FEDERAL PREPAREDNESS CIRCULAR

Federal Emergency Management Agency
Washington, D.C. 20472

FPC 65

July 26, 1999

TO: HEADS OF FEDERAL DEPARTMENTS AND AGENCIES

SUBJECT: FEDERAL EXECUTIVE BRANCH CONTINUITY OF OPERATIONS (COOP)

1. **PURPOSE:** This Federal Preparedness Circular (FPC) provides guidance to Federal Executive Branch departments and agencies for use in developing viable and executable contingency plans for the continuity of operations (COOP). COOP planning facilitates the performance of department/agency essential functions during any emergency or situation that may disrupt normal operations.

2. **APPLICABILITY AND SCOPE:** The provisions of this FPC are applicable to all Federal Executive Branch departments, agencies, and independent organizations, hereinafter referred to as "agencies." While some of the language contained in this guidance focuses on planning for threats to the immediate Washington, D.C., area, the COOP elements outlined herein are for use at all levels of Federal Executive Branch organizations.

3. **SUPERSESSION:** The provisions of this FPC supersede:

   a. Federal Response Planning Guidance 01-94, Continuity of Operations (COOP), dated December 4, 1994.

   b. FPC 61, Emergency Succession to Key Positions of the Federal Departments and Agencies, dated August 2, 1991.

   c. FPC 62, Delegation of Authorities for Emergency Situations, dated August 1, 1991.

4. **AUTHORITIES:**

   a. The National Security Act of 1947, dated July 26, 1947, as amended.

   b. Executive Order (EO) 12656, Assignment of Emergency Preparedness Responsibilities dated November 18, 1988, as amended.

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

   d. Executive Order (EO) 12148, Federal Emergency Management, dated July 20, 1979, as amended.

   e. Presidential Decision Directive (PDD) 67, Enduring Constitutional Government and Continuity of Government Operations, dated October 21, 1998.

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5. **REFERENCES:**

   a. Presidential Decision Directive (PDD) 62, Protection Against Unconventional Threats to the Homeland and Americans Overseas, dated May 22, 1998.

   b. Presidential Decision Directive (PDD) 63, Critical Infrastructure Protection (CIP), dated May 22, 1998.

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

   d. 41 Code of Federal Regulations (CFR) 101-2, Occupant Emergency Program, revised as of July 1, 1998.

   e. 36 Code of Federal Regulations (CFR) 1236, Management of Vital Records, revised as of July 1, 1998.

6. **POLICY:** It is the policy of the United States to have in place a comprehensive and effective program to ensure continuity of essential Federal functions under all circumstances. As a baseline of preparedness for the full range of potential emergencies, all Federal agencies shall have in place a viable COOP capability which ensures the performance of their essential functions during any emergency or situation that may disrupt normal operations.

7. **BACKGROUND:** COOP planning is simply a "good business practice"—part of the fundamental mission of agencies as responsible and reliable public institutions. For years, COOP planning had been an individual agency responsibility primarily in response to emergencies within the confines of the organization. The content and structure of COOP plans, operational standards, and interagency coordination, if any, were left to the discretion of the agency.

The changing threat environment and recent emergencies, including localized acts of nature, accidents, technological emergencies, and military or terrorist attack-related incidents, have shifted awareness to the need for COOP capabilities that enable agencies to continue their essential functions across a broad spectrum of emergencies. Also, the potential for terrorist use of weapons of mass destruction has emphasized the need to provide the President a capability which ensures continuity of essential government functions across the Federal Executive Branch.

To provide a focal point to orchestrate this expanded effort, PDD-67 established FEMA as the Executive Agent for Federal Executive Branch COOP. Inherent in that role is the responsibility to formulate guidance for agencies to use in developing viable, executable COOP plans; facilitate interagency coordination as appropriate; and oversee and assess the status of COOP capability across the Federal Executive Branch. Additionally, each agency is responsible for appointing a senior Federal government executive as an Emergency Coordinator to serve as program manager and agency point of contact for coordinating agency COOP activities.

(3) Developing, approving, and maintaining agency COOP plans and procedures for headquarters and all subordinate elements, which provide for:
- Identification of agency essential functions;
- Pre-determined delegations of authority and orders of succession;
- Contingency staffing to perform essential functions;
- Alternate operating facilities;
- Interoperable communications, information processing systems and equipment; and,
- Protection of vital records and systems.

(4) Conducting tests and training of agency COOP plans, to include COOP contingency staffs, and essential systems and equipment, to ensure timely and reliable implementation of COOP plans and procedures;

(5) Participating in periodic interagency COOP exercises to ensure effective interagency coordination and mutual support;

(6) Notifying the FOC and other appropriate agencies upon implementation of COOP plans; and,

(7) Coordinating intra-agency COOP efforts and initiatives with policies, plans, and activities related to terrorism under PDD-62 and Critical Infrastructure Protection under PDD-63.

b. In addition, FEMA is responsible for:

(1) Serving as the Executive Agent for Federal Executive Branch COOP;

(2) Coordinating COOP activities of Federal Executive Branch agencies;

(3) Issuing COOP guidance, in cooperation with the General Services Administration, to promote understanding of, and compliance with, the requirements and objectives of governing directives;

(4) Chairing the COOP Working Group (CWG), which serves as the principal interagency forum for discussion of COOP matters such as policy guidance, plans, and procedures, and for dissemination of information to agencies for developing and improving their individual COOP plans;

(5) Coordinating Federal Executive Branch interagency COOP exercises; and,

(6) Conducting periodic assessments of Executive Branch COOP capabilities and reporting the results to the National Security Council.

13. DISTRIBUTION: This FPC is distributed to the heads of Federal department and agencies, senior policy officials, emergency planners, and other interested parties.

James L. Witt
Director

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8. OBJECTIVES: COOP planning is an effort to assure that the capability exists to continue essential agency functions across a wide range of potential emergencies. The objectives of a COOP plan include:

a. Ensuring the continuous performance of an agency's essential functions/operations during an emergency;

b. Protecting essential facilities, equipment, records, and other assets;

c. Reducing or mitigating disruptions to operations;

d. Reducing loss of life, minimizing damage and losses; and,

e. Achieving a timely and orderly recovery from an emergency and resumption of full service to customers.

9. PLANNING CONSIDERATIONS: In accordance with current guidance, a viable COOP capability:

- Must be maintained at a high level of readiness;
- Must be capable of implementation both with and without warning;
- Must be operational no later than 12 hours after activation;
- Must maintain sustained operations for up to 30 days; and,
- Should take maximum advantage of existing agency field infrastructures.

Agencies should develop and maintain their COOP capabilities using a multi-year strategy and program management plan. The plan should outline the process the agency will follow to designate essential functions and resources, define short and long-term COOP goals and objectives, forecast budgetary requirements, anticipate and address issues and potential obstacles, and establish planning milestones.

10. ELEMENTS OF A VIABLE COOP CAPABILITY: At a minimum, all agency COOP capabilities shall encompass the following elements:

a. PLANS AND PROCEDURES. A COOP plan shall be developed and documented that when implemented, will provide for continued performance of essential Federal functions under all circumstances. At a minimum, the plan should:

(1) Delineate essential functions and activities;

(2) Outline a decision process for determining appropriate actions in implementing COOP plans and procedures;

(3) Establish a roster of fully equipped and trained emergency personnel with the authority to perform essential functions and activities;

(4) Include procedures for employee advisories, alerts, and COOP plan activation, with instructions for relocation to pre-designated facilities, with and without warning, during duty and non-duty hours;

(5) Provide for personnel accountability throughout the duration of the emergency;

(6) Provide for attaining operational capability within 12 hours; and,

(7) Establish reliable processes and procedures to acquire resources necessary to continue essential functions and sustain operations for up to 30 days.

b. IDENTIFICATION OF ESSENTIAL FUNCTIONS. All agencies should identify their essential functions as the basis for COOP planning. Essential functions are those functions that enable Federal Executive Branch agencies to provide vital services, exercise civil authority, maintain the safety and well being of the general populace, and sustain the industrial/economic base in an emergency. In identifying essential functions, agencies should:

(1) Identify all functions performed by the agency, then determine which must be continued under all circumstances;

(2) Prioritize these essential functions;

(3) Establish staffing and resources requirements needed to perform essential functions;

(4) Identify mission critical data and systems necessary to conduct essential functions;

(5) Defer functions not deemed essential to immediate agency needs until additional personnel and resources become available; and,

(6) Integrate supporting activities to ensure that essential functions can be performed as efficiently as possible during emergency relocation.

c. DELEGATIONS OF AUTHORITY. To ensure rapid response to any emergency situation requiring COOP plan implementation, agencies should pre-delegate authorities for making policy determinations and decisions at headquarters, field levels, and other organizational locations, as appropriate. These delegations of authority should:

(1) Identify the programs and administrative authorities needed for effective operations at all organizational levels having emergency responsibilities;

(2) Identify the circumstances under which the authorities would be exercised;

(3) Document the necessary authorities at all points where emergency actions may be required, delineating the limits of authority and accountability;

(4) State explicitly the authority of designated successors, referred to in paragraph 10d, to exercise agency direction, including any exceptions, and the successor's authority to re-delegate functions and activities as appropriate;

(5) Indicate the circumstances under which delegated authorities would become effective and when they would terminate. Generally, pre-determined delegations of authority would take effect when normal channels of direction are disrupted and would terminate when these channels have resumed;

(6) Ensure that officials who may be expected to assume authorities in an emergency are trained to carry out their emergency duties; and,

- Order equipment/supplies, if not already in place;
- Transport documents and designated communications, automated data processing, and other equipment to the alternate operating facility(ies), if applicable;
- Secure the normal operating facility physical plant and non-moveable equipment and records, to the extent possible;
- Continue essential operations at the normal operating facility if available, until alternate facility(ies) is operational; and,
- Advise alternate operating facility manager(s) on the status of follow-on personnel.

b. <u>PHASE II—ALTERNATE FACILITY OPERATIONS (12 HOURS – TERMINATION)</u>

- Provide amplifying guidance to other key staff and non-emergency employees;
- Identify replacements for missing personnel and request augmentation as necessary;
- Commence full execution of essential operations at alternate operating facility(ies);
- Notify the FOC and all other appropriate agencies immediately of the agency's alternate location, operational and communications status, and anticipated duration of relocation, if known; and,
- Develop plans and schedules to phase down alternate facility(ies) operations and return activities, personnel, records, and equipment to the primary facility when appropriate.

c. <u>PHASE III—RECONSTITUTION (TERMINATION AND RETURN TO NORMAL OPERATIONS)</u>

- Inform all personnel, including non-emergency personnel, that the threat of or actual emergency no longer exists, and provide instructions for resumption of normal operations;
- Supervise an orderly return to the normal operating facility, or movement to other temporary or permanent facility(ies) using a phased approach if conditions necessitate;
- Report status of relocation to the FOC and other agency points of contact (POC), if applicable; and,
- Conduct an after-action review of COOP operations and effectiveness of plans and procedures as soon as possible, identify areas for correction, and develop a remedial action plan.

12. <u>RESPONSIBILITIES</u>: The following responsibilities should be clearly outlined in agency COOP planning guidance and internal documents:

a. Each agency head is responsible for:

(1) Appointing an agency COOP program POC;

(2) Developing a COOP Multi-Year Strategy and Program Management Plan;

(4) Refresher orientation for COOP contingency staffs arriving at an alternate operating facility. The orientation should cover the support and services available at the facility, including communications and information systems for exchanging information if the normal operating facility is still functioning; and administrative matters, including supervision, security, and personnel policies; and,

(5) Joint agency exercising of COOP plans, where applicable and feasible.

11. **COOP IMPLEMENTATION:** Relocation may be required to accommodate a variety of emergency scenarios. Examples include scenarios in which:

- An agency headquarters is unavailable and operations can shift to a regional or field location;
- A single agency facility is temporarily unavailable and the agency can share one of its own facilities or that of another agency; and,
- Many, if not all, agencies must evacuate the immediate Washington, D.C., area.

While any of these scenarios involves unavailability of a facility, the distinction must be made between a situation requiring evacuation only and one dictating the need to implement COOP plans. A COOP plan includes the deliberate and pre-planned movement of selected key principals and supporting staff to a relocation facility. As an example, a sudden emergency, such as a fire or hazardous materials incident, may require the evacuation of an agency building with little or no advanced notice, but for only a short duration. Alternatively, an emergency so severe that an agency facility is rendered unusable and likely will be for a period long enough to significantly impact normal operations, may require COOP plan implementation. Agencies should develop an executive decision process that would allow for a review of the emergency and determination of the best course of action for response and recovery. This will preclude premature or inappropriate activation of an agency COOP plan. One approach to ensuring a logical sequence of events in implementing a COOP plan is time phasing. A suggested time-phased approach for COOP activation and relocation, alternate facility operations, and reconstitution follows:

a. PHASE I—ACTIVATION AND RELOCATION (0-12 HOURS)

- Notify alternate facility manager(s) of impending activation and actual relocation requirements;
- Notify the FEMA Operations Center (FOC), (202) 898-6100/1-800-634-7084, and other appropriate agencies of the decision to relocate and the time of execution or activation of call-down procedures;
- Activate plans, procedures, and schedules to transfer activities, personnel, records, and equipment to alternate operating facility(ies);
- Notify initial COOP contingency staff to relocate;
- Instruct all other emergency and non-emergency personnel on what they are to do;
- Assemble necessary documents and equipment required to continue performance of essential operations at alternate operating facility(ies);

(7) Specify responsibilities and authorities of individual agency representatives designated to participate as members of interagency emergency response teams.

d. ORDERS OF SUCCESSION. Agencies are responsible for establishing, promulgating, and maintaining orders of succession to key positions. Such orders of succession are an essential part of an agency's COOP plan. Orders should be of sufficient depth to ensure the agency's ability to perform essential functions while remaining a viable part of the Federal Government through any emergency. Geographical dispersion is encouraged, consistent with the principle of providing succession to office in emergencies of all types. Each agency should:

(1) Establish an order of succession to the position of Agency Head. A designated official serves as acting head of the agency until appointed by the President or relieved. Where a suitable field structure exists, appropriate personnel located outside the Washington, D.C., area should be considered in the order of succession;

(2) Establish orders of succession to other key headquarters leadership positions;

(3) Establish, for agencies organized according to the standard Federal regional structure, an order of succession to the position of regional director or equivalent;

(4) Identify any limitation of authority based on delegations of authority to others;

(5) Describe orders of succession by positions or titles, rather than names of individuals;

(6) Include the orders of succession in the vital records of the agency;

(7) Revise orders of succession as necessary, and distribute revised versions promptly as changes occur;

(8) Establish the rules and procedures designated officials are to follow when facing the issues of succession to office in emergency situations;

(9) Include in succession procedures the conditions under which succession will take place; method of notification; and any temporal, geographical, or organizational limitations of authorities;

(10) Assign successors, to the extent possible, among the emergency teams established to perform essential functions, to ensure that each team has an equitable share of duly constituted leadership; and,

(11) Conduct orientation programs to prepare successors for their emergency duties.

e. ALTERNATE FACILITIES. All agencies shall designate alternate operating facilities as part of their COOP plans, and prepare their personnel for the possibility of unannounced relocation of essential functions and/or COOP contingency staffs to these facilities. Facilities may be identified from existing agency local or field infrastructures, or external sources. Facilities shall be capable of supporting operations in a threat-free environment, as determined by the geographical location of the facility, a favorable assessment of the local threat, and/or the collective protection characteristics of the facility. In acquiring

and equipping such facilities, agencies are encouraged to consider cooperative interagency agreements and promote sharing of identified alternate facilities. Alternate facilities should provide:

(1) Immediate capability to perform essential functions under various threat conditions, including threats involving weapons of mass destruction;

(2) Sufficient space and equipment to sustain the relocating organization. Since the need to relocate may occur without warning, or access to normal operating facilities may be denied, agencies are encouraged to pre-position and maintain minimum essential equipment for continued operations at the alternate operating facilities;

(3) Interoperable communications with all identified essential internal and external organizations, critical customers, and the public;

(4) Reliable logistical support, services, and infrastructure systems, including water, electrical power, heating and air conditioning, etc.

(5) Ability to sustain operations for a period of up to 30 days;

(6) Consideration for the health, safety, and emotional well-being of relocated employees; and,

(7) Appropriate physical security and access controls.

f. INTEROPERABLE COMMUNICATIONS. The success of agency operations at an alternate facility is absolutely dependent upon the availability and redundancy of critical communications systems to support connectivity to internal organizations, other agencies, critical customers, and the public. When identifying communications requirements, agencies should take maximum advantage of the entire spectrum of communications media likely to be available in any emergency situation. These services may include, but are not limited to: secure and/or non-secure voice, fax, and data connectivity; Internet access; and e-mail. Interoperable communications should provide:

(1) Capability commensurate with an agency's essential functions and activities;

(2) Ability to communicate with COOP contingency staffs, management, and other organizational components;

(3) Ability to communicate with other agencies and emergency personnel; and,

(4) Access to other data and systems necessary to conduct essential activities and functions.

g. VITAL RECORDS AND DATABASES. The protection and ready availability of electronic and hardcopy documents, references, records, and information systems needed to support essential functions under the full spectrum of emergencies is another critical element of a successful COOP plan. Agency personnel must have access to and be able to use these records and systems in conducting their essential functions. Categories of these types of records may include:

(1) Emergency Operating Records. Vital records, regardless of media, essential to the continued functioning or reconstitution of an organization during and after an emergency. Included are emergency plans and directives; orders of succession; delegations of authority; staffing assignments; and related records of a policy or procedural nature that provide agency staff with guidance and information resources necessary for conducting operations during an emergency, and for resuming formal operations at its conclusion.

(2) Legal and Financial Records. Vital records, regardless of media, critical to carrying out an organization's essential legal and financial functions and activities, and protecting the legal and financial rights of individuals directly affected by its activities. Included are records having such value that their loss would significantly impair the conduct of essential agency functions, to the detriment of the legal or financial rights or entitlements of the organization or of the affected individuals. Examples of this category of vital records are accounts receivable; contracting and acquisition files; official personnel files; Social Security, payroll, retirement, and insurance records; and property management and inventory records.

Plans should account for identification and protection of the vital records, systems, and data management software and equipment, to include classified or sensitive data as applicable, necessary to perform essential functions and activities, and to reconstitute normal agency operations after the emergency. To the extent possible, agencies should pre-position and update on a regular basis duplicate records or back-up electronic files.

h. TESTS, TRAINING AND EXERCISES. Testing, training, and exercising of COOP capabilities is essential to demonstrating and improving the ability of agencies to execute their COOP plans. Training familiarizes contingency staff members with the essential functions they may have to perform in an emergency. Tests and exercises serve to validate, or identify for subsequent correction, specific aspects of COOP plans, policies, procedures, systems, and facilities used in response to an emergency situation. Periodic testing also ensures that equipment and procedures are maintained in a constant state of readiness. All agencies shall plan and conduct tests and training to demonstrate viability and interoperability of COOP plans. COOP test, training, and exercise plans should provide for:

(1) Individual and team training of agency COOP contingency staffs and emergency personnel to ensure currency of knowledge and integration of skills necessary to implement COOP plans and carry out essential functions. Team training should be conducted at least annually for COOP contingency staffs on their respective COOP responsibilities;

(2) Internal agency testing and exercising of COOP plans and procedures to ensure the ability to perform essential functions and operate from designated alternate facility(ies). This testing and exercising should occur at least annually;

(3) Testing of alert and notification procedures and systems for any type of emergency at least quarterly;