping of essential records.]
- [(4) Emergency relocation sites supported by required services.]
- [(5) Emergency action steps.]
- [(6) Alternate headquarters or command facilities.]
- [(7) Protection of government resources, facilities, and personnel.]

[Continuity of government activities undertaken by Federal departments and agencies pursuant to this Order, except those for which the Department of Defense is directly responsible to the National Command Authorities, shall be in accordance with guidance provided by, and subject to evaluation by, the Federal Emergency Management Agency.]

[Sec. 202. Preparation. Each Federal department and agency listed in this Order shall:]

- [(1) Develop preparedness programs, prepare emergency plans, and attain an appropriate state of readiness with respect to the functions assigned to the agency in this Order, in order to provide an effective capability to meet defense and civilian needs during domestic emergencies]

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[and national security emergencies. Preparedness plans and programs shall be designed to respond to the following occurrences, among others: natural disasters; technological disasters, such as hazardous materials spills and nuclear power plant accidents; resource shortages; disorders, such as terrorism and sabotage; and war. As necessary and appropriate, these preparedness plans and programs will be developed in consultation with other affected departments and agencies. ]

[(2) Give appropriate consideration to emergency preparedness factors in the conduct of the regular functions of the agency, particularly those functions essential in time of emergency.]

[(3) Be prepared to implement the plans developed under this Order in a domestic or national security emergency.]

[(4) Be prepared to respond effectively to any emergency, including those situations for which no formal plans or procedures have been established. ]

[Sec. 203. Funding. Each Federal department and agency is responsible for programming and budgeting funds and personnel to ensure the ability to carry out the responsibilities and assignments of this Order.]

[Sec. 204. Resource Management. In consonance with the national preparedness, security, and mobilization readiness plans, programs, and operations of the Federal Emergency Management Agency under Executive Order No. 12148, as amended, and subject to the provisions of this Order, each Federal department and agency shall perform the following functions:]

[(1) Emergency activities. Support Federal emergency mobilization and continuity of government plans, preparedness activities, emergency teams, and reconstitution efforts, in the event of an emergency.]

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[(2) National Defense Executive Reserve. Establish a unit of the National Defense Executive Reserve, if deemed necessary and appropriate by the head of the appropriate department or agency, to augment executive staffing in an emergency, in accordance with the Defense Production Act of 1950, as amended, and Executive Order No. 11179, as amended.]

[(3) Priorities and allocations. Develop emergency systems for the establishment of priorities and allocations for the production, distribution, and use of resources for which the department or agency has been assigned responsibility. In particular, the Secretaries of Commerce, Defense (acting through the Secretary of the Army), Energy, Interior, and Transportation shall maintain emergency priorities and allocations systems in coordination with the Secretary of Defense for materials and equipment, water, energy, land and minerals, and transportation services, respectively. These systems shall be capable of supporting an emergency mobilization in a timely and effective manner. The Secretary of Defense shall review the priorities and allocations systems that are developed by other departments and agencies to meet Department of Defense needs, in order to determine their appropriateness and adequacy. Each affected agency shall report annually to the Federal Emergency Management Agency on the development and maintenance of systems for priorities and allocations for its respective resources.]

[(4) Requirements. Assemble, develop, and evaluate requirements for assigned resources, taking into account estimated needs for military and civilian personnel, atomic energy, space, stockpiling, and foreign commitments. Such evaluations shall take into consideration geographical distribution of requirements under emergency conditions.]

[(5) Evaluation. Assess assigned resources in order to estimate availability from all sources under emergency situations, analyze resource availabilities in relation to estimated requirements, and develop recommen-

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[dations and programs, including those necessary for the maintenance of an adequate mobilization base. Provide data and assistance to the Federal Emergency Management Agency in maintaining a national resources assessment capability.]

[(6) Resource claims. Prepare plans to claim from the responsible resource agencies the materials, energy, water, minerals, land, equipment, supplies, services, and workforce needed to carry out assigned responsibilities and other essential functions, and cooperate with other agencies in developing programs to insure availability of such resources in an emergency.]

[Sec. 205. Facilities Protection and Warfare Effects Monitoring and Reporting. In consonance with the national preparedness, security, and mobilization readiness plans, programs, guidance and operations of the Federal Emergency Management Agency, each Federal department and agency shall perform the following functions:]

[(1) Facilities protection. Provide facilities protection guidance material adapted to the needs of the facilities and services concerned and promote a national program to stimulate emergency preparedness and control in order to minimize the effects of natural disasters or other domestic emergencies, overt or covert attack on department or agency resources such as facilities, personnel, materials, systems and procedures. Guidance shall include, but not be limited to, organization and training of facility employees, personnel shelter, evacuation and relocation plans, records protection, continuity of management, emergency repair, dispersal of resources, and mutual aid associations for an emergency.]

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[[2) Warfare effects monitoring and reporting. Maintain a capability, both at national and field levels, to estimate the effects of attack on assigned resources and facilities and to collaborate with and provide data to the Federal Emergency Management Agency, the Department of Defense, and other agencies, as appropriate, to verify and update resource status through exchanges of data and mutual assistance.]

[[3) Salvage and rehabilitation. Develop plans for salvage, decontamination, and rehabilitation of facilities involving assigned resources.]

[[4) Shelter. In conformity with national shelter policy, in accordance with appropriate Presidential directives, and where authorized to engage in building construction, plan, design, and construct buildings that protect the public to the maximum extent feasible against the hazards that could result from a nuclear attack upon the United States; and where empowered to extend Federal financial assistance, encourage recipients of such financial assistance to use standards for planning design and construction which will maximize protection of the public.]

[ Sec. 206. Critical Skills and Occupations. The Secretaries of Defense, Commerce, and Labor shall monitor the Nation's workforce needs and identify any particular occupation or skill that may warrant qualifying for deferment from military service on a uniform national basis. In addition, the Secretaries of Defense, Commerce, Labor, Education, and Health and Human Services shall monitor the Nation's workforce and education needs to identify any area of graduate study that may warrant qualifying for deferment. In carrying out these functions, the Secretaries concerned shall consult with the National Science Foundation with respect to scientific workforce requirements. ]

[ Sec. 207. Research. Using policies and objectives established by the Federal Emergency Management Agency, to the extent practical, each ]

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[ Federal department and agency shall supervise or conduct research as appropriate, in areas directly concerned with carrying out its emergency preparedness responsibilities, designate representatives as necessary for ad hoc or task force groups, and provide advice and assistance to other agencies in planning for research in areas involving each agency's interest. ]

[Sec. 208. National Defense Stockpile. Each Federal department and agency with emergency responsibilities shall assist the Federal Emergency Management Agency in formulating and carrying out plans for stockpiling strategic and critical materials and survival items. ]

[ Sec. 209. Voluntary Measures and Direct Economic Controls. Each Federal department and agency shall cooperate, as appropriate, with the Federal Emergency Management Agency and the appropriate Federal financial agencies in the development of emergency preparedness programs involving both voluntary and non-voluntary financial and credit measures; price, rent, wage and salary stabilization; and consumer rationing programs. ]

[Sec. 210. Financial Aid. Each Federal department and agency shall develop plans and procedures in cooperation with the appropriate Federal financial agencies for financial and credit assistance to those segments of the private sector for which that Federal department or agency is responsible in the event such assistance is needed under emergency conditions. ]

[Sec. 211. International Trade. Each Federal department and agency shall cooperate, as appropriate, with the Federal Emergency Management Agency and those departments and agencies represented on the Trade Policy Committee in the development of emergency preparedness measures involving international trade and foreign exchange. To the extent feasible, these activities shall include development and application of policies during peacetime which will enhance mobilization preparedness and defense sustainability. ]

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[Sec. 212. Science and Technology. The Director, Office of Science and Technology Policy shall advise the President of scientific and technological considerations involved in emergency situations in areas of national concern, including the economy, national security, health, foreign relations, and the environment; evaluate the scale, quality, and effectiveness of the Federal effort in science and technology; coordinate the research and development programs of the Government; and monitor all science, engineering, and technology resources for possible use in, and application to, all conditions of emergency.]

[Sec. 213. Functional Guidance. Each Federal department and agency, in carrying out the functions assigned by this Order, shall be guided by the following:]

[(1) National program guidance. In consonance with the national preparedness, security, civil defense, and mobilization readiness plans, programs, and operations of the Federal Emergency Management Agency, technical guidance shall be provided to State and local governments and instrumentalities thereof so that all planning concerned with functions assigned herein will be effectively coordinated. Relations with appropriate segments of the private sector shall be maintained to foster mutual understanding of Federal emergency plans.]

[(2) Interagency coordination. Emergency preparedness functions shall be coordinated by the Federal department or agency having primary responsibility with all other departments and agencies having related functions.]

[(3) Emergency preparedness. Emergency plans, programs, and an appropriate state of readiness, including organizational readiness, shall be developed as an integral part of the continuing activities of each Federal department or agency having the responsibility for carrying out such plans and programs during an emergency. Modifications and temporary organizational changes, based on emergency conditions, shall be in accordance with policy determinations by the President.]

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[(4) Professional liaison. Mutual understanding and support of emergency preparedness activities shall be fostered, and the National Defense Executive Reserve shall be promoted, by maintaining relations with the appropriate nongovernmental sectors.]

[Sec. 214. Training. Each Federal department and agency shall develop and direct training programs which incorporate emergency preparedness and civil defense training and information programs necessary to insure the optimum operational effectiveness of assigned resources, systems, and facilities to complement those programs developed by the Federal Emergency Management Agency.]

[Sec. 215. Emergency Public Information. Consistent with plans, programs, and procedures established by the Federal Emergency Management Agency to provide for the coordination of all emergency public information dissemination, each Federal department and agency shall provide to the Federal Emergency Management Agency, for dissemination to the American people during an emergency:]

[(1) Information as to the emergency functions or assignments of the department or agency.]

[(2) Information, advice, and guidance pertaining to the continuity of broadcast programming for the Emergency Broadcast System.]

[Sec. 216. Redelegation. The head of each Federal department and agency is hereby authorized, to the extent permitted by law, to redelegate the functions assigned by this Order, and to authorize successive redelegations to organizations, officers or employees within that department or agency.]

[Sec. 217. Transfer of Functions. Recommendations for transfer of any emergency preparedness function assigned under this Order or for assignment of any new emergency preparedness function may be submitted to the President. Prior to the submission of any such recommendation, the Federal department or agency requesting such a transfer or new assignment shall consult with

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[ agencies, and with any agencies having related functions under this Order. ]

[ Sec. 218. Retention of Existing Authority. Except as provided in Part 38, nothing in this Order shall be deemed to derogate from any now existing assignment of functions to any Federal department or agency or officer thereof made by statute, Executive Order, or Presidential directive or memorandum. ]

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## PART 3 - DEPARTMENT OF AGRICULTURE

Sec. 301. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, [T]the Secretary of Agriculture shall [prepare emergency plans and develop preparedness programs covering]:

[(1) Food resources, seed, livestock and poultry feed, fertilizer, farm equipment, and food resource facilities.]

[(2) Lands under the jurisdiction of the Secretary.]

[(3) Rural fire control.]

[(4) Defense against hazardous agents (nuclear, biological and chemical), and effects pertaining to agricultural and forestry activities.]

[(5) Rural information and education.]

[Sec. 302. Definitions. As used in this Part: (1) "Food resources" means all commodities and products, simple, mixed, or compound, or complements to such commodities or products, that are capable of being eaten or drunk, by either human beings or animals, irrespective of other uses to which such commodities or products may be put, at all stages of processing from the raw commodity to the products thereof in vendible form for human or animal consumption. For purposes of this Order, the term also means all cotton, tobacco, wool, mohair, hemp, flax fiber, and naval stores, until such time as they lose their identities as agricultural commodities or agricultural products.]

[(2) "Seed" means all seed grown for and customarily used for planting for the production of food resources.]

[(3) "Livestock and poultry feed" means all edible materials which are consumed by livestock or poultry and contribute nutrients or other necessary factors to the diet.]

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[(4) "Fertilizer" means any product, mixture or combination of products which contains one or more of the elements - nitrogen, phosphorus, and potassium - for use as a plant nutrient.]

[(5) "Farm equipment" means machinery, equipment, and repair parts manufactured primarily for use on farms in connection with the production or preparation for market or use of food resources.]

[(6) "Food resource facilities" means plants, machinery, vehicles (including on-farm), and other facilities for the production, processing, distribution, and storage (including cold storage) of food resources, and for domestic distribution of seed, livestock and poultry feed, fertilizer and farm equipment.]

[(7) "Forestry" means the management and operation of timber lands, tree farms, forest nurseries, and related activities, including reforestation, fire protection, management planning, pest control, and timber harvesting.]

[(8) "Emergency agricultural health services" means plant and animal disease and pest prevention, control, and eradication; determining the wholesomeness of meat and meat products, poultry and poultry products, and eggs and egg products in establishments under continuous inspection by the Department of Agriculture; insuring safe and effective veterinary biologicals; and ascertaining the safety of food resources.]

[Sec. 303 Functions. With respect to food resources, food resource facilities, lands under the jurisdiction of the Secretary of Agriculture, farm equipment, fertilizer, livestock and poultry feed, and seed, the Secretary of Agriculture shall perform the following functions:]

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(1) [Production, processing, storage, and distribution.] Develop plans [for priorities, allocations, and distribution control systems and related plans, including control of the use of facilities designed] to provide adequate and continuing production, processing, storage, and distribution of essential food resources in [an] national security emergenc[y]ies, and to provide for the domestic distribution of seed, [livestock and poultry] feed, fertilizer, and farm equipment, with priority distribution to the normal wholesale level.

NSDD-47  
p.11  
bullet 7

(2) Plan to provide agricultural products to meet national and international responsibilities in national security emergencies.

NSDD-47  
pp.10, 11

(3) [(2) Commodity Credit Corporation.] Develop plans and procedures for [the] administration and use of [the] Commodity Credit Corporation['s] inventories of food resources in [an] national security emergenc[y]ies.

(4) [(3) Land management.] Develop plans and direct activities for the [emergency protection, management and] use of [the lands,] resources [, and installations] under the jurisdiction of the Secretary of Agriculture and, in cooperation with the Departments of Commerce, Defense, and Interior, [and] the Tennessee Valley Authority, and other government entities, [develop] plan[s] for the national security emergency operation, production, and processing of forest products [in cooperation with other Federal, State, and private agencies].

(5) [(4) Water.] Develop, under the guidance of the Secretary of Defense [acting through the Secretary of the Army], plans and programs for water to be used in agricultural production and food processing in [an] national security emergenc[y]ies.

**DRAFT**

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[(5) Voluntary agreements. Pursuant to the Defense Production Act of 1950, as amended, Executive Order No. 10480, and appropriate Defense Mobilization Orders, and subject to the prior approval of the Attorney General and the Federal Trade Commission, consult with representatives of industry, business, agriculture, labor organizations, financial and other interests in order to develop plans for execution of voluntary agreements as needed to help provide for the defense of the United States.]

Moved to  
General  
Provision  
§203(3) &  
FEMA §  
1702(1)(b)

[Sec. 304. Civil Defense Functions. In consonance with national civil defense programs developed by the Federal Emergency Management Agency, the Secretary of Agriculture shall perform the following functions:]

(6) [(1) Rural fire control.] Prepare, [I]in cooperation with Federal, State, and local agencies, plans and programs to [assist in the development of plans for a national program for, and direct activities relating to, the] prevent[ion] and control [of] fires in [the] rural areas of the United States.

(7) Develop plans to provide the Nation's farmers with production resources, including national security emergency financing capabilities.

NSDD-47  
p.11  
bullet 1

(8) [(2) Hazardous agents (nuclear, biological, and chemical) protection for agriculture and forestry.] Develop plans, consistent with those [, in consonance with plans] of the Department of Health and Human Services and the Environmental Protection Agency, [plans for a national program, direct Federal activities, and furnish technical guidance to State and local authorities concerning] for national security emergency agricultural health services and forestry, including: [These plans and activities shall relate to]

# DRAFT

**DRAFT**

August 1, 1986

(a) [Strengthening of defensive barriers against, and] [d]Diagnosis and control or eradication of diseases, pests, or agents of biological or chemical warfare against animals, crops, timber, or products thereof;

(b) Protecti[ve]on [measures for], treatment [of, safe and effective veterinary biologicals for], and handling of livestock and poultry, or products thereof, which have been exposed to or affected by hazardous agents;

(c) Use and handling of crops, agricultural commodities, and timber [on farms and ranches, agricultural lands, forest lands, and water for agricultural purposes, any of] which have been exposed to or affected by hazardous agents; and

(d) [Development of a national program and direction of Federal activities, in establishments under the continuous inspection of the Department of Agriculture, to] [a] Assur[e]ing the safety and wholesomeness, and [to] minimiz[e]ing losses from [hazardous agents and emergency] hazards, of animals and animal products and agricultural commodities and products under continuous inspection by the Department of Agriculture or [meat and meat products, poultry and poultry products, eggs and egg products, and agricultural commodities and products] owned by the Commodity Credit Corporation or by the Department of Agriculture.

[(3) Rural information and education. Conduct a rural information and education program concerning the Department's emergency responsibilities.]

Move to  
General  
Provisions

**DRAFT**



**DRAFT**

August 1, 1986

Sec. 302. Support Responsibilities. The Secretary of Agriculture shall:

(1) Assist the Federal Emergency Management Agency in formulating and carrying out plans for stockpiling strategic and critical agricultural materials, including assessment of national and international requirements for food and fiber in national security emergencies.

NSDD-47  
p.11  
bullet 2

[Sec. 304 (4)] (2) [Repatriation.] [Develop, under the guidance of] Assist the Departments of Health and Human Services, Interior, and Treasury, and State governments, [by developing plans and procedures to assist repatriated] with repatriation of United States citizens evacuated from foreign countries to the Continental United States. [, including plans to:]

[(a) Expedite the screening process for returnees at the designated ports of entry, while assuring that prohibited plants, animals and animal products do not enter the country, in consultation with the Departments of Interior and Treasury; and]

[(b) Authorize State distributing agencies to release foods for mass feeding to recognized distributing relief organizations.]

(3) Assist the Secretary of the Treasury in preparedness activities intended to reduce susceptibility to manipulated economic pressures.

NSDD-47  
p.11  
bullet 4

**DRAFT**

# DRAFT

August 1, 1986

## PART 4 - DEPARTMENT OF COMMERCE

Sec. 401. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, [T]the Secretary of Commerce shall [prepare emergency plans and develop preparedness programs concerning]:

[(1) The production and distribution of all manufactured goods and processed materials, the use of all production facilities (except those owned by, controlled by, or under the jurisdiction of the Department of Defense or the Department of Energy including source materials as defined in the Atomic Energy Act of 1954, as amended), the control of all construction materials, and the furnishing of basic industrial services except those involving the following:]

[(a) Production, distribution, and use of equipment, materials and facilities for, petroleum, solid fuels, gas, electric power, and water;]

[(b) Production, processing, distribution, and storage of food resources and the use of food resource facilities for such production, processing, distribution, and storage;]

[(c) Domestic distribution of farm equipment and seed and the manufacture and domestic distribution of fertilizer and livestock and poultry feed;]

[(d) Use of communications services and facilities, housing and lodging facilities, and health, education, and welfare facilities;]

[(e) Production and related distribution of minerals as defined in Subsection 1002(1) of this Order, and the construction and use of facilities designated as within the responsibilities of the Secretary of the Interior;]

# DRAFT

**DRAFT**

August 1, 1986

[(f) Construction, use and management of civil aviation facilities;]

[(g) Construction, use and management of highways, streets, and appurtenant structures; and]

[(h) Domestic distribution of health resources.]

[(2) Scientific and technological services and functions essential to emergency preparedness plans, programs, and operations of the Federal departments and agencies including, but not limited to:]

[(a) Meteorological, hydrologic, and related services;]

[(b) Preparation, reproduction, and distribution of nautical and aeronautical charts, geodetic, hydrographic, climatic, seismic, and oceanographic data, and allied services for nonmilitary purposes;]

[(c) Standards of measurement and supporting services; and]

[(d) Research, development, testing, evaluation, application, and associated services and activities in the various fields and disciplines of science and technology in which the Department has special competence.]

[(3) Collection, compilation, and reporting of census information and the provision of statistical and related services, as required for emergency planning and operations.]

(6) [(4)] Prepare for the [R]regulation and control of exports and imports[,] under the jurisdiction of the Department of Commerce, as required in national security emergencies [and subject to the policies established by the Trade Policy Committee, in support of national security, defense mobilization, foreign policy, and economic stabilization objectives].

Consistent with p.6, NSDD-47, Ind.Mob., bullets 2 & 3

[(5) Regulation and control of transfers of capital to, and reinvestment of earnings of, affiliated foreign nationals in cooperation with the Department of the Treasury, the Securities and Exchange Commission and Federal bank supervisory agencies.]

**DRAFT**

**DRAFT**

August 1, 1986

[Sec. 402. Production Functions. Within the areas designated in Section 401, the Secretary of Commerce shall perform the following functions:]

(1) [Priorities and allocations.] Develop[, pursuant to the Defense Production Act of 1950, as amended, Executive Order No. 10480 and appropriate Defense Mobilization Orders, and subject to the advice and recommendations of the Secretaries of Defense and Energy,] control systems for priorities, allocation, production, and distribution[, including provisions for other Federal departments and agencies, as appropriate, to serve as allotting agents for] of materials and other resources made available under such systems for [designated] national defense and essential civilian programs and the construction and operation of facilities assigned to them.

Consistent with p.6, NSDD-47, Ind.Mob., bullet 2

(2) [New construction.] Develop procedures by which new production facility construction proposals will be reviewed for appropriate location in light of such factors as security and the availability of labor, water, power, housing, and other support requirements.

Same as above

(3) [Industry evaluation.] Identify[, with the advice and guidance of the Federal Emergency Management Agency, the Department of Defense, and other member departments and agencies of the Industry Evaluation Board,] those industrial products which are essential[, or of very great importance,] to mobilization readiness, national defense, or post-attack survival and recovery; conduct comprehensive vertical integration studies for industrial impact on readiness objectives; and identify the facilities capable of producing such products and evaluate the importance of such facilities to the national security.

Same as above, + bullet 4

**DRAFT**

# DRAFT

August 1, 1986

(4) [Production capability.] Analyze[, with the advice and guidance of the Department of Defense and other appropriate departments and agencies,] potential effects of [attack or sabotage] national security emergencies on actual production capability, taking into account the entire production complex, including shortages of resources, and [conduct studies as a basis for] recommend[ing] preparedness measures that would strengthen capabilities for production in emergencies.

Consistent with p.6, NSDD-47, Ind.Mob., bullet 2

(5) [Loans for plant modernization.] Develop plans, in conjunction with the Secretary of the Treasury, [in cooperation with the Small Business Administration and other agencies, as appropriate,] for providing emergency assistance to essential business establishments through direct [loans] or participation loans for the financing of production facilities and equipment.

Same as above, + bullet 4

[(6) Water. Develop a claimancy system and procedures to transmit requirements for essential industrial water resource requirements in emergencies to the Secretary of Defense acting through the Secretary of the Army.]

Covered by Gen'l Provs, §203

(1) [(7) National Defense Stockpile.] Assist the Federal Emergency Management Agency in formulating and carrying out plans for stockpiling strategic and critical materials for industrial production, construction, and distribution. [Analyze the consumption, supplies and domestic production capacity for strategic and critical materials and prepare purchase specifications for these materials in support of the management of the National Defense Stockpile.]

Support role; mov to §402

Covered by Gen'l Provs, §201(11)

# DRAFT

**DRAFT**

August 1, 1986

[(8) Voluntary agreements. Pursuant to the Defense Production Act of 1950, as amended, Executive Order No. 10480 and appropriate Defense Mobilization Orders and, subject to the prior approval of the Attorney General and the Federal Trade Commission, consult with representatives of industry, business, agriculture, labor organizations, financial and other interests in order to develop plans for the execution of voluntary agreements as needed to help provide for the defense of the United States.]

Moved to General Provision §203(3) & FEMA § 1702(1)(b)

(2) [(9) Machine Tool Trigger Order Program.] Cooperate [with the Federal Emergency Management Agency, the Departments of Defense and Energy, and the General Services Administration] in developing machine tool trigger orders and, based upon [Department of D]defense and energy requirements, determine which orders to activate.

Support role; move to §402

[Sec. 403. Census Functions. The Secretary of Commerce shall:]

(7) [(1)] Provide for the collection and reporting of census information on the status of human and economic resources, including population, housing, agriculture, manufacture, mineral industries, business, transportation, foreign trade, construction, and governments, as required for national security emergency planning purposes.

Consistent with p.6, NSDD-47, Ind.Mob., bullet 2

(8) [(2)] Plan, create, and maintain a capability for the conduct of emergency surveys to provide information on the status of populations and resources as required for the [programs of the Federal Emergency Management Agency.] national security emergency preparedness plans and programs of the Federal government.

Same as above

**DRAFT**

**DRAFT**

August 1, 1986

[(3) Provide for and maintain the ability to make estimates of the effects of emergencies on industry, population, and other resources for use within the Department of Commerce.]

Covered  
by Gen'l  
Provs,  
§201(11)

[Sec. 404. Functions in Civil Defense and Other Emergency Situations Involving Potential Radiological Hazards. In consonance with national civil defense programs developed by the Federal Emergency Management Agency, the Secretary of Commerce shall perform the following functions:]

(3) [(1) Weather functions. (a)] Provide meteorological, hydrologic, and marine weather data and information to [the Federal Emergency Management Agency and other] Federal, State and local agencies, as appropriate;

Support  
role;  
move to  
§402

(4) [(b)] Provide current and forecast meteorological information about wind speed and direction, low level stability, precipitation and other meteorological and hydrologic factors affecting the transport or dispersion of radioactive and other hazardous materials [(gaseous, liquid, particulate)] and make this information available to Federal, State, and local authorities for public dissemination, as appropriate[;].

Support  
role;  
move to  
§402

[(c) Prepare and issue routinely, as well as in an emergency, wind vector forecasts for use in any fallout emergency;]

[(d) Broadcast warnings over National Oceanic and Atmospheric Administration Weather Radio as requested by authorized officials; and]

[(e) Provide meteorological consultants for radiological problems, as required.]

**DRAFT**

**DRAFT**

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(5) [(2) Geodetic, hydrographic, climatic, seismic, and oceanographic data.] Provide geodetic, hydrographic, climatic, seismic, and oceanographic data and services to [the Federal Emergency Management Agency and other] Federal, State and local agencies, as appropriate.

Support  
role;  
move to  
§402

(9) [Sec. 405. Fisheries Functions. The National Oceanic and Atmospheric Administration, through the National Marine Fisheries Service, shall d] Develop overall plans and programs to ensure that the fishing industry continues to produce essential protein in [an] national security emergencies[y]. [This includes responsibility to serve as a resource agency for fishery products, act as claimant agency for critical resources needed to sustain the industry, and control and direct the movement of fishing vessels in cooperation with the Departments of Defense and Transportation.]

Consistent  
with p.6,  
NSDD-47,  
bullet 2

Sec. 402. Support Responsibilities. The Secretary of Commerce shall:

Insert  
support  
role items  
(1)-(5)

**DRAFT**



# DRAFT

August 1, 1986

## PART 5 - DEPARTMENT OF DEFENSE

Sec. 501. [Functions] Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, t[T]he Secretary of Defense shall:

(1) Provide the military response to national security emergencies.

New; see NSDD-47, p.5, Mil.

(2) Develop, with industry, reliable capabilities for the rapid increase of defense production.

New, from former §§ 501(7), (12), (21) & NSDD-47, p.5, Ind.

(3) Develop and maintain national security emergency plans, programs, and mechanisms to ensure:

New, from former §501(32) + DUSD(P) MSCD language

(a) Efficient management of military support to Federal, State, and local governments, in cooperation with the Attorney General and the Director of the Federal Emergency Management Agency; and

(b) Effective mutual support between the military, civil government, and private sector, in cooperation with the Director of the Federal Emergency Management Agency and the heads of other Federal departments and agencies.

(4)

Former §501(17)

(5)

Former §§ 501(19) & (26)

(6)

with (a) through (d)

Former §§ 501(27)-(30)

(7)

Former §501(31)

# DRAFT

# DRAFT

August 1, 1986

(8) Assist the Secretary of Labor in determining and planning how best to mobilize the Nation's scientific and engineering workforce for national security emergencies. Seek information from the Director of the National Science Foundation concerning the Nation's scientific and engineering workforce.

Former NSF §§ 2601(1) (a), (b), & (c), and NSDD-47 Human Res. p.7, top bullet

(9) Coordinate with the Administrator of the National Aeronautics and Space Administration on development and maintenance of technologically advanced systems, equipment, and methodologies.

From former §2501(2), NSF

Sec. 502. Support Responsibilities. The Secretary of Defense shall:

(1) Advise and assist the Director of the Federal Emergency Management Agency, the Secretary of Commerce, and the heads of other Federal departments and agencies in the development of plans and programs to support military mobilization. This includes providing, as appropriate:

New, from old §§ 501(1), (3), (9), & (19)

(a)

From former §§ 501(1)&(2)

(b)

New

(c)

New, from former §§ 501(1) & (11)

(d)

From former §501(9)

(e)

From former §501(10)

(2)

From former §501(13)

(3)

From former §501(23)

# DRAFT

# DRAFT

August 1, 1986

[(1) Provide specific strategic guidance as required by other Federal departments and agencies for emergency preparedness planning and programming, including, for example, guidance regarding such factors as accessibility of foreign sources of supply and estimated shipping loss discounts and end-item losses in the event of war.]

Becomes part of §502(1)(a) [formerly §501(2)]

(a) [(2) Develop and furnish quantitative and time-phased m] Military requirements, prioritized and time-phased to the extent possible, for selected end-items and supporting [requirements for materials, components, production facilities, production equipment, petroleum, natural gas, solid fuels, electric power, minerals, land, water, food, transportation, including port facility requirements, and other] services, materials, and components; and [needed to carry out specified Department of Defense current and mobilization procurement, construction, research and development, and production and maintenance programs. The items and supporting resources to be included in such requirements, the periods to be covered, and the dates for their submissions to the appropriate resource agency will be determined by mutual agreement between the Secretary of Defense and the head of the appropriate resource agency.]

Becomes §502(1)(a) consistent with p.5, NSDD-47, Mil.Mob.

[(3) Advise and assist the Federal Emergency Management Agency, the Department of Commerce and other Federal departments and agencies, as appropriate, in developing a national system of production priorities.]

Covered by new §§ 502(1) & 203

[(4) Advise and assist the Federal Emergency Management Agency in developing a system, in conjunction with the Departments of Commerce and State and other Federal departments and agencies, as appropriate, and pursuant to the policies established by the Trade Policy Committee, for the international allocation of critical materials and products among the United States and the various foreign claimants in the event of an emergency.]

Covered by new §§ 502(1), 203(3) & (4), and FEMA § 1702(1)

# DRAFT

**DRAFT**

August 1, 1986

[(5) Plan for and administer priorities and allocations authority delegated to the Department of Defense. Authorize procurement and production schedules and make allotments of controlled materials, except special nuclear materials, pursuant to program determinations by the Federal Emergency Management Agency.]

Covered  
by new  
§203(3) &  
1702(1)(a)

[(6) Assist the Department of Commerce and other appropriate agencies in the development of plans for the control of the production and distribution of essential goods and services in an emergency.]

Covered  
by new  
§502(1)

[(7) Develop, with industry, plans for the procurement and production of selected military equipment and supplies needed to fill emergency requirements, making maximum use of plants in dispersed locations and, where essential and appropriate, providing for alternative sources of supply in order to minimize the effects of enemy attack or sabotage.]

Covered  
by new  
§501(2)

[(8) Develop, with industry, plans and programs for minimizing the effect of attack or sabotage damage to plants producing major items of military equipment and supply.]

Covered  
by new  
§204

[(9) Recommend to the Federal Emergency Management Agency and appropriate resource agencies, measures for overcoming potential deficiencies in capacity to produce selected military supplies, equipment, and services needed to fulfill emergency requirements, when necessary measures cannot be effected by the Department of Defense.]

Move to  
General  
Provision

(b) [(10) Assess the need for domestic industrial capabilities to support the national defense and furnish information and r] Recommendations for use of financial incentives or other powers [to, or when requested by, the Federal Emergency Management Agency, for purposes of processing applications for purchase commitments or defense loan guarantees] under Title III of the Defense Production Act of 1950, as amended.

Becomes  
§502(1)(b)**DRAFT**

**DRAFT**

August 1, 1986

[(11) Furnish guidance, advice and assistance to appropriate agencies on the use of strategic and critical materials in defense production, including changes that may occur from time to time.]

Subsumed  
into new  
§502(1)(c)

[(12) Analyze problems that may arise in maintaining an adequate defense mobilization production base and take necessary actions to overcome these problems within the limits of the authority and funds available to the Department of Defense.]

Covered  
in new  
§501(2)

[(13) Advise the Secretaries of Commerce and Energy with respect to the identification and evaluation of facilities important to the national defense.]

Covered  
by new  
§204

[(14) Advise and assist the Federal Emergency Management Agency, the Department of Energy, and other Federal departments and agencies as appropriate, in the development and review of standards for the strategic location and physical security of industries, services, government, and other activities for which continuing operation is essential to national security, and exercise physical security cognizance over the facilities assigned to the Department of Defense for such purpose.]

Covered  
by new  
§204

[(15) Pursuant to the Defense Production Act of 1950, as amended, Executive Order No. 10480 and appropriate Defense Mobilization Orders and, subject to the prior approval of the Attorney General and the Federal Trade Commission, consult with representatives of industry, business, agriculture, labor organizations, financial, and other interests in order to develop plans for the execution of voluntary agreements as needed to help provide for the defense of the United States.]

Moved to  
General  
Provision  
§203(4) &  
FEMA §  
1702(1)(b)

**DRAFT**

**DRAFT**

August 1, 1986

[(16) Provide advice to the Department of Commerce concerning which Machine Tool Trigger Orders to activate in times of emergency.]

Move to  
EO 10480

(4) [(17)] Develop and operate damage assessment systems and assist the Federal Emergency Management Agency and other departments and agencies in their responsibilities as stated in Section 204(3). [205; participate with the Federal Emergency Management Agency in the preparation of estimates of potential damage.]

Becomes  
§501(4)

(2) [(18)] Advise and assist [the Federal Emergency Management Agency, the Department of Labor, and] other Federal departments and agencies[, as appropriate,] in the development of national security emergency manpower policies [to be instituted in the event of an emergency,] including information relating to the size and composition of the Armed Forces and military and civilian personnel force levels.

Becomes  
§502(2),  
consisten  
with p.5,  
NSDD-47,  
Mil.Mob.

(5) [(19) Furnish military requirements and related data to the Secretary of Transportation for all forms of civil transportation (service, equipment, facilities, and systems) for emergency planning.] Arrange, through agreements with the heads of other Federal [D]departments and agencies [of Transportation], for transfer of certain Federal and civilian [transportation] resources to the jurisdiction and/or operational control of the Department of Defense in national security emergencies. [Request application of priorities and allocations for civil transportation support in accordance with Contingency Response Program procedures when support cannot otherwise be obtained.]

Covered  
by §§ 201  
(5) & (10)

Becomes  
§501(5);  
consisten  
with p.5,  
NSDD-47,  
MM, bul.2

Covered i  
General  
Provision  
§203(3)

**DRAFT**

SECRET

August 1, 1986

[(20) In cooperation with the Department of Transportation, develop a program to include national defense features in United States flag merchant ships.]

Too detailed; covered in general by new §502(1)

[(21) Develop plans and procedures for the Department of Defense use of nonindustrial facilities in the event of an emergency in order to reduce requirements for new construction and to provide facilities in a minimum amount of time.]

Covered in new §501(2)

[(22) Advise and assist the Federal Emergency Management Agency in (a) determining what key foreign facilities and operating rights thereto are important to the security of the United States, and (b) obtaining through appropriate channels protection against sabotage of those facilities.]

Covered by new §204

(3) [(23)] Advise and assist [the Departments of State, Health and Human Services, and Education] other Federal departments and agencies in planning for the protection of or evacuation and repatriation of [dependents from overseas areas, United States teachers and administrators in the overseas dependents schools, and such other] United States citizens [as may be working in United States schools overseas. The Department of Defense will provide evacuation transportation support only after the Department of State has exhausted all available United States and foreign flag carrier capabilities.] [...(24) Develop plans for implementation of approved Departments of State and Defense policies and procedures for the protection and/or evacuation of United States citizens and certain designated aliens from] in threatened areas overseas. [areas, and of approved Department of Health and Human Services policies and procedures for repatriation. The Department of Defense will provide evacuation transportation support only after the Department of State has exhausted all available United States and foreign flag carrier capabilities.]

Becomes §502(3)

DRAFT

August 1, 1986

[(25) Develop plans and procedures for the provision of logistical support to members of foreign forces, their employees and dependents, as may be present in the United States under the terms of bilateral or multilateral agreements which authorize such support in the event of a national emergency.]

Not needed; provided by other documents

[(26) Develop with the Department of Transportation and Federal Aviation Administration plans and programs for the control of civil and military air traffic during an emergency.]

Subsumed by new §501(5)

(6) [(27) Acting through the Secretary of the Army, d] Develop overall plans for the management, control, allocation, and use of the water [and water] resources of the Nation [consistent], in cooperation with the [planning efforts of those] Federal departments and agencies having [specific] statutory or delegated water responsibilities. This includes:

Becomes §501(6)

(a) Coordinat[e]ion of national security emergency water resource planning at the regional, State, and local levels; [through the Federal departments and agencies concerned with each area of planning. For the purposes of this Section, "water" means all usable waters from all sources within the jurisdiction of the United States, which can be managed, controlled and allocated to meet emergency requirements.]

Becomes §501(6)(a)

(b) [(28) Acting through the Secretary of the Army, d] Developing plans and maintain[ing] river control operations for the prevention [or] and control of floods [caused by natural phenomena, overt or covert attack] affecting [those bodies of water and] water resources under the jurisdiction of the Secretary of the Army[.];

Becomes §501(6)(b)

DRAFT



**DRAFT**

August 1, 1986

(c) [(29)] Developing plans for national security emergency assistance to public water supply utilities; and [working as necessary through Federal departments and agencies having primary responsibility and with State and local governments.]

Becomes  
§501(6)(c)

(d) [(30)] Acting through the Secretary of the Army, in consultation with the Department of Transportation, the Coast Guard, the Department of the Interior, and other affected Federal departments and agencies, and in cooperation with the Tennessee Valley Authority in matters affecting the Tennessee river and certain of its tributaries, and with respect to all other inland waterways, canals, harbors, and navigation channels within the United States and its possessions and territories, d] Developing [emergency] plans [and procedures for:] to assure continued operation of waterways and harbors.

Becomes  
§501(6)(d)

[(a)] Improvement, restoration, rehabilitation, operation and maintenance of components of Federally authorized river and harbor projects;]

[(b)] Locating and removing obstructions to navigation;]

[(c)] Dredging to clear and straighten navigation channels; and]

[(d)] Collecting, compiling, and publishing information on the physical characteristics and facilities of ports of the United States and its possessions and territories.]

[(31)] Consistent with the need to protect classified information and information sensitive to national security interests, and pursuant to existing statutes and other authorities concerning nuclear safety:]

Not  
needed

(7) [(a)] Be responsible for and maintain control over all] Manage all emergency planning and response activities pertaining to Department of Defense nuclear facilities [or installations;] including offsite coordination.

Becomes  
§501(7)**DRAFT**

# DRAFT

August 1, 1986

[(b) Develop, reproduce, and disseminate technical reports, guidance, and data pertaining to emergency planning or preparedness around Department of Defense facilities or installations;]

Covered by §201(12)

[(c) Provide such Department of Defense resources as can be made available to assist Federal, State, and local officials in protecting public health and safety and to minimize property and environmental damage;]

Covered by §§ 201(6) & (7) and 204

[(d) Provide accurate and timely information to the public prior to and during emergency conditions;]

Covered by §201(12)

[(e) Exercise physical security cognizance over nuclear facilities assigned to the Department of Defense; and]

Covered by §§ 201(3) & 204

[(f) Consult with and request assistance of the Federal Emergency Management Agency where appropriate in the foregoing functions.]

Covered by §201(1)

[(32) Cooperate with the Department of Justice in coordinating application of Federal military resources to civil disturbances.]

Subsumed by new §501(3); consists with NSDD-47, p.5, Mil Mob., bullet 3

# DRAFT

# DRAFT

August 1, 1986

## PART 6 - DEPARTMENT OF EDUCATION

Sec. 601. [Functions] Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, [T] the Secretary of Education shall [prepare emergency plans and develop preparedness programs to assist educational programs and institutions in meeting emergencies, including]:

(1) [Program guidance.] Develop plans [and issue guidance] for the [continued functioning] earliest possible resumption of educational systems [in all] following national security emergencies. This includes assistance to educators and educational institutions to locate and use surviving facilities, equipment, books, and educational personnel. [Although extraordinary circumstances may require the temporary suspension of education, such plans shall provide for its earliest possible resumption.]

From former §601(4)

(2) [Educational adjustment.] Assist civilian educational institutions, both public and private, to adjust to possible demands made upon them by a large expansion of Government activities during any type of emergency. This includes advice and assistance to schools, colleges, universities, and other educational institutions whose facilities and student bodies may be affected by the demands of a sudden or long-standing emergency;] Provide national leadership and coordination in [providing] conducting education and training to meet shortages of critical skills and educational specialties. [; and, in cooperation with the Federal Emergency Management Agency and other Federal departments and agencies, guidance to and cooperation with State and local governments and post-secondary educational institutions in meeting other emergency and mobilization needs, including crisis relocation.]

Doesn't pass the threshold test

S&L aspect covered by §201(5), (6), & (7) Crisis relocation outmoded

# DRAFT

# DRAFT

August 1, 1986

(3) Information about educational systems. Provide the Departments of Defense and Labor, the Selective Service System, the National Science Foundation, and other Federal departments and agencies having emergency planning and operational responsibilities with information and statistics about the Nation's education systems, including their facilities, personnel, students, and educational capabilities.] Identify and assess changes to [the] educational systems which may occur in [an] national security emergenc[y]ies. [and their capabilities to meet requirements arising in an emergency or mobilization including initial and changing crisis relocation requirements. This includes in cooperation with the Federal Emergency Management Agency and other Federal departments and agencies, guidance to and cooperation with State and local governments and post-secondary educational institutions in meeting other emergency and mobilization needs, including crisis relocation.]

Covered by Gen'l Provs. §201(10) & (11)

As above re crisis relocation

Covered by §s 201 (5), (6), & (11)

[(4) Recovery. Develop plans for the rapid restoration and resumption of education at all levels after a national security emergency, with particular emphasis on the role of educational institutions and educational leadership in reviving education and training in skills needed for recovery. This includes assistance to educators and educational institutions to locate and use surviving facilities, equipment, books and educational personnel.]

Covered by new §601(1)

Moved to §601(1)

[(5) Civil defense education. (a) Review and comment on instructional materials as requested by the Departments of Defense and Health and Human Services, the Federal Emergency Management Agency, or other Federal departments and agencies; and]

Covered by §201 (5), (10), & (11)

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[(b) Provide liaison between other Federal departments and agencies and State and local education agencies and postsecondary educational institutions to assist in provision of technical assistance upon the request of such educational agencies and institutions.]

Covered by §201(5) & (6)

(4) [(6) Disaster assistance to local educational agencies. In cooperation with the Federal Emergency Management Agency, assess damage to public schools and, where appropriate and to the extent permitted by law, p] Provide [financial] assistance to local educational agencies for [disaster] national security emergency related costs.

Covered by §201(5)

(5) Develop plans for dissemination of emergency preparedness (self-help) information through educational institutions and the media during national security emergencies.

New

Sec. 602. Support Responsibilities. The Secretary of Education shall:

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## PART 7 - DEPARTMENT OF ENERGY

Sec. 701. [Functions] Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, [T]the Secretary of Energy shall [perform the following emergency planning and preparedness functions]:

[(1) Planning. Prepare emergency plans and procedures for the continuing conduct of essential functions of the Department of Energy.]

Covered  
in Genl.  
Provisions:

[(2) Coordination responsibilities. Consult with the Nuclear Regulatory Commission, the Departments of Defense, Justice, and State, the Central Intelligence Agency, the Federal Emergency Management Agency, and other Federal departments and agencies, in the preparation of emergency assessments and preparedness programs, and provide technical advice and assistance within the scope of the Department's activities.]

Covered  
by  
§103(3)  
of  
Preamble

(1) [(3) Operational responsibilities.] Conduct national security emergency planning and administer operational programs for fuel and power, including those [for] of the Electric Power Marketing Administration, the Federal Energy Regulatory Commission, the Strategic Petroleum Reserve, and the Naval Petroleum and Oil Shale Reserves, including [The Secretary shall]:

(a) [Consult with the Federal Emergency Management Agency in energy emergency planning and in the development of resource management procedures and regulations, and p] Provid[e]ing information, in cooperation with Federal and State officials, on energy supply and demand conditions and on the [current capacity to produce and use strategic and] availability of critical materials in the energy supply system; and

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(b) Developing, in consultation with the energy industry, the necessary plans, programs, and procedures to discharge these responsibilities[, including plans, programs and procedures for industry participation in the National Defense Executive Reserve Program of the Department of Energy].

(2) [(4) Evaluation. Assist the Departments of Commerce and Defense in i] Identify[ing and evaluating] energy facilities essential to the mobilization, deployment, and sustainment of resources to support the national defense and national welfare, and develop strategies to ensure continued provision of minimum essential [civilian programs] services in national security emergencies.

[(5) Priorities and allocations. Administer priorities and allocations authorities delegated to the Secretary of Energy, including authority to:]

[(a) Establish procurement and production schedules;]

[(b) Allocate source materials and strategic and critical materials, and make allotments of controlled materials under the jurisdiction of the Department of Energy, under emergency mobilization and defense production plans pursuant to program determinations of the Federal Emergency Management Agency;]

[(c) Allocate, to the extent authorized by law, electric power, gas, petroleum, and solid fuels, and require the priority performance of contracts, for implementation when such actions are clearly superior to the operation of the market as a means to achieve essential domestic and national security objectives; and]

[(d) Maximize domestic energy supplies.]

Covered  
in Gen'l  
Provision  
§203(3)  
& FEMA §  
1702(1)(a)

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[(6) Machine Tool Trigger Order Program. In cooperation with the Federal Emergency Management Agency and the Departments of Defense and Commerce, assist the General Services Administration in developing, maintaining and activating trigger orders with selected machine tool manufacturers.]

[(7) Nuclear production. Continue or provide for the restoration of essential:]

(3) [(a) Development, manufacture, assembly, transportation and control] Ensure continuity of production of nuclear weapons, [, components thereof, and equipment, except to the extent that control over nuclear weapons and equipment shall have been transferred to the Department of Defense;]

[(b) Production and processing of nuclear reactor fuel, special nuclear materials, and other special products;]

[(c) Nuclear related feed materials procurement, processing and development;]

[(d) Handling and control of radioactive wastes generated by atomic energy defense activities; and]

[(e) Transportation activities under Department of Energy control or cognizance.]

[(8) Operational safety. Be prepared to:]

[(a) Shut down, place in a safe standby condition, or curtail operations of and maintain under surveillance, as required, all Department of Energy facilities which could become a significant hazard to public health and safety;]

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[(b) Assure safety of transportation activities under Department of Energy control or cognizance; and]

(4) [(c) assume responsibility for, and retain control over,] Provide guidance and oversight for all national security emergency planning activities pertaining to Department of Energy [installations, the activities of which relate to] nuclear materials facilities. [In this connection, the Secretary of Energy shall consult with, and request the assistance of, the Federal Emergency Management Agency where appropriate.]

(5) [(9) Security. (a)] Assure the security of [materials, operational programs, and classified information involving special] nuclear materials, [fissionable and by-product materials,] nuclear weapons or devices [in Department of Energy custody or control], and all other Department of Energy programs.

[(b) Provide for the protection of Department of Energy personnel, facilities and materials from illegal acts and, in consultation with the United States Coast Guard, provide for the protection of Department of Energy marine fuel supplies in port areas.]

(6) [(10) Nuclear Safety. (a)] Participate, as [appropriate] required, in search, [and] recovery, and deactivation operations for nuclear materials, weapons or devices[;].

[(b) Assist, as required, in the location, identification and deactivation of improvised nuclear devices;]

[(c) Render advice on radiation and damage probabilities in the event of the detonation or misuse of any type of nuclear device; and]

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August 1, 1986

Sec. 702. Support Responsibilities. The Secretary of Energy shall:

(1) [(d)] Provide such advice and resources as can be made available to assist Federal, State, and local officials in protecting the public health and safety and minimiz[e]ing property and environmental damage.

(2) Consult with the Director of the Federal Emergency Management Agency in energy national security emergency planning and in the development of energy resource management procedures and regulations.

[(11) Scientific and technical information. Consistent with the need to protect classified information, organize, reproduce and disseminate scientific and technical reports and data relating to emergency preparedness to appropriate government agencies, the scientific and technical communities, industry, the public and friendly and cooperating nations.]

Covered  
in Gen'l  
Provs.  
§201(11)  
& (12)

[(12) Energy information. Maintain, in cooperation with Federal and State officials, emergency information systems which include assessment of energy supply and demand conditions.]

Same as  
above

[(13) External relations. (a) Maintain liaison with the Congress, Federal departments and agencies, and State and local governments, where appropriate, regarding Department of Energy emergency planning, preparedness and response programs;]

Covered  
by Gen'l  
Provs.,  
§201(6)

[(b) Provide accurate and timely information to the public prior to and during emergency conditions, consistent with the need to protect classified information, and to the extent permitted by law; and]

Covered  
by  
§201(12)

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[(c) Maintain, in consultation with the Departments of State and Defense, and other Federal departments and agencies as appropriate, effective liaison with foreign nations, foreign organizations and other special international organizations.]

Covered  
by  
§201(6)

[(14) Research facilities. Assemble data on the location and character of all major scientific research facilities, including non-governmental as well as governmental facilities, and their normal inventories of types of equipment and instruments which would be useful in identification and analysis of hazards to human life in emergencies.]

Covered  
by Gen'l  
Provs.,  
§203 &  
§204

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August 1, 1986

PART 8 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

Sec. 801. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, t[T]he Secretary of Health and Human Services shall: [prepare emergency plans and develop preparedness programs covering health services, the civilian health workforce, health resources, human services and social security benefits.]

[Sec. 802. Definitions. As used in this Part:]

[(1) "Emergency health services" means the full-range of health care (including medical, dental and mental health care) for the civilian population in all of the specialties and adjunct therapeutic fields; the planning for, provision of, and operation of first aid stations, hospitals, and clinics; preventive health services, including the detection, identification, and control of communicable diseases, their vectors and other public health hazards; surveillance of acute and other diseases and conditions; inspection and control of purity and safety of food, drugs (human and veterinary), biological products, cosmetics, medical devices, food additives and radiological products medicine; protection from products and substances emitting unsafe levels of ionizing and non-ionizing radiation; vital statistics services; physical and mental rehabilitation; preventive and curative care related to human exposure to hazardous agents (nuclear, biological, and chemical); sanitary aspects of disposal of the dead; and food and milk sanitation. This term also may involve cooperation with the Department of Agriculture in the following areas: plant and animal diseases; pest prevention, control, and eradication; wholesomeness of meat and meat products, and poultry and poultry products,]

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[in establishments under continuous inspection service by the Department of Agriculture; veterinary biologicals, agricultural commodities and products owned by the Commodity Credit Corporation or the Department of Agriculture; livestock; agricultural commodities stored or harvestable on farms and ranches; and agricultural lands and water.]

[(2) "Health workforce" means physicians (including osteopaths), dentists, registered professional nurses, health physicists, pharmacists, veterinarians, sanitary engineers, sanitarians, and members of such other occupations as may be included in the List of Health Occupations issued for the purposes of this Part by the Federal Emergency Management Agency after agreement by the Secretaries of Labor and Health and Human Services.]

[(3) "Health resources" means human resources, material, supplies, equipment, hospitals and other facilities required to prevent the impairment of, improve, and restore the physical and mental health conditions of the civilian population.]

[(4) "Health benefits and financing" means determinations of eligibility and payments made on behalf of eligible individuals to hospitals, home health agencies, extended care facilities, physicians, and other providers of medical services under Medicare and Medicaid programs.]

[(5) "Emergency human services" means feeding, clothing, lodging and registration of persons; locating and reuniting families; care of unaccompanied children, the aged, the handicapped, and other groups needing specialized care or services; necessary financial or other assistance; counseling and referral services to families and individuals; aid to welfare institutions; and all other feasible welfare aid and social services to people in need during an emergency.]

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[(6) "Social security benefits" means the determination of entitlements and payments of benefits to persons eligible under the Social Security Act, as amended, including workers who have retired because of age or disability and their spouses and children, and eligible survivors of deceased workers; aged, blind or disabled persons eligible under the supplemental security income program, including State supplementation; and eligible families with dependent children.]

[Sec. 803. Health Functions. In consonance with emergency management plans, programs, and operations of the Federal Emergency Management Agency, the Secretary of Health and Human Services shall perform the following functions:]

(1) [Provision of health services. In cooperation with the Department of Defense, the Veterans Administration, the Selective Service System, health professional associations and volunteer agencies, p] Promote the development of State and local plans for the provision of health services in national security emergencies, [under emergency conditions] and develop appropriate plans to support such State and local plans.

(2) [Mobilization of health resources.] Develop national plans [, in cooperation with the Departments of Commerce, Defense and Labor, the Veterans Administration, and other Federal departments and agencies,] to mobilize the health industry and health resources[, including personnel, materiel and facilities, in preparation] for national security emergencies.

(3) [Optimum utilization of health resources.] Develop national plans to set priorities and allocate health resources among civilian and military claimants [in coordination with the Department of Defense].

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(4) [Education and training. In cooperation with the Department of Defense, the Federal Emergency Management Agency, the Veterans Administration and other government agencies, medical and hospital associations and voluntary organizations, d] Develop [national survival] health and medical survival information programs for individuals and groups, to be used in the event that professional emergency health services are unavailable for extended periods, and develop and require, to the extent permitted by law, a nationwide program to train health professionals and paraprofessionals in special knowledge and skills which would be [of utility] useful in [an] national security emergenc[y]ies.

[(5) Radiation. In cooperation with affected government agencies and private entities, develop programs of radiation monitoring and assessment to assure the public health and to assess the safety of potentially contaminated human food, including development and implementation of protective action guides and action levels for assessing the safety of human food, water, and animal feed, in conjunction with the Department of Agriculture and the Environmental Protection Agency.]

(5) [(6) Biological and chemical warfare or terrorism.] Develop programs to [prevent, or, if prevention is impossible, to assure optimal management of the] reduce or eliminate adverse health effects produced by [the use of] biological, [or] chemical, or radiological agents [warfare or terrorism].

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(6) [(7) Food, drugs, biologicals, cosmetics, and medical devices.

Plan and direct national programs for the maintenance] Develop guidelines which will assure reasonable and prudent standards of purity and/or safety in the manufacture and distribution of food, drugs [(human and veterinary)], biological products, [cosmetics,] medical devices, food additives, and radiological products in [an] national security emergenc[y]ies.

(7) [(8) Disabled survivors.] Prepare national plans [regarding the capability to physically and mentally] for assisting States in rehabilitat[e]ion [and make available for employment those] of persons [disabled or] injured or disabled [persons among the surviving population] by national security emergencies.

[(9) Health financing. Develop plans for the payment of health insurance claims for reimbursement for items or services provided by hospitals, physicians, and other providers of medical services submitted by or on behalf of individuals who are eligible under the Medicare and Medicaid programs.]

See  
§801(11)  
below

[Sec. 804. Human Services Functions. In consonance with emergency management plans, programs, and operations of the Federal Emergency Management Agency, the Secretary of Health and Human Services shall perform the following functions:]

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(8) [(1) Human services emergency program.] Develop plans and procedures to assist State and local governments in the provision of emergency human services, including lodging, feeding, clothing, registration and inquiry, social services, and family reunification [and other human services needed by the victims of emergencies. Such measures also include organization, direction and provision of services in the event of crisis relocation or of refuge in shelters. These plans shall be developed through joint planning with other Federal departments and agencies, including the Departments of Agriculture, Commerce, Housing and Urban Development, Interior, Justice, Labor, Transportation, and Treasury, the General Services Administration, the United States Postal Service, and the Selective Service System].

(9) [(2) Emergency human services education and training.] Develop, in coordination with the Department of Education, human services educational and training materials including self-help program materials for use with human service organizations and professional schools; also, [and] develop and distribute civil defense information relative to emergency human services to the States, voluntary agencies, and professional groups.

(10) [(3) Services to noncombatant evacuees to the Continental United States.] Develop plans and procedures[, in cooperation with the Federal Emergency Management Agency, other appropriate Federal departments and agencies, and State and local governments,] for assistance [at ports of entry] to noncombatant United States citizens or dependents evacuated from overseas areas[, their onward movement to final destination, and followup assistance after arrival at final destination].

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August 1, 1986

[(4) Financial aid. Develop plans and procedures for providing financial assistance to human services institutions and/or individuals injured or in need as a result of an emergency.]

Moved to §801(11) below

[(5) Social Security benefits. Develop plans for the continuation or restoration of program payments in an emergency to those on the benefit rolls and prepare plans for the acceptance and disposition of new claims for Social Security benefits with a minimum of administrative processing.]

Moved to §801(11) below

(11) Develop plans for national security emergency:

(a) Payment of health insurance claims for Medicare and Medicaid eligible recipients;

(b) Financial assistance to human services institutions and/or individuals; and

(c) Continuation or restoration of the Social Security program.

Sec. 802. Support Responsibilities. The Secretary of Health and Human Services shall:

(1) Assist the Chairman of the Railroad Retirement Board in developing plans for continuation of benefit payments during national security emergencies.

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August 1, 1986

PART 9 - DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Sec. 901. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, t [T]he Secretary of Housing and Urban Development shall: [prepare emergency plans develop preparedness programs covering all aspects of housing, community facilities related to housing, and urban development (except for housing assets under the control of the Department of Agriculture, the Department of Defense, other than those leased for less than 1 year, and the Veterans Administration, and housing and community facilities of the Bureau of Indian Affairs of the Department of the Interior).]

[Sec. 902. Definitions. As used in this Part:]

[(1) "Emergency housing" means any and all types of accommodations used as dwellings in an emergency.]

[(2) "Community facilities related to housing" means installations necessary to furnish water, sewer, fuel and power services between the housing unit or project and the nearest practical source or servicing point.]

[(3) "Urban development" means the building or restoration of urban community, suburban, and metropolitan areas (except transportation facilities).]

[Sec. 903. Housing and Community Facilities Functions. The Secretary of Housing and Urban Development shall perform the following emergency preparedness functions:]

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# DRAFT

August 1, 1986

(1) [New housing.] Develop plans for [the emergency] construction and management of [new] housing in national security emergencies, including: [to the extent deemed necessary to provide for such construction and management with public funds, through direct Federal action and, where appropriate and to the extent provided by law, through Federal financial or credit assistance.]

(a)

Former §905(2)

(b)

Former §905(3)

(2) [Community facilities. In cooperation with the Environmental Protection Agency, the Department of Defense (acting through the Secretary of the Army) regarding water and sewers, and the Department of Energy regarding fuel and power, d] Develop plans, in cooperation with the Director of the Environmental Protection Agency, to restore community facilities [related to housing affected by an emergency], including water and waste disposal facilities, damaged in national security emergencies [plans for the repair of damage, the construction of new facilities, and the use of alternate or backup facilities].

[Sec. 904. Urban Development Functions. The Secretary of Housing and Urban Development shall perform the following functions:]

[(1) Regional cooperation. Encourage regional emergency planning and cooperation among State and local governments with respect to problems of housing and urban development.]

Covered by Gen'l Provs. §201(6) & (7)

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[(2) Vulnerability and redevelopment. In cooperation with the Federal Emergency Management Agency and with other Federal agencies having responsibilities for aspects of urban development, including the Departments of Defense, Energy, and Transportation and the Environmental Protection Agency, develop criteria and provide guidance for the design and location of housing and community facilities related to housing to minimize the risk of loss under various emergency situations, and develop criteria for determining which areas should be redeveloped in the event of loss or severe damage resulting from emergencies.]

Fails threshold test; also covered in general by Gen'l Provs. §204

[Sec. 905. Civil Defense Functions. In consonance with civil defense plans, programs, and operations of the Federal Emergency Management Agency, the Secretary of Housing and Urban Development shall perform the following functions:]

[(1) Transitional activities. In consultation with the Department of Health and Human Services concerning its national plans and guidance for emergency services, develop plans for the orderly transfer of persons from fallout shelters and billets to temporary or permanent housing, including advice and guidance for State and local government agencies in the administration thereof.]

Fails threshold test

(a) [(2) Temporary housing. In consultation with the Department of Health and Human Services, develop plans, including] Providing temporary housing using Federal financing arrangements[,] for [emergency] repair and restoration of damaged housing; construction and management of [emergency] housing units [and related community facilities]; [emergency] use of tents, inflatable structures, recreational vehicles, and manufactured housing; and [the emergency] conversion of non-residential structures to residential use.

Becomes §901(1)(a)

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**DRAFT**

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(b) [(3) Shelter. In conformity with the national emergency shelter policy, assist in the development of plans to encourage the construction of shelters for both old and new housing, and develop administrative procedures to] Providing for shelter by encourag[e]ing construction of shelters and [the] use of low-cost design and construction techniques to maximize population protection [of the population against nuclear radiation and fallout in connection with national civil defense programs].

Becomes  
§901(1)(b)

Sec. 902. Support Responsibilities. The Secretary of Housing and Urban Development shall:

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August 1, 1986

PART 10 - DEPARTMENT OF THE INTERIOR

Sec. 1001. Lead Responsibilities. In addition to the responsibilities covered in Parts 1 and 2, [T]the Secretary of the Interior shall: [prepare emergency plans and develop preparedness programs covering minerals, water, and land, as defined in Section 1002.]

[Sec. 1002. Definitions. As used in this part:]

[(1) "Minerals" means all raw materials of mineral origin (except petroleum, gas, solid fuels, and source materials as defined in the Atomic Energy Act of 1954, as amended) obtained by mining and like operations and processed through the stages specified and at the facilities designated in an agreement between the Secretary of the Interior and the Secretary of Commerce as being within the emergency preparedness responsibilities of the Secretary of the Interior.]

[(2) "Water" means all water and water resources legally under the jurisdiction of the Secretary of the Interior.]

[(3) "Land" means the use for national security purposes of all land resources under the jurisdiction of the United States, including areas which can be managed, developed, leased, reclaimed, extracted, preserved, controlled, and/or allocated to meet emergency requirements, but does not include any land owned by, controlled by, or under the jurisdiction of the Department of Defense or other Federal departments or agencies.]

[Sec. 1003. Resource Functions. With respect to the resources defined in Section 1002, the Secretary of the Interior shall perform the following functions:]

(1) [Minerals development.] Develop programs and encourage the exploration, development, and mining of strategic and critical and other nonfuel minerals for national security emergency purposes.

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(2) [Production.] Provide guidance [and leadership] to [assigned] mining industries in the development of plans and programs to insure [the] continuity of production [in the event of an] during national security emergenc[y]ies. [, and]...

(2) ...[c] Cooperate with the Department of Commerce in the identification and evaluation of essential facilities.

Becomes  
§1002(2)

(3) [Water.] Develop, under the guidance of the Secretary of Defense [acting through the Secretary of the Army], plans and programs relative to water and water resources [which are] under the jurisdiction of the Secretary of the Interior.

(4) [Land. In cooperation with the land emergency planning efforts of other Federal departments and agencies having specific statutory or delegated land responsibilities, develop overall p] Plan[s] for the management, control, allocation, and use of land of the Nation in [an] national security emergenc[y]ies and coordinate land emergency planning at the Federal, [regional,] State, and local levels.

Sec. 1002. Support Responsibilities. The Secretary of the Interior shall:

(1) [(5) National Defense Stockpile.] Assist the Federal Emergency Management Agency in formulating and carrying out plans for stockpiling strategic and critical minerals [materials].

[(6) Cartographic services. Provide topographic maps of the United States and its territories, as required, for all emergency sites.]

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**DRAFT**

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[(7) Voluntary agreements. Pursuant to the Defense Production Act of 1950, as amended, Executive Order No. 10480 and appropriate Defense Mobilization Orders and, subject to the prior approval of the Attorney General and the Federal Trade Commission, consult with representatives of industry, business, agriculture, labor organizations, financial and other interests in order to develop plans for the execution of voluntary agreements as needed to help provide for the defense of the United States.]

Moved to  
General  
Provision  
& FEMA §§

**DRAFT**

**DRAFT**

August 1, 1986

## PART 11 - DEPARTMENT OF JUSTICE

Sec. 1101. [Functions] Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, [T]the Attorney General shall [perform the following emergency preparedness functions]:

(3) [(1) Terrorism.] Manage the Federal government's law enforcement response to all domestic terrorist incidents, [including terrorist incidents involving nuclear materials or weapons,] except for those aircraft hijackings under the exclusive authority of the Federal Aviation Administration[, pursuant to Section 316(e) of the Federal Aviation Act of 1958, as amended].

(1) [(2) Civil disturbances. As chief civilian law enforcement officer,] [c] Coordinate all Federal government law enforcement activities, [and] including Federal law enforcement liaison with State and local governments [, relating to civil disturbances].

(2) [(3) Security and contingency planning for major events.] Coordinate domestic [contingency] planning for national security [at major events held in the United States] emergency law enforcement contingencies which are beyond the capabilities of local officials and agencies, to ensure that all agencies provide adequate support.

(1) [(4) Emergency documents and measures.] Review and provide legal advice regarding emergency directives, procedures, [and] extraordinary measures, and voluntary agreements prepared by Federal departments and agencies [as a part of their] for use in national security emergenc[y]ies [preparedness functions].

Becomes  
§1102(1)**DRAFT**

# DRAFT

August 1, 1986

[(5) Industry support. Review legal procedures developed by Federal departments and agencies to be instituted if it becomes necessary for the Government to employ extraordinary measures with respect to vital production facilities, public facilities, transportation systems, or other essential facilities, systems, or services.]

Normal -  
peacetime  
function  
of DOJ

[(6) Voluntary agreements. Pursuant to the Defense Production Act of 1950, as amended, Executive Order No. 10480 and appropriate Defense Mobilization Orders, review proposed voluntary agreements developed by the resource agencies as needed to help provide for the defense of the United States.]

Moved to  
General  
Provision  
§203(4)  
& FEMA §  
1702(1)(b)

(10) [(7) Judicial and legislative liaison.] [In cooperation with the Federal Emergency Management Agency, m] Maintain liaison with Federal courts and with the Congress to ensure mutual understanding of Federal [emergency] plans involving law enforcement and the exercise of legal powers during national security emergencies.

Becomes  
§1101(10)

(2) [(8) Legal advice.] Develop [emergency] plans for providing legal advice and document review [to] for the President, the Cabinet, and the heads of Executive departments and agencies [wherever they may be located] in [an] national security emergenc[y]ies [, and provide emergency procedures for the review as to form and legality of Presidential Proclamations, Executive Orders, directives, regulations, and other documents requiring approval of the President or the Attorney General].

Becomes  
§1102(2)

# DRAFT

**DRAFT**

August 1, 1986

(4) [(9) Alien control and control of entry and departure.] Develop [emergency] plans for national security emergencies for the control of [enemy aliens and other] aliens within the United States and, in consultation with the [Departments] Secretaries of State, Treasury, Health and Human Services, and Defense [(where the use of military resources may be involved)], develop [emergency] plans for the control of persons attempting to enter or leave the United States. [These plans shall specifically include provisions for the following:]

Becomes  
§1101(4)

[(a) The location, restraint, or custody of enemy aliens;]

Too  
detailed

[(b) Detention of enemy aliens and other persons attempting to enter the United States pending determination of their admissibility;]

[(c) Apprehension of deserting alien crewmen and stowaways;]

[(d) Investigation and control of nonresident aliens and other temporary alien visitors;]

[(e) Control of persons entering or departing from the United States at designated ports of entry; and]

[(f) Increased border surveillance to prevent prohibited crossings by persons.]

(5) [(10) Alien property.] Develop [emergency] plans, in consultation with the [Departments] Secretaries of State and Treasury, for the seizure and administration of property of enemy aliens during national security emergencies, under provisions of the Trading With The Enemy Act, as amended.

Becomes  
§1101(5)

[(11) Security standards. In consultation with the Department of Defense and other affected Federal departments and agencies, prepare plans for adjusting security standards governing the operations of the Federal government and of Federal contractors, including personnel practices.]

Below  
threshold

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**DRAFT**

August 1, 1986

(6) [(12) Drug control.] Develop [emergency] plans and procedures for the administration of laws governing the import, manufacture, and distribution of narcotics, [. Consult with] and render all possible aid and assistance [to the Federal Emergency Management Agency, the Department of Health and Human Services and the General Services Administration] in the [allocation, distribution and, if necessary, replenishment] control of Government stockpiles of narcotic drugs, during national security emergencies.

Becomes  
§1101(6)

(7) [Sec. 1102. Civil Defense Functions.] Develop, i[I]n consonance with national civil defense programs, [developed by the Federal Emergency Management Agency, the Attorney General shall perform the following functions:]

Former  
§s 1102  
& 1102(1)  
(a)-(c)  
become  
§1101(7)

[(1) Local law enforcement. Upon request, consult with and assist the Federal Emergency Management Agency to plan, develop, and distribute materials to:]

[(a) Use in the instruction and training of law enforcement personnel for civil defense emergency operations;]

[(b) Develop and carry out a national plan for civil defense] a program for instruction and training for law enforcement officers, [which is designed to utilize, to the maximum extent practicable, the resources and facilities of existing Federal, State, and local police schools, academies, and other appropriate institutions of learning;] and

[(c) A] assist the States in preparing for the conduct of intrastate and interstate law enforcement operations to meet [the] extraordinary needs [that would exist] for police services [under emergency conditions].

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August 1, 1986

(8) [(2) Penal and correctional institutions.] Develop [emergency] plans and procedures for the custody and protection of prisoners and the use of available Federal penal and correctional institutional resources for mass feeding and housing during national security emergencies, in cooperation with local authorities, [storage of standby emergency equipment, emergency use of prison hospitals and laboratory facilities, continued availability of prison industry products, and development of Federal prisoner skills.] and [A] advise States and their political subdivisions regarding the use of State and local prisons, jails, and prisoners [to relieve local situations and conditions arising from an] during such emergenc[y]ies.

Becomes  
§1101(8)Too  
detailed

(9) [(3) Identification and location of persons.] Develop [emergency plans and] procedures for [the use of the facilities and personnel of the Department of Justice in] assisting Federal, State and local authorities in identifying fatalities and reuniting families in [an] national security emergenc[y]ies [by providing fingerprint identification services].

Becomes  
§1101(9)

(11) Develop plans for the continuity of essential law enforcement, legal advice, judicial, and correctional Federal government functions during national security emergencies.

New  
§1101(11)

Sec. 1102. Support Responsibilities. The Attorney General shall:

(1)Former  
§1101(4)(2)Former  
§1101(8)

(3) Assist the private sector, local and State governments, and other Federal departments and agencies in the development of national asset protection plans.

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PART 12 - DEPARTMENT OF LABOR

Sec. 1201. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, [T] the Secretary of Labor shall [develop emergency preparedness plans and programs covering all aspects of workforce mobilization, including]:

[(1) Determining skill shortages and effectively using workers with shortage skills.]

[(2) Stabilizing wages, salaries, and employer costs for employee benefits.]

[(3) Providing worker incentives and protection.]

[(4) Establishing information and data systems regarding shortage skills.]

[(5) Establishing training programs in shortage skills.]

[(6) Assuring that mechanisms exist for settling labor-management disputes.]

[Sec. 1202. Functions. The Secretary of Labor shall perform the following emergency preparedness functions:]

(1) [Civilian workforce mobilization.] Develop plans and issue guidance designed to use [effectively] civilian workforce resources effectively. Such plans shall include, but not necessarily be limited to:

(a) [Workforce management.] Priorities and allocations, recruitment, referral, training, employment stabilization (including appeals procedures), use assessment, and determination of [the] critical skill categories [critical in the staffing of defense-related and essential civilian activities];

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(b) [Priorities.] Method[ology]s for determining [translating essential military and civilian production priorities into] critical skill and occupation categories for use in [guiding the] recruitment, [of workers] based on essential military and civilian production priorities; and

(c) [Mobilization base improvement.] Programs for increasing the availability [more effective use] of critical workforce skills and occupations [found] in high demand [and, in cooperation with other affected agencies, programs for recruitment, skill development and training, allocation, and use of persons who are likely candidates for entry into such occupations].

(2) [Wage, salary, and benefit costs stabilization.] Develop plans and procedures for wage, salary, and benefit costs stabilization, [and for the national and field organization necessary for the administration of such a program in an emergency including investigation, compliance, and appeals procedures; statistical studies of wages, salaries, benefit costs, and prices for policy decisions] and for [to] assisting operating stabilization agencies [to carry out their functions].

(3) [Worker incentives and protection.] Develop plans and procedures for wage and salary administration and death and disability compensation for authorized civil defense workers and, as appropriate, measures for unemployment payments, re-employment rights, [and] occupational safety and health, and other protections and incentives for the civilian labor force during [an] national security emergenc[y]ies.

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[(4) Information and data systems. Develop plans and procedures for systems to identify those skills likely to be in short supply and assess problems in assuring availability.]

(4) [(5) Labor-management relations.] Develop, in consultation with [the Departments of Commerce, Transportation and Defense, and with the National Labor Relations Board, the Federal Mediation and Conciliation Service, the National Mediation Board, and] other appropriate government agencies and private entities, plans and procedures for effective labor-management relations during [a] national security emergenc[y]ies.

Sec. 1202. Support Responsibilities. The Secretary of Labor shall:

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PART 13 - DEPARTMENT OF STATE

Sec. 1301. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, [Functions. Consistent with the responsibilities of the Secretary of State to formulate and coordinate foreign policy, and the national security functions within the Department's statutory authority,] the Secretary of State shall [consult with the Director of the Federal Emergency Management Agency, as appropriate, and carry out the following functions]:

[(1) Prepare emergency plans and develop preparedness programs to assure the continuity of operations of the Department of State to meet all conditions in the event of an emergency.]

Covered  
in §201  
and §202

(1) [(2)] Provide [to all other departments and agencies] overall foreign policy direction, coordination, and supervision to other Federal departments and agencies in the formulation and execution of [those] continuity of government and national security emergency preparedness activities [which] that have foreign policy implications, affect foreign relations, or depend, directly or indirectly, on the policies and capabilities of the Department of State.

(2) [(3) Develop policies, plans, and procedures for] Prepare to carry[ing] out Department of State responsibilities in the conduct of the foreign relations of the United States during national security emergencies [under conditions of emergency], under direction of the President, including, but not limited to:

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(a) Formulation and implementation of foreign policy [under the direction of the President] and, in consultation with other appropriate Federal agencies, negotiation of contingency and post-emergency plans, [with our allies and] intergovernmental agreements, and arrangements [required by such plans] with our allies;

(b) Formulation, negotiation, and execution[, under the direction of the President,] of policy affecting the relationships of the United States with neutral States;

(c) Formulation and execution[, under the direction of the President,] of political strategy toward hostile or enemy States [, including the definition of war objectives and the political means for achieving those objectives and advising the President on war termination];

[(d) Maintenance of diplomatic and consular representation abroad;]

Not just emergency

[(e) Reporting and advising on conditions overseas which bear upon an emergency;]

Same

(d) [(f)] Formulation and execution of [E]economic measures with respect to other nations, in [consonance] consultation, as appropriate, with [the financial and commercial control functions of] the Secretar[y]ies of [the Treasury, export control functions of the Secretary of] Commerce, [and the regulation or control of exports of items on the munitions list in conjunction with the Secretary of] Defense, and Treasury;

(e) [(g)] Conduct of [M]mutual assistance activities [such as ascertaining requirements of the civilian economies of other nations, making recommendations to domestic resource agencies for meeting such requirements, and determining the availability of and making arrangements for obtaining foreign resources required by the United States];

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(f) [(h)] Providing foreign assistance, including continuous supervision and general direction of authorized economic and military assistance programs[, and determination of the value thereof];

(g) [(i)] Protection or evacuation of United States citizens and nationals abroad and safeguarding their property, in consultation with the [Departments] Secretaries of Defense and Health and Human Services;

(h) [(j)] Protection [and/or control] of international organization and foreign diplomatic, consular, and other official personnel and property, or other assets, in the United States; and

[(k)] Documentation of persons seeking to enter or leave the United States, in consultation with the Department of Justice; and]

(i) [(l)] Formulation of policies and provisions for assistance to displaced persons and refugees abroad.

Sec. 1302. Support Responsibilities. The Secretary of State shall:

(1) Develop planning assumptions concerning accessibility of foreign sources of supply.

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PART 14 - DEPARTMENT OF TRANSPORTATION

Sec. 1401. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, [T]the Secretary of Transportation shall: [develop, promulgate, and manage essential national policies, plans, and programs to address emergency transportation matters affecting passengers, freight/cargo, facilities and systems.]

[Sec. 1402. Definitions. As used in this Part:]

[(1) "Civil Reserve Air Fleet" (CRAF) means those civil air carrier aircraft allocated by the Secretary of Transportation to the Department of Defense to meet essential military needs in the event of an emergency.]

[(2) "Ocean shipping" means all foreign and overseas, coastwise, (including coastal and intercoastal), and Great Lakes shipping except that solely engaged in the transportation of passengers and cargo between United States ports on the Great Lakes.]

[(3) "National Aviation System" means civil personnel, aircraft (including air carrier and general aviation aircraft), airports, airspace, airways facilities, systems, services, regulations, plans, standards, procedures, and practices associated with the National Aviation System and control of civil and military air traffic.]

[(4) "Port" or "port area" means any zone contiguous to or associated in the traffic network of an ocean or Great Lakes port, or outpost location, including offshore deep water ports, within which facilities exist for transshipment of persons and property between domestic carriers and carriers engaged in coastwise (including coastal and intercoastal) and overseas transportation.]

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[(5) "Port facilities" means terminals, port equipment including harbor craft, and port services normally used in accomplishing the transfer or interchange of cargo or passengers between ocean shipping vessels and other forms of transportation, or in connection therewith (including the Great Lakes).]

[(6) "Transportation capacity," "civil transportation capacity," or "transportation resource capacity" means service, equipment, facilities, and systems.]

[(7) "Transportation resource" means the totality of passengers, freight/cargo, service, equipment, facilities and systems, including management.]

[(8) "War Air Service Program" (WASP) means the program to provide for the maintenance of essential civil air carrier routes and services, and to provide for the distribution and redistribution of civil air carrier aircraft among civil air transport carriers after withdrawal of aircraft allocated to the Civil Reserve Air Fleet.]

[Sec. 1403. Functions. The Secretary of Transportation shall:]

(1) Develop and promulgate overall national policies, plans, programs, procedures, and systems to meet essential civil and military transportation needs in [domestic and] national security emergencies.

Becomes  
§1401(1)

(2) [Provide d] Be prepared to direct[ion with respect to] all modes of civil transportation in national security emergencies, [of all forms -] including air, surface, water, [and] pipelines, [including] and public storage and warehousing [(excluding agricultural food resources including cold storage, petroleum, and gas storage), the movement of petroleum and natural gas by pipeline], to the extent such [functions are]

Becomes  
§1401(2)

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responsibility is vested in the Secretary of Transportation by law[, and excluding those responsibilities involving resources owned by, controlled by, or under the jurisdiction of, the Department of Defense, and those responsibilities and missions assigned to other Federal departments and agencies under this Order]. This direction may include:

(a) Implementation of priorities for all transportation resource requirements for service, equipment, facilities, and systems; and

Derived from former §1404(3) (a)&(b)

(b) Allocation of transportation resource capacity.

(3) Develop and furnish [quantitative and time-phased] military requirements for selected end items and related logistics areas required for Coast Guard support of the Department of Defense. [The items and supporting resources to be included, the periods to be covered, and the dates for their submission will be determined by mutual agreement between the Secretary of Defense and the Secretary of Transportation.]

Becomes §1401(3)

[(4) Develop plans and procedures for Coast Guard use of non-industrial facilities in the event of an emergency in order to reduce requirements for new construction and to provide facilities in a minimum amount of time.]

[(5) Advise and assist in foreign port security, safety, and sabotage protection, upon request.]

Covered by §204(1)

(1) [(6)] Develop plans and procedures, in cooperation with the Department of Defense, for the involvement of the Coast Guard in collecting, compiling, and publishing information on the physical characteristics and facilities of ports of the United States and its possessions and territories.

Becomes §1402(1), support responsibility

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[Sec. 1404. Emergency Transportation Planning and Programs. The Secretary of Transportation, with assistance and support of appropriate Federal, State, and local government agencies and private sector organizations, as appropriate, shall:]

[(1) Develop adequate transportation resource management and continuity of government programs and systems to include but not be limited to:]

Covered by §202

[(a) Provisions for assuring the continued functioning of national and regional level emergency transportation organizations in times of emergency, including their timely evacuation, provision of facilities, investigation, administration, and other requirements essential to the orderly continuation of Government missions;]

Covered by §202

[(b) Provisions for assuring that those vital and emergency functions, actions, and authorities necessary for continued Federal operations under emergency conditions are carried out; and]

Covered by §202

[(c) Provisions for civil transportation resource programs to include but not be limited to: determination of the proper apportionment and allocation of the total civil transportation capacity (service, equipment, facilities, and systems) or any portion thereof, including priorities; collection and analysis of modal and functional requirements; determination of available and required resource capacity; and development of supporting resource requirements and assignments of those Federal resource agencies responsible for providing such supporting assets.]

Covered by §203

[(2) Obtain, analyze, and maintain necessary data and information to discharge direction and control responsibilities in emergencies. Develop systems as required to assure the attainment and continuation of a high state of emergency preparedness planning and programming for satisfying both civilian and military civil transportation requirements. Such data,]

Covered by §201(3) and (11)

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information and systems shall include, but not be limited to:]

[(a) Identification of national and regional civil transportation capacity and resilience;]

[(b) Analysis of civil transportation resource requirements in varying types of emergencies; and]

[(c) Development of emergency management policies, plans, agreements, and procedures relating to effective capacity utilization, recovery, priorities, and allocations under varying economic conditions.]

[(3) Prepare plans, programs, and procedures for the functioning and utilization of the civil transportation resource under all emergency conditions to include, but not be limited to:]

Covered  
by §201

(a) Implementation of priorities for [Emergency management of] all transportation resource requirements for [capacity ( )service, equipment, facilities, and systems; ( ), including management in the use of priorities] and [the determination of allocation of available civil transportation;]

Becomes §  
1401(2)(a)

(b) Allocatingon of transportation resource capacity. [, including specifically-designated civil air carrier aircraft, to the Civil Reserve Air Fleet (CRAF) program; air carrier aircraft to the War Air Service Program (WASP); specific air, ground, and water port services, equipment, facilities, and systems; specific ocean and Great Lakes shipping, and inland waterway system services, equipment, facilities, and systems; and containerized systems and/or containers to be used in modal, intermodal, and multimodal service;]

Becomes §  
1401(2)(b)

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[(c) Emergency management and control of the National Aviation System to include, but not be limited to: provision of Federal aviation war risk insurance; management of the Civil Reserve Air Fleet (CRAF) except for aircraft mission control which becomes the responsibility of the Department of Defense following activation of the CRAF; and, upon the abolishment of the Civil Aeronautics Board under Title XVI of the Federal Aviation Act of 1958, the authority and responsibility for the management of the War Air Service Program (WASP), including all Civil Aeronautics Board emergency resource functions listed in Section 1603 of this Order, and further including, but not limited to:]

Covered by new §1401(1) and (2)

[(1) Distribution and redistribution of all air carrier civil aircraft in the WASP as may be necessary to assure the maintenance of essential WASP civil routes and services, equipment, facilities, systems, and other operations after the CRAF requirements have been met; and]

Same as above

[(2) Maintaining a capability to investigate safety;]

(4) [(d)] Participate[ion required] in[, ] and provide[sion] for United States transportation representation to[, ] international civil emergency preparedness planning and related activities. [, including but not limited to Canada, Mexico, and North Atlantic Treaty Organization planning;]

Becomes §1401(4)

[(e) Determination of supporting resource requirements for privately owned automobiles and provision for related automotive safety considerations in emergencies;]

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(5) [(f) In c] Cooperate[ion] with State and local highway agencies[,]  
in the [emergency] management of all Federal, State, city, local and other  
highways, roads, streets, bridges, tunnels, and publicly-owned highway  
maintenance equipment during national security emergencies. [, including  
related motor carrier safety considerations to effect the adaptation,  
development, construction, reconstruction, and maintenance of the Nation's  
highway and street systems to meet emergency requirements; and the regulation  
of highway traffic in emergencies in cooperation with appropriate Federal,  
State, and local governmental units to assure efficient and safe use of  
available road space;]

Becomes  
§1401(5)

Sec. 1402. Support Responsibilities. The Secretary of Transportation

shall:

(1)

Insert  
former  
§1403(6)

[(g) Emergency management of urban mass transportation capacity  
(service, equipment, facilities, and systems), including but not limited  
to:]

Covered  
by new  
§1401(1)  
and (2)

[(1) Guidance to urban communities either directly or through  
State, regional, or metropolitan agencies for emergency mass transportation  
planning;]

Covered by  
§201(6),  
(7) & (8)

[(2) Consultation and coordination in all such emergency  
planning with the Department of Housing and Urban Development to assure  
compatibility with emergency plans for all other aspects of urban  
development; and]

Covered by  
§201(6)

[(3) Maintaining a comprehensive inventory of urban mass  
transit systems;]

Covered by  
§201(11)

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[(h) Emergency management and operation of the National Railroad Passenger Corporation (AMTRAK) and the Alaska Railroad, and for the continuity of related railroad safety programs under emergency conditions, except that the emergency management and operation of the Alaska Railroad will cease to be a Federal responsibility when the Railroad is sold pursuant to Public Law 97-468;]

Everything  
this page  
covered  
by new  
§1401(1)  
and (2)

[(i) The emergency management of pipelines, including storage (excluding petroleum and natural gas pipelines and related storage) and the continuation of safety programs for all liquid and gas pipelines, hazardous materials and substances in civil transportation in all emergencies;]

[(j) The emergency management, operation, and maintenance of the sections of the Saint Lawrence Seaway controlled by the United States;]

[(k) Emergency management of maritime port safety and security, protection of offshore assets, aids to maritime navigation, search and rescue, and law enforcement over, upon and under the waters subject to jurisdiction of the United States and the high seas including but not limited to:]

[(1) Safeguarding vessels, harbors, ports, waterfront facilities, and offshore assets from destruction, loss of life or injury, accidents, and other casualties and hazards;]

[(2) Safe passage over, upon, and under waters subject to the jurisdiction of the the United States, through effective and reliable systems of aids to navigation and ocean stations;]

[(3) Waterborne access to icebound locations in furtherance of national economic, scientific, defense, and consumer needs;]

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[(4) Protection of lives, property, natural resources, and national interests through enforcement of Federal law and timely assistance;]

[(5) Safety of life and property through regulation of commercial vessels, including mobile offshore drilling units, and administration of maritime safety laws;]

[(6) Knowledge of the sea, its boundaries and its resources through collection and analysis of data in support of the national interest; and]

[(7) Operational readiness and related support activities.]

[(8) The functions listed in this subparagraph are the statutory responsibility of the United States Coast Guard (USCG); upon transfer of the Coast Guard to the Navy, responsibility for these functions shifts from the Secretary of Transportation to the Secretary of the Navy.]

[(1) Prepare plans and programs for emergency utilization of United States shipping resources and other shipping available to the United States under emergency conditions, including:]

[(1) Shipping service to meet military and essential civil requirements;]

[(2) Acquisition and operation of ships for service of the United States under authority of the Merchant Marine Act of 1936, and other laws;]

[(3) Maintenance and operation of the National Defense Reserve Fleet;]

[(4) Provision of Government War Risk Insurance under the provisions of Title XII of the Merchant Marine Act of 1936;]

[(5) Recruiting, training, and assigning ships' officers and seamen;]

Everything  
this page  
covered  
by new  
§1401(1)  
and (2)

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- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| <p>[(6) Maintenance and repair of merchant ships, in cooperation with the Coordinator for Ship Repair and Conversion of the Department of the Navy.]</p>                                                                                                                                                                                                                                                                                                                                                                         | <p>Covered by new §1401(1) and (2)</p>                             |
| <p>[(m) <u>Great Lakes and Inland Waterways Shipping</u>. In conjunction with the affected government agencies, develop plans and programs for emergency utilization of Great Lakes shipping capacity engaged solely in services between United States ports, and of inland waterway capacity.]</p>                                                                                                                                                                                                                              | <p>Same</p>                                                        |
| <p>[(n) <u>Ports</u>. Prepare plans and programs for emergency utilization of ocean, Great Lakes, inland waterway, and offshore deepwater ports to meet military and essential civil needs in emergencies.]</p>                                                                                                                                                                                                                                                                                                                  | <p>Same</p>                                                        |
| <p>[(o) <u>Ship construction</u>. Develop plans and programs for construction of merchant ships to meet military and essential civil needs in emergencies.]</p>                                                                                                                                                                                                                                                                                                                                                                  | <p>Same</p>                                                        |
| <p>[(p) <u>Voluntary agreements</u>. Pursuant to the Defense Production Act of 1950, as amended, Executive Order No. 10480 and appropriate Defense Mobilization Orders and, subject to the prior approval of the Attorney General and the Federal Trade Commission, consult with representatives of industry, business, agriculture, labor organizations, financial and other interests in order to develop plans for the execution of voluntary agreements as needed to help provide for the defense of the United States.]</p> | <p>Moved to General Provisions §203(4) &amp; FEMA § 1702(1)(b)</p> |
| <p>[(q) Emergency management of containerized systems and/or containers including those used not only for intermodal service involving the maritime segment, but also all other containerized systems and/or containers whether used in other modal, intermodal, or multimodal services.]</p>                                                                                                                                                                                                                                    | <p>Covered by new §1401(1) and (2)</p>                             |

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PART 15 - DEPARTMENT OF THE TREASURY

Sec. 1501. [Functions.] Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, [T]the Secretary of the Treasury shall [develop policies, plans, and procedures for the performance of emergency functions with respect to]:

(1) [Stabilization] Develop plans and authorities to maintain stable economic conditions and a market economy during national security emergencies; emphasize measures to minimize inflation and disruptions; and minimize reliance on direct controls of the monetary, credit, and financial systems: [.]

From NSDD-47, pp.4 & 7 & TREAS, §1501(2)

[(2) Stabilization of the dollar in relation to foreign currencies.]

[(3) Collection of revenue.]

[(4) Regulation, preservation, and restoration of financial institutions.]

[(5) Supervision of the Federal depository system.]

[(6) Direction of transactions in government securities.]

[(7) Tax and debt policies.]

(a) Develop plans to increase capabilities to minimize economic dislocations by carrying out appropriate fiscal, monetary, and regulatory policies and reducing susceptibility to manipulated economic pressures.

From NSDD-47 p.7 & EO 11490 TREAS §1501(2)

(b) Provide the Government with efficient and equitable financing sources and payment mechanisms.

NSDD-47 p.8

**DRAFT**

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(c) Provide fiscal authorities with adequate revenue-raising powers to meet any additional resource requirements.

NSDD-47  
p.8

(d) Develop, in consultation with the Chairman of the Board of Governors of the Federal Reserve System, and in cooperation with the Comptroller of the Currency, the Chairmen of the Federal Deposit Insurance Corporation, the Federal Home Loan Bank Board, the National Credit Union Administration, and the Farm Credit Administration, and the Director of the Federal Emergency Management Agency, plans for the continued or resumed operation and liquidity of banks, savings and loans, credit unions, and farm credit institutions, measures for the reestablishment of evidence of assets or liabilities, and provisions for currency withdrawals and deposit insurance.

From  
EO 11490  
FBSA\*  
§2001

(2) Provide for the protection of United States financial resources including currency and coin production and redemption, Federal check disbursement facilities, and precious monetary metals.

NSDD-47  
p.8 &  
TREAS  
§1501(10)  
& (12)

(3) Provide for preservation of, and facilitate emergency operations of, public and private financial institution systems, and provide for their restoration during or after national security emergencies.

NSDD-47  
p.8

(4) [(8)] Provide for [P]participation in bilateral and multilateral financial arrangements with foreign governments.

Becomes  
§1501(4)

[(11) Development of systems for the issuance of Treasury payments.]

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\*Federal Bank Supervisory Agencies

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(5) [(12)] Maintain[enance of] the [central] Federal government  
accounting and financial reporting system.

Becomes  
\$1501(5)

[(13) Administration of customs laws, tax laws, laws on control of alcohol, alcoholic beverages, tobacco, and firearms, and Title XI of the Organized Crime Control Act of 1970.]

[(14) Suppression of counterfeiting and forgery of government securities, stamps, coins, and currency.]

(6) [(15)] Protect[ion of] the President, the Vice President,  
other officers in the order of succession, and other designated persons.

Becomes  
\$1501(6)

(8) [(16)] Develop plans for initiating tax changes, waiving regulations, or, in conjunction with the Secretary of Commerce, for [G]granting [of] loans (including participation in or guarantees of loans) for the expansion of capacity, the development of technological processes, or the production of essential materials.

Becomes  
\$1501(8)

[(17) Enforcement of marine inspection and shipping laws, to the extent that such functions have not been transferred to the Secretary of Transportation.]

(7) [Sec. 1502. The Secretary of the Treasury shall assume the initiative in d] Develop[ing] plans for restoration of the economy following a nuclear attack; [implementation of national policy on sharing war losses and] for the development of emergency monetary, credit, and Federal benefit payment programs of those Federal departments and agencies [which] that have responsibilities dependent on the policies or capabilities of the Department of the Treasury; and for implementation of national policy on sharing war losses.

Becomes  
\$1501(7)**DRAFT**

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(9) Develop plans to expand production capacity abroad for essential materials, make foreign barter arrangements, or acquire emergency imports, using, as appropriate, the resources of the Export-Import Bank, or resources available to the Bank.

From  
EO 11490  
ExImBank  
former  
§1901

(10) Develop plans for encouraging capital inflow and discouraging the flight of capital from the United States and the impounding of securities in the hands of enemy aliens, in conjunction with the Attorney General, the Secretary of Commerce, and the Chairman of the Securities and Exchange Commission.

From  
EO 11490  
SEC  
former  
§3101(5)

(11) [(9)] Regulate[ion of] financial and commercial transactions within the scope of [section 5(b) of the Trading With the Enemy Act, as amended, the International Emergency Economic Powers Act and the United Nations Participation Act] existing law, in consultation with the Attorney General and the Secretaries of Commerce and State [and Commerce].

Becomes  
§1501(11)

[(10) Development of procedures for the manufacture and/or issuance and redemption of securities, stamps, coins, and currency.]

(12) Control the movement of people and materiel across the borders, in conjunction with the Secretary of Commerce and the Attorney General.

New  
§1501(12)

Sec. 1502. Support Responsibilities. The Secretary of the Treasury shall:

(1) Cooperate with the Attorney General on law enforcement activities which may cause or occur during national security emergencies.

New

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(2) Cooperate and consult with the Chairman of the Commodity Futures Trading Commission with regard to trading of commodity futures and options contracts, maintenance and restoration of stable and orderly markets, protection of records of ownership and transactions, and restoration of markets and accounts in the event major trading centers are destroyed or inoperable.

11490  
CFTC  
former  
§1701

(3) Cooperate and consult with the Chairman of the Securities and Exchange Commission in the development of emergency financial control plans and regulations for stock trading, while maintaining exclusive authority over temporary closure of security exchanges and protection of securities, and in the development of plans for the maintenance and restoration of stable and orderly markets for the purpose of reestablishing industry and commerce during or after national security emergencies.

From  
EO 11490  
SEC  
former  
§3101

**DRAFT**

**DRAFT**

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[PART 16 - CIVIL AERONAUTICS BOARD]

Subsumed  
in revised  
DOT Part

[Sec. 1601. Definitions. As used in this Part:]

[(1) "Civil Reserve Air Fleet" (CRAF) means those civil air carrier aircraft allocated by the Secretary of Transportation to the Department of Defense to meet essential military needs in the event of an emergency.]

[(2) "War Air Service Program" (WASP) means the program to provide for the maintenance of essential civil air carrier routes and services, and to provide for the distribution and redistribution of civil air carrier aircraft among civil air transport carriers after withdrawal of aircraft allocated to the Civil Reserve Air Fleet.]

[Sec. 1602. Functions. The Civil Aeronautics Board, under the authority of the Secretary of Transportation, shall exercise emergency resource management of the WASP except for those functions enumerated in Sections 204 (excluding evaluation) and 205 of this Order. Upon abolishment of the Civil Aeronautics Board as provided under Title XVI of the Federal Aviation Act of 1958, all authority and responsibility herein delegated to or conferred upon the Civil Aeronautics Board shall be exercised by the Secretary of Transportation, except the economic regulation of mail rates which shall be exercised by the United States Postal Service.]

[Sec. 1603. The Civil Aeronautics Board, in exercising emergency resource management of the WASP, shall perform the following functions:]

[(1) Utilization of WASP aircraft. Develop plans for, and to the extent necessary, be prepared to direct the use of WASP civil air transport aircraft as may be required for the provision of WASP services.]

[(2) Economic regulations. Develop plans covering route authorizations and operations, tariffs, rates, and fares charged the public, mail]

**DRAFT**

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[rates, Government compensation and subsidy, and accounting and contracting procedures essential to WASP operations.]

[(3) Operational controls and priorities. Develop plans and procedures for the administration of operational controls and priorities of passenger and cargo movements in connection with the emergency use of air carrier aircraft for WASP purposes.]

[(4) Investigation. Maintain the capability to investigate violations of emergency economic regulations affecting air carrier operations.]

[(5) Contracting. Prepare to perform as a contracting agency, if necessary, in connection with distribution and redistribution of aircraft for WASP.]

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[PART 17 - COMMODITY FUTURES TRADING COMMISSION]

Subsumed  
in TREA  
section

[Sec. 1701. Functions. The Commodity Futures Trading Commission shall cooperate with the Department of the Treasury and other Federal departments and agencies with respect to emergency financial control plans, programs, procedures, and regulations. The Commission shall:]

[(1) Trading of commodity futures and options contracts. If required in the interest of maintaining or restoring orderly trading or preventing manipulation or other major market disturbances, provide for temporary closure of contract markets, suspension of delivery rights and obligations and/or liquidation of outstanding commodity futures and option contracts.]

[(2) Modified trading. Provide guidance to permit contract markets to maintain or restore a stable and orderly market for commodity futures and options contracts when the situation permits under emergency conditions.]

[(3) Protection of records of transactions. Provide guidance to the boards of trade for provision of records which will make it possible to establish current ownership rights of commodity futures and options contracts in the event major trading centers and record centers are destroyed or inoperable.]

[(4) Flow of capital. Provide guidance for the preservation of a system of records which will make it possible to identify ownership of customer property held in segregated customer accounts by futures commission merchants in the event major trading centers and records are destroyed or inoperable.]

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August 1, 1986

PART [18] 16 - ENVIRONMENTAL PROTECTION AGENCY

Sec. [1801] 1601. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, [T]the Administrator of the Environmental Protection Agency shall [is responsible for the following]:

[(1) Diagnosis of problems and hazards in the environment which would impede the survival and recovery efforts of the Nation.]

(1) [(2)] Develop[ing] Federal plans and foster[ing] development of State and local plans designed to prevent or minimize the [long-term] ecological impact of hazardous agents introduced into the environment in [an] national security emergencies[y situation].

Former  
§1801(2)

[(3) Assisting all primary resource agencies regarding plans to preserve the quality of resources needed in an emergency.]

[Sec. 1802. Definitions. As used in this Part:]

[(1) "Potable water" means drinkable water from all sources required for use in community water supply systems.]

[(2) "Community water system" means any water supply system, regardless of ownership, which serves potable water to two or more unrelated users.]

[(3) "Hazardous agent" means any nuclear, biological, chemical, or other agent introduced into the environment in an emergency that affects adversely the health of the population and impedes resumption of normal operations of a community or the Nation.]

**DRAFT**

August 1, 1986

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[Sec. 1803. Functions. The Administrator of the Environmental Protection Agency shall perform the following functions:]

(2) [(1)] Develop, in conjunction with the Secretary of Defense [acting through the Secretary of the Army and other responsible Federal agencies], [emergency] plans to assure the provision of potable water supplies to meet community needs[; develop plans and procedures to safeguard water quality] under national security emergency conditions, [; and develop emergency programs and allocation procedures designed to assure the availability of] including claimancy for materials and equipment for community water systems.

Former  
\$1803(1  
now  
\$1601(2

(3) [(2)] Develop, for national security emergencies, [and provide] guidance on acceptable emergency levels of nuclear radiation, assist [the Departments of Health and Human Services, Agriculture, Interior, and Commerce] in determining acceptable emergency levels of biological agents, and [in cooperation with the Departments of Energy, Health and Human Services, Agriculture, Interior and Commerce,] help to provide detection and identification of chemical agents...

Former  
\$1803(2  
now  
\$1601(3

Sec. 1602. Support Responsibilities. The Administrator of the Environmental Protection Agency shall:

(1) ...Assist other Federal agencies that are responsible for developing plans for the detection, reporting, assessment, protection against, and reduction of effects of hazardous agents introduced into the environment.

Former  
part of  
\$1803(2

(2) [(3)] Consult with the [Department] Secretary of Defense on environmental protection policies [which] that affect national security emergency [mobilization] preparedness.

Former  
\$1803(3

# DRAFT



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August 1, 1986

[PART 19 - EXPORT-IMPORT BANK OF THE UNITED STATES]

Subsumed  
in TREAS  
section

[Sec. 1901. Functions. In support of the domestic economy or to strengthen the relative position of the United States and its allies, under guidance of the Secretary of the Treasury, the Export-Import Bank shall develop plans for the use of the resources of the Bank, or resources made available to the Bank, to:]

[(1) Expand production capacity abroad for essential materials.]

[(2) Make foreign barter arrangements.]

[(3) Acquire emergency imports.]

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August 1, 1986

## [PART 20 - FEDERAL BANK SUPERVISORY AGENCIES]

[Sec. 2001. Financial Plans and Programs of Federal Bank Supervisory Agencies. The Board of Governors of the Federal Reserve System, the Federal Home Loan Bank Board, the Farm Credit Administration, the Federal Deposit Insurance Corporation, and the National Credit Union Administration shall participate with the Federal Emergency Management Agency, the Department of the Treasury (including the Comptroller of the Currency), and other government agencies in the formulation of emergency financial and stabilization policies. The head of each such supervisory agency shall, as appropriate, develop emergency plans, programs, and regulations in consonance with such emergency financial and stabilization policies, to address the potential economic effects of an emergency, including:]

Subsume  
in TREA  
section

[(1) Money and credit. Provision and regulation of money and credit in accordance with the needs of the Nation's economy, including the acquisition, decentralization, and distribution of emergency supplies of currency; the collection of cash items and non-cash items; and the conduct of fiscal agency and foreign operations.]

[(2) Operations of financial institutions. Provision for the continued or resumed operation of banking, savings and loan, credit union, and farm credit institutions, including measures for the re-creation of evidence of assets or liabilities destroyed or inaccessible.]

[(3) Liquidity. Provision of liquidity necessary to the continued or resumed operation of banking, savings and loan, credit union, and farm credit institutions, including those damaged or destroyed.]

[(4) Cash withdrawals and credit transfers. Regulation of the withdrawal of currency and the transfer of credits including deposit and share account balances.]

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[(5) Insurance. Provision for the assumption and discharge of liability pertaining to insured deposits and insured savings accounts or withdrawable shares in banking, credit union, and savings and loan institutions destroyed or made insolvent.]

[(6) Economic stabilization. Provision of emergency guidance and funds to banking, credit union and savings and loan institutions to assist in stabilization of the Nation's economy in order to provide a sound economic base for continuing operations, combating inflation, maintaining confidence in public and private financial institutions, and promoting thrift.]

[Sec. 2002. Sharing of War Losses. The head of each such supervisory financial agency shall, as appropriate, participate with the Federal Emergency Management Agency and the Department of the Treasury in the development of policies, plans, and procedures for implementation of national policy on sharing war losses.]

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August 1, 1986

PART [21] 17 - FEDERAL EMERGENCY MANAGEMENT AGENCY

Sec. [2101] 1701. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, [T]the Director of the Federal Emergency Management Agency shall: ...

(1) Support national security emergency preparedness planning, facilitating coordination between Federal departments and agencies and State and local governments, and assisting in the implementation of National Security Council policy through coordination among Federal departments and agencies.

New  
\$1701(1)  
from  
NSDD-18

[...establish Federal policies for, coordinate and evaluate all emergency preparedness activities and functions of, the Federal government, and shall be responsible for the preparation of guidance for non-military plans and preparedness programs for the organization and functioning of the Federal government under emergency conditions. The Agency shall provide policy and planning guidance and assistance to Federal departments and agencies in performing the emergency preparedness functions specified in this Order, and shall advise and...]

Covered  
by Gen'  
Provisi.  
\$201(5)

Covered  
by new  
\$1701(1)

(2) ...[a]Assist State and local government entities and private organizations[, upon request,] in providing effective preparedness for national security emergencies, including development of plans and procedures for assuring continuity of government, and support planning for prompt and coordinated Federal assistance to States and localities in respon[se]ding to [emergency situations] national security emergencies.

Becomes  
\$1701(2)

From  
NSDD-47  
p.5,  
bullet

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**DRAFT**

August 1, 1986

(3) Design, coordinate, and administer policies and programs to enhance Federal, State, and local capabilities for crisis management, population protection, and recovery in the event of an attack on the United States.

New  
\$1701(3)

(4) Develop, under the direction of the National Security Council, and in cooperation with appropriate Federal departments and agencies, the implementation of policies and coordination mechanisms to insure efficient mobilization of Federal, State, local, and private sector resources in response to national security emergencies.

New  
\$1701(4)  
derived  
from  
former  
\$2103(2)

(5) Formulate and carry out plans for stockpiling strategic and critical materials, with the assistance of other Federal departments and agencies.

New  
\$1701(5)

(6) Provide the National Security Council an annual assessment of Federal, State, and local capabilities to respond to national security emergencies.

New  
\$1701(6)

(7) Support public education and training activities to assist Federal, State, and local government entities in planning for and implementing national security emergency preparedness programs, including radiological defense programs, and encourage volunteer activities at the community level.

New  
\$1701(7)

(8) Coordinate the planning and evaluation of national security emergency exercises among the Federal departments and agencies.

New  
\$1701(8)  
per FEM  
ExPIngC

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[Sec. 2102. Functions. The Federal Emergency Management Agency shall perform the following emergency preparedness functions, in accordance with cited statutes and Executive Orders, except as provided in Sections 206, 212, 501(31), 701(8) and 701(9):]

[(1) All existing functions transferred or reassigned to the Agency by Executive Order No. 12127 and by Sections 1, 2 and 4 of Executive Order No. 12148, as amended.]

[(2) All functions delegated to the Agency by Executive Order No. 12316 relating to responses to environmental damage.]

[(3) All functions relating to development of a National Contingency Plan to protect the public health and safety in case of accidents at nuclear power facilities, as delegated by Executive Order No. 12241.]

[(4) Functions vested in the President by Sections 3 and 11 of the Strategic and Critical Materials Stock Piling Act and delegated to the Agency by Sections 1-101 and 1-105 of Executive Order No. 12155, as amended.]

[(5) Functions vested in the President by Section 101(c) of the Defense Production Act of 1950, as amended, and delegated to the Agency with instructions for redelegation by Executive Order No. 11912, as amended.]

[(6) Provide policy guidance for, and administration of, the National Defense Executive Reserve, as specified by Executive Order No. 11179, as amended.]

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[(7) Consult with the Departments of Agriculture, Commerce, Defense, Interior, and Transportation concerning development and approval of voluntary agreements, subject to consultation and approval by the Attorney General and the Federal Trade Commission, as needed to help provide for the defense of the United States, pursuant to the Defense Production Act of 1950, as amended, Executive Order No. 10480, and appropriate Defense Mobilization Orders.]

Moved to  
General  
Provisio  
and new  
1702(1)(

[(8) In conjunction with other Federal departments and agencies, develop mechanisms for management of the Nation's resources and stabilization of its economy, in accordance with the National Security Act of 1947, as amended, to provide flexibility in situations in which governmental intervention into the market place is clearly required to meet the needs of emergency situations.]

See GP,  
new  
\$201(1)(  
and (b)

[Sec. 2103. Additional Functions. In addition to those specified in Section 2102, the Federal Emergency Management Agency shall perform the following emergency preparedness functions:]

[(1) Assist the General Services Administration and the Departments of Commerce, Defense, and Energy in developing, maintaining and activating trigger orders with selected machine tool manufacturers.]

See new  
\$1702(1)

[(2) Except for military or nuclear facilities under the cognizance of the Department of Defense or the Department of Energy, coordinate the Federal government's non-law enforcement response to the consequences of civil security threats and incidents, including transforming national objectives and policy into planning guidance for the Federal departments and agencies to avoid or mitigate the consequences of acts of domestic]

See new  
\$1701(6  
and (9)

# DRAFT

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[terrorism and sabotage. This involves requesting and receiving threat estimates; evaluating their impact on civil security programs; coordinating the production of vulnerability and consequences estimates for the various threats; reviewing and coordinating the civil security planning development of Federal departments and agencies; and performing periodic evaluations of the government's civil security readiness posture.]

(9) Assist other Federal departments and agencies in coordination of programs to ensure the continuance of industry and infrastructure functions essential to national security, to include:

New  
\$1701(9

(a) Coordinated assessment of vulnerabilities to disruption and development of strategies for protection, restoration, and mitigation; and

(b) Stimulation of business and industry to conduct all-hazard emergency preparedness planning.

(10) Assist the National Security Council in assuring that plans are developed for continuity of the Executive Branch during national security emergencies.

New  
\$1701(1

(11) Develop, with the assistance of the Secretary of Defense, capabilities to assess actual attack damage, as well as capabilities to estimate the effects of potential attacks on the Nation, in accordance with Sec. 204(3).

New  
\$1701(1

(12) Provide guidance on resource-claimancy and appropriate use of Defense Production Act authorities, in order to improve the capability of industry and infrastructure systems, including transportation and energy, to meet national security emergency needs.

New  
\$1701(1  
from  
NSDD-47  
Ind.Mob  
p.6,  
bullet

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Sec. 1702. Support Responsibilities. The Director of the Federal Emergency Management Agency shall:

(1) Assist the Secretaries of Commerce and Defense, and the heads of other Federal departments and agencies, as appropriate, in preparing plans to mobilize industry in order to achieve timely and sufficient production of military and essential civilian materiel needed during national security emergencies.

New  
\$1702(1  
from  
NSDD-47  
Ind.Mob  
p.5

(a) Establish and maintain plans and mechanisms, subject to evaluation by the National Security Council, for the effective coordination of resource claimancy and voluntary allocation of resources among all Federal departments and agencies and between the Federal government and the States, at both national and regional levels, during national security emergencies. Such plans and mechanisms shall support the operations of any Federal department or agency having authority to establish priorities and allocate resources in national security emergencies.

From  
former  
General  
Provisi  
\$204(3)

(b) Coordinate development and operation of a system of standby and voluntary agreements, subject to the approval of the Attorney General and in consultation with the Chairman of the Federal Trade Commission.

From  
former  
FEMA  
\$2102(7

(2) Assist the Secretaries of Defense and Labor and the Director of the Selective Service System, as appropriate, in developing plans and systems to ensure that the Nation's human resources are available to meet essential military and civilian needs in national security emergencies.

New  
\$1702(2  
from  
NSDD-47  
Human  
Resourc  
p.6

(3) Assist the Secretaries of Defense, Health and Human Services, and State in the coordination and implementation of plans for the protection, evacuation, and repatriation of United States citizens in threatened areas overseas, their onward movement, and followup assistance after their arrival at their final destinations.

New  
\$1702(3

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(4) Coordinate and integrate, in cooperation with the Secretary of State, United States civil resources preparedness planning with allies, especially member nations of the North Atlantic Treaty Organization.

New  
\$1702(4  
in part  
from  
NSDD-47  
Ind.Mob  
p.6,  
bullet

(5) Assist Emergency Coordinators of the other Federal departments and agencies and convene, as needed, meetings of the Emergency Coordinators to address national security emergency preparedness issues.

New  
\$1702(5

(6) Assist other Federal departments and agencies in enhancement and supplementation of State and local efforts to provide services for dealing with mass casualties and other mass care needs resulting from national security emergencies.

New  
\$1702(6

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August 1, 1986

[PART 22 - FEDERAL TRADE COMMISSION]

[Sec. 2201. Responsibilities. The Federal Trade Commission shall consult with the Director of the Federal Emergency Management Agency and the Secretaries of Agriculture, Commerce, Defense, Interior and Transportation, as needed, pursuant to the Defense Production Act of 1950, as amended, and Executive Order No. 10480, as amended, concerning the development and implementation of voluntary agreements to help provide for the defense of the United States. The Chairman of the Commission shall consult with the Attorney General concerning the voluntary agreements program and shall, with the Attorney General, monitor and conduct surveys of such voluntary agreements and the effects of the administration of the voluntary agreements program.]

Covered  
in  
General  
Provisio  
and FEMA  
sections

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August 1, 1986

PART [23] 18 - GENERAL SERVICES ADMINISTRATION

Sec. [2301] 1801. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, [T]the Administrator of General Services shall: [prepare emergency plans and develop preparedness programs designed to permit modification or expansion of the activities of the General Services Administration under the Federal Property and Administrative Services Act of 1949, as amended, and other pertinent statutes.]

Covered  
by Gene  
Provisi

[Sec. 2302. Functions. The Administrator of General Services shall perform the following preparedness functions:]

(1) [Public buildings.] Develop national security emergency plans and procedures for the operation, maintenance, and protection of [both existing and new] Federally owned and occupied buildings, and for the construction, alteration, and repair of such buildings. [In conjunction with other Federal departments and agencies,...]

(2) D[d]evelop national security emergency operating procedures for the control, acquisition, leasing, assignment, and priority of occupancy of real property by the Federal government, and by State and local governments [to the extent they may be performing functions] acting as agents of the Federal government.

(3) [(2) Public utility service management. Except as otherwise provided in Executive Order No. 12472, d] Develop national security emergency operational plans and procedures for the [claimancy, procurement, and] use of public utility services [for emergency activities of] by Federal departments and agencies.

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(4) [(3) Automated information processing.] Plan for and provide, operate, and maintain automated information processing facilities and services designed to meet the essential requirements of Federal civil[ian] departments and agencies during [an] national security emergenc[y]ies. [Such plans and programs shall be in consonance with the automated data processing policies, plans, and programs developed pursuant to Section 111 of the Federal Property and Administrative Services Act, as amended, pertinent Presidential directives, Executive Order No. 12148, as amended, or other appropriate authority.]

(5) [(4) Transportation.] Develop [emergency] plans and procedures for providing[:]

[(a) G]general transportation and traffic management services for [civilian] essential activities of Federal civil departments and agencies during national security emergencies. [in connection with movement of property and supplies, including the claimancy, contracting, routing, and accounting of Government shipments by commercial transportation; and]

[(b) Motor vehicle service to meet the administrative needs of Federal departments and agencies, including dispatch and scheduled government motor service at and between headquarters, field offices, relocation sites, and other installations.]

(3) [(5) Records.] Provide instructions and advice on selection, maintenance, and preservation[, arrangement, reference, reproduction, storage, and salvage] of essential records [needed for the operation of the Federal government] in [an] national security emergenc[y]ies, [including a decentralized system] in cooperation with the Archivist, National Archives and Records Administration.

Becomes  
§1802(3)**DRAFT**

August 1, 1986

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[(6) Federal Register. Develop emergency procedures for providing and making available, on a decentralized basis, a Federal Register of Presidential Proclamations and Executive Orders, Federal administrative regulations, Federal emergency notices and actions, and Acts of Congress, during an emergency.]

This is  
now a  
NARA  
function  
moved to  
General  
Provisi  
§201(13

(6) [(7) Government-wide procurement and supply.] Prepare plans and procedures for operation of government-wide supply programs to meet the requirements of Federal departments and agencies [under] during national security emergencies [y conditions], including the development of policies, methods, and procedures for [emergency] procurement and for [emergency] requisitioning of private property when authorized by law [and competent] or other authority. [;identification of essential civil agency supply items under the Federal catalog system; development of emergency Federal specifications and standards; determination of sources of supply; procurement of personal property and non-personal services; furnishing inspection and contract administration services; and establishment and/or operation of emergency storage and distribution facilities.]

[(8) Machine Tool Trigger Order Program. Develop, maintain, and activate (trigger) standby industrial mobilization agreements with selected machine tool manufacturers, in conjunction with the Departments of Commerce and Defense and the Federal Emergency Management Agency.]

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(7) [(9) Excess and surplus real and personal property.] Develop plans and [emergency] operating procedures for the use, in national security emergencies, of excess and surplus real and personal property by Federal, [departments and agencies with emergency assignments or by] State, and local governmental entities [units]. Review property holdings of Federal departments and agencies [which do] not [possess] having national security emergency functions to determine [the] their availability [of that property for emergency use] and develop plans for the lease, loan, or disposal of real and personal property and the rehabilitation of personal property.

(8) [(10) Facilities protection and building and shelter management service.] Promote, with respect to Federal buildings and installations, [I]n accordance with National Security Council policy and assistance [guidance] from the Director of the Federal Emergency Management Agency and[, as appropriate,] the Secretary [Department] of Defense, [promote, with respect to Federal buildings and installations,] a government-wide program to[:]

[(a) Stimulate emergency protection, preparedness, and control in order to] minimize the effects of [overt or covert] attack[, including dispersal of facilities;] and

[(b) E] establish shelter management organizations, including safety and service personnel, shelter management service, first aid, police, and evacuation service.

Sec. 1802. [2303. Defense Production.] Support Responsibilities.  
The Administrator of General Services shall:

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(1) [a] Assist the Director of the Federal Emergency Management Agency in the formulation of plans and programs relating to the certification of procurement programs, subsidy payments, the Machine Tool Trigger Order Program, and plant improvement programs provided for by the Defense Production Act of 1950, as amended.

[Sec. 2304. National Defense Stockpile. The Administrator of General Services shall]

(2) [a] Assist the Director of the Federal Emergency Management Agency in formulating plans, programs, and reports relating to the stockpiling of strategic and critical materials. [These plans and programs shall provide for the procurement (for this purpose, procurement includes production, upgrading, rotation, and beneficiation), storage, security, maintenance, inspection, withdrawal, and disposal of materials.]

(3)

Former  
§2302(5)

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August 1, 1986

[PART 24 - GOVERNMENT PRINTING OFFICE]

[Sec. 2401. Responsibilities. Through joint agreement between the Director of the Federal Emergency Management Agency and the Public Printer of the United States, the Public Printer of the United States shall satisfy essential requirements of graphic arts products and services of the Legislative, Executive, and Judicial branches of the United States Government under emergency conditions by managing and directing the Government Printing Office in the production/procurement and distribution of those products and services in accordance with Title 44 of the United States Code, and other pertinent laws and regulations.]

Covered  
by §202,  
General  
Provisio

[Sec. 2402. Functions. The Public Printer shall develop policies, plans, and procedures for continued Government Printing Office operations in any emergency situation to:]

[(1) Provide printing and binding services.]

[(2) Provide graphic arts services by procurement of such services from the commercial sector.]

[(3) Provide paper, paper products, and other graphic art supplies as required incident to the printing and binding trades by procurement from commercial vendors.]

[(4) Arrange for the distribution/transportation of those graphic arts products or paper/paper products produced or procured by the Government Printing Office in conjunction with the Department of Defense and the Department of Transportation, as appropriate.]

[(5) Provide, upon request, technical assistance and advice to other Federal departments and agencies that operate printing facilities or procure graphic art services.]

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August 1, 1986

PART [25] 19 - INTERSTATE COMMERCE COMMISSION

Sec. [2501] 1901. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, [T]the Chairman of the Interstate Commerce Commission[, under the coordinating authority of the Secretary of Transportation, and in consultation with the Department of Defense,] shall: ....

(1) ...[prepare] Develop, in coordination with owners and transportation associations, [emergency] plans and [develop] preparedness programs for the reduction of vulnerability, maintenance, restoration, and operation of [the] privately owned railroads, [in an emergency (other than the National Railroad Passenger Corporation (AMTRAK) and the Alaska Railroad, as specified in Section 1404 (3)(h) of this Order); the use, reduction of vulnerability, and operation in an emergency, of] motor carriers, [; and the use of equipment and shipping on the] inland waterway[s] transportation systems, and public storage facilities and services in national security emergencies. [; and shall provide guidance and consultation to domestic surface transportation and storage industries, as defined below, regarding emergency preparedness measures, and to the States regarding development of their transportation plans in assigned areas. Specifically excluded are plans and programs related to pipelines; petroleum and gas storage; agricultural food resources storage (including the cold storage of food resources); the St. Lawrence Seaway, ocean and Great Lakes ports and port facilities; highways, streets, roads, bridges, and related appurtenances; maintenance of inland waterways; and any transportation owned by or preallocated to the Department of Defense.]

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[Sec. 2502. Definitions. As used in this Part:]

[(1) "Domestic surface transportation and storage" means rail, motor, and inland water transportation facilities and services and public storage.]

[(2) "Public storage" means warehouses and other places used for the storage of property belonging to persons other than the persons having the ownership or control of such premises.]

[(3) "Inland water transportation" means shipping on all inland waterways and Great Lakes shipping engaged solely in the transportation of passengers or cargo between United States ports on the Great Lakes.]

[Sec. 2503. Transportation Functions. The Interstate Commerce Commission shall perform the following preparedness functions:]

[(1) Operational control. Develop plans with private transportation and storage organizations and associations for the coordination and direction of the use of domestic surface transportation and storage facilities for movement of passenger and freight traffic.]

[(2) [Emergency operations. Develop and maintain] Prepare orders and regulations for the operation of[, and assure the availability of, necessary] domestic surface transportation and storage industries in [an] national security emergenc[y]ies.

Sec. 1902. Support Responsibilities. The Chairman of the Interstate Commerce Commission shall:

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August 1, 1986

## [PART 26 - NATIONAL AERONAUTICS AND SPACE ADMINISTRATION]

[Sec. 2601. Functions. The Administrator of the National Aeronautics and Space Administration shall perform the following functions:]

[(1) Research and development. Adapt and utilize the scientific and technological capability of the National Aeronautics and Space Administration to meet priority needs of the programs of the Federal government in an emergency, including the direction and conduct of essential research and development activities relating to:]

Move to R&D Sec. in Gen'l Provs.

[(a) Aircraft, spacecraft, and launch vehicles and associated instrumentation, guidance, control and payload, propulsion, and communications systems;]

Same as above

[(b) Scientific phenomena affecting both manned and unmanned space flights;]

Same as above

[(c) The life sciences (biology, medicine, and psychology) as they apply to aeronautics and space; and]

Same as above

[(d) Atmospheric and geophysical sciences.]

Same as above

[(2) Military support. Provide direct assistance as requested by the Department of Defense and other agencies in support of the military effort. This may include:]

[(a) Undertaking urgent projects to develop superior aircraft, spacecraft, launch vehicles, and weapons systems;]

Same as above

[(b) Developing methods to counter novel or revolutionary enemy weapons systems;]

Response to DOD requests move to §501(9)

[(c) Providing technical advice and assistance on matters involving air and space activities; and]

Same

[(d) Furnishing personnel and facilities to assist in emergency repairs of equipment and for other essential purposes.]

Same

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August 1, 1986

## [PART 27 - NATIONAL SCIENCE FOUNDATION]

[Sec. 2701. Functions. The Director of the National Science Foundation shall perform the following functions:]

[(1) Workforce. Assist the Department of Labor in sustaining readiness for the mobilization of the civilian workforce by:]

[(a) Developing, in consultation with the Department of Labor, the Selective Service System, and the Department of Defense, plans and procedures to assure the most effective use of the Nation's scientific and engineering workforce in an emergency;]

Becomes part of DOD lead responsibilities in \$501(

[(b) Providing leadership in developing, with the assistance of Federal and State agencies and appropriate non-governmental organizations, the ability to mobilize scientists, in consonance with overall civilian workforce mobilization programs, and the ability to perform or assist in performance of special task; and]

Same as above

[(c) Preparing to carry on necessary programs for research and for training of a scientific workforce.]

Deleted per discussi with NSF staff

[(2) Radiological defense. Advance the national radiological defense capability by including, in consultation with appropriate agencies, pertinent scientific information and radiological defense techniques in the Foundation's science education programs for science, mathematics and engineering teachers.]

Same as above

[(3) Research facilities. Assemble data on the location and character of all major scientific research facilities, including non-governmental as well as governmental facilities, and their normal inventories of types of equipment and instruments which would be useful in identification and in analysis of hazards to human life in emergencies.]

Same as above

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August 1, 1986

PART [28] 20 - NUCLEAR REGULATORY COMMISSION

Sec. [2801] 2001. [Functions.] Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Chairman of [T]the Nuclear Regulatory Commission shall: [prepare and develop emergency preparedness plans, programs and procedures for the continuing conduct of the nuclear regulatory activities of the Federal government as specified in the Atomic Energy Act of 1954, as amended, and the Energy Reorganization Act of 1974, as amended. These plans and programs shall be designed to develop a state of readiness under all conditions of national emergency. The Commission will be prepared to perform the following functions, to the extent permitted by law:]

[(1) Regulation. Continue or resume:]

[(a) Controlling the possession, use, transfer, import, and export of licensed nuclear materials and facilities;]

Non-emergen

[(b) Authorizing the operation or continued operation of licensed facilities or activities important to the national defense, and ordering the suspension of operation of licensed facilities and activities as necessary; and]

Non-emergen

(3) [(c) Authorizing] Facilitate the recapture of special nuclear materials from licensees where necessary to assure the use, preservation, or safeguarding of such materials for the common defense and security.

Becomes \$2001(3

(1) [(2) Health and safety.] Assure the development and maintenance of national security emergency preparedness programs, including security and safeguards programs, by licensed facilities and activities. Order the suspension or limitation of operation[, if required,] of Commission-

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licensed nuclear facilities and activities [which could otherwise constitute an unnecessary hazard] as necessary to maintain public health and safety.

[Assure the development and maintenance of emergency preparedness programs by licensed facilities and activities.]

(2) [(3) Contingency plans. Implement] Develop contingency plans, [developed] in consultation with the Department of Energy and other Federal departments and agencies as appropriate, for dealing with threats, thefts, and sabotage relating to special nuclear materials, high-level radioactive wastes, and nuclear facilities. [, resulting from activities licensed under the Atomic Energy Act of 1954, as amended. Participate in the execution of the plans where necessary to protect the public health and safety and the common defense and security.]

Subsumed  
under  
§2001(1)

[(4) Facility and nuclear materials security and safeguards. Assure the continued maintenance by licensees of security and safeguards programs at licensed facilities and to guard against thefts and sabotage of nuclear materials.]

Subsumed  
under  
§2001(1)

[(5) Scientific and technical information. Organize, reproduce, and disseminate essential scientific and technical reports and information to interested government agencies, the scientific and technical communities, the public, and friendly and cooperating foreign nations, regarding the regulation of the construction and operation of licensed nuclear facilities and the use of licensed nuclear materials. In the dissemination of such information, the Commission shall, to the extent appropriate, use the capabilities of the National Technical Information Service of the Department of Commerce.]

See  
§201(11)  
and (12)

**DRAFT**

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[(6) State relations. Maintain, in consultation with other Federal departments and agencies, general liaison concerning the materials licensing program with Agreement States, as defined in the Atomic Energy Act of 1954, as amended, and the radiological incident emergency planning program, to assure that these programs are effectively maintained to protect public health and safety.]

See new  
§201(1)  
and  
§201(6)  
and (7)

[(7) International liaison. Maintain, in consultation with the Department of State and in cooperation with other affected Federal departments and agencies as appropriate, essential liaison with foreign nations with respect to the export licensing program and other activities of mutual interest involving nuclear energy.]

Normal  
peacetime  
function

[(8) Priorities and allocations. Administer any priorities and allocations authority delegated to the Nuclear Regulatory Commission.]

Covered  
§203(5)  
& (6) &  
1702(1)

Sec. 2002. Support Responsibilities. The Chairman of the Nuclear Regulatory Commission shall:

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PART [29] 21 - OFFICE OF PERSONNEL MANAGEMENT

Sec. [2901] 2101. [Functions.] Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Director of [T]the Office of Personnel Management shall [perform the following emergency preparedness functions]:

(1) [Personnel system.] Prepare [overall] plans [for] to simplify[ing] the administration of the Federal civilian personnel system in [an] national security emergenc[y]ies.

(1) [(2) Utilization. Develop policies and procedures to a]Assist Federal agencies to achieve the best emergency use of Federal civilian personnel in national security emergencies.

Becomes §2102(1) Support Responsibility

(2) [(3) Workforce policies. Participate in d]Develop[ing national and regional] national security emergency work force policies for Federal civilian personnel.

(3) [(4) Wage and salary stabilization. In cooperation with the Department of Labor and the Federal Emergency Management Agency, d]Develop plans to implement, in national security emergenc[y]ies, [national and regional] wage and salary stabilization policies for Federal civilian personnel. [, and prepare and issue plans for the implementation of such policies.]

(2) [(5) Staffing assistance. Develop plans for r]Render[ing] personnel management and staffing assistance to new and expanding Federal agencies in [an] national security emergenc[y]ies.

Becomes §2102(2) Support responsibility

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(4) [(6) Recruiting.] Develop plans for coordinating and controlling civilian recruiting [policies and] practices by [all] Federal agencies to increase the effectiveness of recruitment efforts [and prevent undesirable recruitment practices] during [an] national security emergenc[y]ies.

(5) [(7) Reassignment.] Develop plans for the [emergency] reassignment or transfer of Federal civilian employees in national security emergencies. [(including the movement of employees from one agency or location to another) to meet the urgent needs of Federal departments and agencies.]

(6) [(8) Registration.] Develop plans and procedures for a [nationwide] system of [post-attack] registration of Federal employees to provide a means of [locating, and] returning to duty, employees [physically] separated from their agencies during national security emergencies. [after an enemy attack, and to provide for the best use of the skills of surviving employees.]

(3) [(9) Deferment.] In consultation with the Secretary of Defense and the Director of the Selective Service System, develop [emergency] plans and procedures for a system to control requests for the selective deferment of employees [in] of Federal departments and agencies during national security emergencies.

Becomes \$2102(3 Support responsibility

[(10) Investigation. Prepare plans, in coordination with Federal departments and agencies having responsibilities in the personnel security field, for the conduct of national agency checks and inquiries, limited suitability investigations, and full-field investigations, under emergency conditions.]

Ongoing peacetime function

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(7) [(11) Salaries, wages, and benefits.] Develop plans to [for] operate[ing], [under] during national security emergenc[y]ies [conditions], the essential aspects of Federal salary, [and] wage, [systems] and [such] benefit systems. [as the Federal Employees Retirement System, the Federal Employees Group Life Insurance Program, the Federal Employees and Retired Federal Employees Health Benefits Programs, and the Federal Employees Compensation Program.]

Detail not needed

[(12) Training. Develop, organize, and conduct interagency training programs in emergency personnel management for Federal employees, as necessary.]

Covered \$201(14)

Sec. 2102. Support Responsibilities. The Director of the Office of Personnel Management shall:

(1)

Former \$2901(2)

(2)

Former \$2901(5)

(3)

Former \$2901(9)

# DRAFT

# DRAFT

August 1, 1986

## [PART 30 - RAILROAD RETIREMENT BOARD]

[Sec. 3001. Functions. The Railroad Retirement Board shall perform the following functions:]

[(1) Workforce functions. Within the framework of the over-all workforce plans and programs of the Department of Labor, assist in the mobilization of the civilian workforce in an emergency by developing plans for the recruitment of that segment of the Nation's workforce resources subject to the Railroad Retirement Act and Railroad Unemployment Insurance Act.]

[(2) Benefit payments. Develop plans for administering the essential aspects of the Railroad Retirement Act and Railroad Unemployment Insurance Act consistent with overall Federal plans for the continuation of benefit payments in an emergency situation.]

Cover by  
referenc  
in DOT  
section  
and in  
General  
Provisio

Covered  
by HHS  
§802(1),  
TREAS §  
1501(1)(  
& Gen'l  
Provisio  
§205

# DRAFT

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August 1, 1986

## [PART 31 - SECURITIES AND EXCHANGE COMMISSION]

[Sec. 3101. Functions. The Securities and Exchange Commission shall cooperate with the Secretary of the Treasury in the development of emergency financial control plans, programs, procedures, and regulations for:]

[(1) Stock trading. Suspension of redemption rights, and freezing of stock and bond prices, if required in the interest of maintaining economic controls, provided that the Secretary of the Treasury shall have exclusive authority over temporary closure of security exchanges.]

Covered  
by TREA  
§1501(1

[(2) Modified trading. Development of plans designed to re-establish and maintain a stable and orderly market for securities when the situation permits under emergency conditions.]

Same as  
above

[(3) Protection of securities. Provision of a national records system which will make it possible to establish current ownership of securities in the event major trading centers and depositories are destroyed.]

Same as  
above

[(4) Flow of capital. The control of the formation and flow of private capital as it relates to new securities offerings or expansion of prior offerings for the purpose of establishing or re-establishing industries in relation to the Nation's needs in or following an emergency.]

Same as  
above

[(5) Flight of capital. In conjunction with the Secretary of Commerce, the prevention of the flight of capital from the United States and the impounding of securities in the hands of enemy aliens.]

Covered  
by TREA  
§1501(9**DRAFT**

**DRAFT**

August 1, 1986

PART [32] 22 - SELECTIVE SERVICE SYSTEM

Sec. [3201] 2201. [Functions] Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, [T]the Director of the Selective Service System shall:

(1) [Be ready immediately to p] Provide, as required, the untrained manpower that would be required to staff the armed forces during a national security emergency while protecting individual rights through a fully developed system of administrative due process. Specific requirements for the numbers of people and delivery schedules shall be established by the Secretary of Defense.

(2) Maintain an alternative service program which will provide meaningful work for those registrants who claim and receive conscientious objector status.

(3) Implement, upon direction of the National Security Council, appropriate deferments [for persons having critical skills or essential occupations, or deferments for students in specific fields of study].

[(4) Plan and perform these functions with the assistance of the Departments of Commerce, Defense, Health and Human Services, and Labor and the National Science Foundation.]

Covered  
by §201(c)

Sec. 2202. Support Responsibilities. The Director of the Selective Service System shall:

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# DRAFT

August 1, 1986

## [PART 33 - SMALL BUSINESS ADMINISTRATION]

[Sec. 3301. Functions. The Administrator of the Small Business Administration shall perform the following emergency preparedness functions:]

[(1) Prime contract authority. Develop plans to let and administer prime contracts and to negotiate or otherwise let subcontracts to capable small business concerns in an emergency.]

Covered by Gen' Provs, \$201(6)

[(2) Resource information. Provide data on facilities, inventories, and potential production capacity of small business concerns to all interested agencies.]

Covered by Gen' Provs, \$201(11)

[(3) Procurement. Develop plans to determine jointly with Federal procurement agencies which defense contracts are to go to small business concerns and to certify the productive and financial ability of small concerns to perform specific contracts.]

In a ne General Provisi

[(4) Loans for plant modernization. Develop plans for providing emergency assistance to essential small business industrial establishments through direct or participation loans for financing production facilities and equipment.]

As above

[(5) Resource pools. Develop plans for encouraging and approving small business defense production and research and development pools.]

In new Gen'l P \$203(4)

[(6) Financial assistance. Develop plans to make loans for defense and essential civilian purposes, directly or in participation with private lending institutions, to small business concerns and to groups or pools of such concerns, to small business investment companies, and to State and local development companies to provide funds for loans to small businesses.]

Covered in \$201 & (7) a \$205

# DRAFT

# DRAFT

August 1, 1986

## PART [34] 23 - TENNESSEE VALLEY AUTHORITY

Sec. [3401] 2301. [Functions.] Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, the Chairman [The Board of Directors] of the Tennessee Valley Authority shall [perform the following functions]:

(1) [Electric power.] Assist the [Department] Secretary of Energy in the development of plans for the integration of the Tennessee Valley Authority power system into nationwide national security emergency programs [and prepare plans for the emergency management, operation, and maintenance of the system and for its essential expansion].

Becomes  
§2302(1)  
Support  
Responsi  
bilities

(2) [Waterways.] Assist the [Interstate Commerce Commission and the Coast Guard, under the coordinating authority of the] Secretar[y]ies of Defense, Interior, and Transportation[, ] in the development of plans for [integration and control] operations and maintenance of inland waterway transportation [systems and, in cooperation with the Department of Defense acting through the Secretary of the Army, and the Department of the Interior, prepare plans for the management, operation, and maintenance of the river control system] in the Tennessee River System [for navigation] during [an] national security emergenc[y]ies.

Becomes  
§2302(2)  
Support  
Responsi  
bilities

(1) [(3) Flood control.] Develop plans and maintain river control operations for the prevention or control of floods [caused by natural phenomena or overt or covert attack] affecting the Tennessee River System during national security emergencies [and, in case of danger from floods on the lower Ohio and Mississippi Rivers, regulate the release of water from the Tennessee River into the Ohio River in accordance with such instructions as may be issued by the Secretary of the Army].

Becomes  
§2301(1)

# DRAFT



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**DRAFT**(3) [(4) Emergency health services and sanitary water supplies.]Becomes  
\$2302(3)

Assist the Secretary of Health and Human Services in the development of plans and programs covering national security emergency health services [, civilian health workforce, and health resources] in the Tennessee Valley Authority area. [and, in collaboration with the Secretary of Defense acting through the Secretary of the Army, the Secretary of Health and Human Services, and the Administrator of the Environmental Protection Agency, prepare plans for the management, operation, and maintenance of the Tennessee River System consistent with the needs for sanitary public water supplies, waste disposal, and vector control.]

[(5) Water use. Develop plans for determining or proposing priorities for the use of water by the Tennessee Valley Authority in the event of conflicting claims arising from the functions listed above.]

Covered  
\$203(3)  
and \$  
1702(1)

(4) [(6) Fertilizer.] Assist the [Department] Secretaries of Commerce and [the Department of] Defense in the [development of Tennessee Valley Authority production quotas for, and any essential expansion of] production [facilities for, the manufacture] of [nitrogen and phosphorous] fertilizers, [and prepare plans for the management, operation, and maintenance of those facilities.]...

Becomes  
\$2302(4)

...[(7) Munitions production. P] perform chemical research in munitions, [as requested by the Department of Defense], maintain standby munitions production facilities, and [develop] plan[s] for converting [and using] fertilizer facilities [as required in support of the Department of Defense] to munitions [program] production in national security emergencies.

Becomes  
part of  
\$2302(4)**DRAFT**

# DRAFT

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[(8) Land management. Develop plans for the maintenance, management, and use of Tennessee Valley Authority controlled lands in the interest of an emergency economy.]

Covered \$103(4) (5) and \$201(3) (4)

(5) [(9) Food and forestry.] Assist the [Department] Secretary of Commerce in the development of plans for the harvesting and processing of fish in national security emergencies. ...

Becomes \$2302(5)

(6) ... [, and the Departments of Commerce and] Assist the Secretaries of Agriculture, Commerce, and Interior in the development of plans for the production and processing of forest products in national security emergencies.

Becomes \$2302(6)

[(10) Valley States. Prepare plans and agreements with Tennessee Valley States, consistent with Federal programs, for appropriate integration of Tennessee Valley Authority and State plans for the use of available Tennessee Valley Authority resources.]

Covered \$201(6), (7) & (8)

Sec. 2302. Support Responsibilities. The Chairman of the Tennessee Valley Authority shall:

(1) through (6)

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PART [35] 24 - UNITED STATES INFORMATION AGENCY

Sec. [3501] 2401. Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, [T]the Director of the United States Information Agency shall: [prepare emergency plans and develop preparedness programs for the continuation of essential emergency foreign information activities under all conditions of emergency.]

[Sec. 3502. Functions. The Agency shall:]

(1) [Develop p] Plan[s] for the [formulation and] implementation of foreign information programs [using the Agency's overseas posts and all media designed] to promote an [intelligent] understanding abroad of the status of [the] national security emergenc[y]ies within the United States [and the efforts, policies, activities, needs, and aims of the United States in dealing with the emergency situation].

(2) [Provide and m] Maintain the capability [necessary for] to provide television and simultaneous direct radio broadcasting, in [the] major [world] languages [(the United Nations languages plus Arabic)] to [appropriate] all areas of the world, including English to all areas.] and ...

... [(3) Maintain] the capability [necessary] to provide wireless file to all United States Embassies during national security emergencies.

(3)• [(4) Provide advice to] Advise other Federal departments and agencies on the implications of foreign opinions during national security emergencies. [and its implications for United States policies, programs, and official statements.]

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[(5) Maintain liaison with the information agencies of friendly nations for the purpose of relating the United States Government information programs and facilities to those of such nations.]

Normal peacetime function, covered in principle in Parts 1 and 2

(1) [(6) Participate in the development of policy with regard to the psychological aspects of defense and develop plans for a] Assist [ing the appropriate] other Federal departments and agencies in the execution of psychological operations [with special attention to overseas crises short of war].

Becomes §2402(1), Support Responsibilities

[(7) Maintain United States Information Service staffs abroad for the conduct of public information for all agencies of the government, recognizing that,] ...

Covered by §201(12)

(2) [...in a theater of operations, the United States Information Agency would m] Make available to the appropriate United States military commander in a theater of military operations all United States citizen personnel on the staff of the Agency who agree to remain to serve in support of psychological operations.

Becomes §2402(2), Support Responsibilities

(4) [(8)] Provide [daily guidance and basic] information[a] materials] to the military command in [the theater or] theaters of [active] military operations.

Becomes §2401(4)

Sec. 2402. Support Responsibilities. The Director of the United States Information Agency shall:

(1) and (2) from above.

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PART [36] 25 - UNITED STATES POSTAL SERVICE

Sec. [3601] 2501. [Functions.] Lead Responsibilities. In addition to the applicable responsibilities covered in Parts 1 and 2, [T]the Postmaster General shall: ...

(1) ...[p] Prepare plans and programs to provide [the best] essential postal services [possible] during national security emergencies.

Sec. [3602] 2502. [Relationship With Other Federal Departments and Agencies.] Support Responsibilities. The Postmaster General shall [cooperate with the following Federal departments and agencies in accordance with existing standby emergency agreements in the following national emergency programs]:

(1) [Registration of enemy aliens.] Assist the [Department of Justice] Attorney General in the registration of enemy aliens residing in the United States.

(2) [Registration of population displaced as the result of enemy action.] Assist the [Department] Secretary of Health and Human Services in registering displaced persons and families [for the purpose of receiving and answering welfare inquiries and reuniting families].

(3) [Emergency leasing of space.] Assist other Federal departments and agencies[, as appropriate,] in locating and leasing privately-owned property for Federal use during national security emergencies.

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(2) [Sec. 3603. Emergency Mail Service to Federal Agencies. The Postmaster General, working with the General Services Administration, shall p] Provide [emergency] mail service to Federal departments and agencies at both regular and [emergency] relocation sites during national security emergencies.

Becomes  
§2501(2)  
Lead Res!

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August 1, 1986

PART [37] 26 - VETERANS ADMINISTRATION

Sec. [3701] 2601. [Functions.] Lead Responsibilities. In addition to applicable responsibilities covered in Parts 1 and 2, [T]the Administrator of Veterans Affairs shall: [develop policies, plans, and procedures for the performance of emergency functions with respect to the continuation or restoration of authorized programs of the Veterans Administration under all conditions of emergency, including:]

Covered  
§103(4)  
§201

(1) [Health care.] Develop plans for provision of [(a) The] emergency health care services to the [conduct of inpatient and outpatient care and treatment of] veteran beneficiaries in Veterans Administration medical facilities[.] (veterans with service-connected disabilities will have first priority), [for medical care in Veterans Administration facilities;]

[(b) The provision of health care services] to active duty military [in support of the defense of the United States through direct cooperation with the Department of Defense, in accordance with Public Law 97-174 and an interagency agreement between the Department of Defense and the Veterans Administration required by that law. Health care will be provided to active duty military personnel as the] (second [order of] priority), [subject to subparagraph (a) above;] and

Becomes  
part of  
§2601(1

[(c) The provision, on a space-available and fully reimbursable basis, of emergency health care services] to civilians [in a Veterans Administration medical center] in [a] communit[y]ies affected by [an] national security emergenc[y]ies. [situation; and]

Becomes  
part of  
§2601(1

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[(d) Consultation with the Selective Service System and the Department of Health and Human Services to address the personnel requirements of the expanded Veterans Administration operation necessary to provide contingency support to the Department of Defense pursuant to Public Law 97-174.]

Covered by §201

(2) [Compensation and pension. The emergency provision of] Provide compensation, pension, rehabilitation, education, and insurance payments to eligible veterans consistent with overall Federal plans for the continuation of Federal benefit payments.

(1) [(3) Insurance and loan guaranty. The emergency] Assist the Secretary of the Treasury and the heads of other Federal departments and agencies in the performance of insurance and loan guaranty functions in [accordance with indirect stabilization policies and controls designed to deal with] national security emergenc[y]ies [conditions].

Becomes §2602(1) Support Responsibilities

(3) [(4) Memorial affairs. The emergency performance of memorial activities and burial] Develop plans for mortuary services for eligible veterans, [;] and advise [ing] on methods for [emergency] interment of the dead in [, following a] national security emergenc[y]ies [situation] involving [a] large numbers of [deaths] casualties.

[(5) Supply services. The emergency management, controlled distribution and priority claimancy for procurement or replenishment of critical supply resources for Veterans Administration and other Federal departments and agencies as provided for in interagency agreements.]

Covered §203(3) 1702(1)

Sec. 2602. Support Responsibilities. The Administrator of Veterans Affairs shall:

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August 1, 1986

PART [38] 27 - GENERAL

Sec. [3801] 2701. Executive Order [No.] 11490, as amended, is hereby  
revoked.

[Sec. 3802.] This Order shall be effective immediately.

THE WHITE HOUSE,

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