

## **Executive Order 11051**

### **PRESCRIBING RESPONSIBILITIES OF THE OFFICE OF EMERGENCY PLANNING IN THE EXECUTIVE OFFICE OF THE PRESIDENT**

WHEREAS national preparedness must be achieved and maintained to support such varying degrees of mobilization as may be required to deal with increases in international tension, with limited war, or with general war including attack upon the United States; and

WHEREAS the national security and our continuing economic growth and prosperity are interdependent, appropriate attention must be directed to effective coordination of emergency preparedness measures with national economic policies and objectives; and WHEREAS mobilization readiness and civil defense activities can be accomplished most effectively and efficiently through the performance by departments and agencies of the Government of those emergency preparedness functions related to their established roles and capabilities; and

WHEREAS responsibility for emergency preparedness involves virtually every agency of the Federal Government, and there is need to provide a central point of leadership and coordination in the Executive Office of the President:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, including the authorities contained in the National Security Act of 1947, the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), the Federal Civil Defense Act of 1950 (50 U.S.C. App. 2251 et seq.), and other authorities of law vested in me pursuant to Reorganization Plan No. 1 of 1958 (72 Stat. 1799), and also including the authority vested in me by the provisions of Section 301 of title 3 of the United States Code, it is hereby ordered as follows:

#### **PART I. SCOPE**

**SECTION 101.** Resume of responsibilities. The Director of the Office of Emergency Planning (hereinafter referred to as the Director) shall:

(a) Advise and assist the President in the coordination of and in the determination of policy for the emergency plans and preparedness assignments of the Federal departments and agencies (hereinafter referred to as Federal agencies) designed to make possible at Federal, State and local levels the mobilization of the human, natural and industrial resources of the nation to meet all conditions of national emergency, including attack on the United States.

(b) Under the direction of the President, be responsible for the preparation of nonmilitary plans and preparedness programs with respect to organization and functioning of the Federal Government under emergency conditions and with respect to specific areas of Federal activity necessary in time of war which are neither performed in the normal

operations of the regular departments and agencies nor assigned thereto by or under the authority of the President.

(c) Perform such other functions as are vested in him by law or are by this order, or by orders referred to in this order, delegated or otherwise assigned to him.

(d) Perform such additional functions as the President may from time to time direct.

## **PART II. GENERAL COORDINATING RESPONSIBILITIES**

### **SEC. 201. General.**

(a) The Director shall advise and assist the President in

(1) the development of planning assumptions and broad emergency preparedness objectives with respect to various conditions of national emergency,

(2) the development of policies and procedures to determine the relationship between available supplies of the nation's resources and the requirements of military, foreign, and essential civilian programs, including those of civil defense,

(3) the development of policies, programs, and control systems designed to deal with supply deficiencies and to meet effectively the most urgent requirements for those resources in the interests of national defense, and

(4) coordinating the governmental programs designed to achieve these ends.

(b) The Director shall advise and assist the President with respect to resolving any issues, related to emergency preparedness responsibilities of Federal agencies, which arise between two or more such agencies.

**SEC. 202. Resources and Requirements.** The Director shall provide policy guidance to the heads of Federal agencies having resource mobilization or claimancy responsibilities to assist them in

(1) the development and submission of estimated military and foreign as well as industrial and consumer requirements,

(2) the development of resource supply estimates; and

(3) the periodic evaluation of requirements estimates in relation to estimates of availability of resources from all sources.

**SEC. 203. Central program determination.** The Director shall develop an overall emergency system for reaching central program decisions for the utilization of resources on the basis that he will have the responsibility for making such central decisions in the initial period of an emergency. This system shall include uniform criteria and procedures for:

- (a) The development by each Federal agency of the amounts and types of resources which it must claim in order to meet the requirements of its planned programs;
- (b) The central consideration of the supply-requirements evaluations of planned programs;
- (c) The central determination of major resource utilization programs under varied conditions of national emergency on a relative urgency basis and central direction for the adjustment of agency programs consistent with such determinations; and
- (d) The decentralization of controls if required by emergency conditions.

**SEC. 204. Control systems.** The Director shall develop policies and procedures for the coordinated application by Federal agencies, in time of emergency, of priorities, allocations, and other resource control and distribution systems (including a system for the rationing of consumer goods) for the conduct of approved major programs.

**SEC. 205. Research.** The Director shall develop, maintain, and conduct a central research planning program for emergency preparedness purposes. The Director shall maintain, with the participation and support of Federal agencies concerned, a national resources evaluation capability for predicting and monitoring the status of resources under all degrees of emergency, for identifying resource deficiencies and feasible production programs and for supplying resource evaluations at national and subordinate levels to support mobilization base planning, continuity of government, resource management and economic recovery.

**SEC. 206. Dispersal and protection of facilities.**

(a) The Director, after consultation with the appropriate Federal agencies, shall advise the President concerning the strategic relocation of industries, services, government and economic activities, the operations of which are essential to the nation's security. He shall coordinate the efforts of Federal agencies with respect to the application of the principle of geographic dispersal of certain industrial facilities, both government-and privately-owned, in the interest of national defense.

(b) The Director, under authority of, and in accordance with the provisions of, Executive Order No. 10421 of December 31, 1952, shall perform functions in respect of the physical security of facilities important to the national defense.

(c) In addition, the Director shall review all measures being taken by the Federal agencies with respect to the physical security and protection of facilities important to defense mobilization, defense production, civil defense or the essential civilian economy, including those under the provisions of emergency preparedness assignments to such agencies and shall recommend to the President such actions as are necessary to strengthen such measures.

**SEC. 207. Civil defense.**

(a) Under authority of the provisions of Section 2 of Executive Order No. 10952 of July 20, 1961, and as there prescribed, the Director shall advise and assist the President, and shall perform other functions, in respect of civil defense.

(b) Under authority of, and in accordance with the provisions of, Executive Order No. 10958 of August 14, 1961, the Director shall advise and assist the President with respect to the stockpiling of food and medical supplies.

(c) The Director shall advise and assist the President with respect to the need for stockpiling various items essential to the survival of the population, additional to food and medical supplies, and with respect to programs for the acquisition, storage, and maintenance of such stockpiles.

**SEC. 208. Federal-State relations.**

(a) The Director shall represent the President in working with State Governors to stimulate vigorous State and local participation in emergency preparedness measures.

(b) He shall provide advice and guidance to the States with regard to preparations for the continuity of State and local civilian political authority in the event of nuclear attack on the United States which shall include, but not be limited to, programs for maintaining lines of succession to office, safekeeping of essential records, provision for alternate sites of government, the protection and effective use of government resources, personnel, and facilities, and interstate compacts and reciprocal legislation relating to emergency preparedness.

(c) He shall assist the President in achieving a coordinated working relationship between the various elements of State governments and the Federal agencies to which specific emergency preparedness functions have been assigned pursuant to statute or Executive order.

(d) The civil defense activities involved in the functions prescribed by the foregoing provisions of this section shall be carried out in accordance with the provisions of Section 2 of Executive Order No. 10952 of July 20, 1961.

**SEC. 209. Review and evaluation.** The Director shall from time to time furnish the President overall reports and recommendations concerning the emergency preparedness programs, including the state of preparedness of Federal, State, and local governments to carry out their emergency functions.

**PART III. SPECIAL EMERGENCY PLANNING RESPONSIBILITIES**

**SEC. 301. General.** Under the direction of the President, the Director shall have primary responsibility

(1) for planning assumptions and broad nonmilitary emergency preparedness objectives,

(2) for planning the nonmilitary organization and functioning of the Federal Government in time of national emergency,

(3) for developing, in association with interested agencies, the emergency planning, including making recommendations to the President as to the appropriate roles of Federal agencies, in currently unassigned matters, such as, but not necessarily limited to, economic stabilization, economic warfare, emergency information, and wartime censorship,

(4) for planning for the emergency mobilization of telecommunications resources, and

(5) for the development of nonmilitary policies and programs for use in the event of enemy attack on the United States designed to restore the national defense potential of the nation.

**SEC. 302. Emergency organization.** The Director, in consultation with the Director of the Bureau of the Budget, shall plan for the organization and functioning of the Federal Government in an emergency, including provisions for the central direction of all emergency mobilization activities and the creation of such emergency agencies as may be required for the conduct of emergency activities including those within the normal jurisdiction of existing agencies. Plans shall provide for maximum practicable reliance to be placed on existing Federal agencies with competence in emergency operations and, as best may be, shall be harmonious with related operations of the Government as a whole.

**SEC. 303. Emergency authorities.** The Director shall provide for the prompt exercise of Federal emergency authority through the advance preparation of such proposed legislation, Executive orders, rules, regulations, and directives as would be necessary to put into effect operating programs appropriate to the emergency situation.

**SEC. 304. Continuity of Federal Government.** The Director shall develop policies and plans to assure the continuity of essential Federal Government activities through programs to provide for lines of succession to office, safekeeping of essential records, alternate sites for Government operations, and the protection and effective use of Government resources, personnel, and facilities.

**SEC. 305. Executive Reserve.** The Director, under authority of, and in accordance with the provisions of, Executive Order No. 10660 of February 15, 1956, shall develop policies and plans for the provision of an Executive Reserve of personnel capable of filling executive positions in the Government in time of emergency.

**SEC. 306. Emergency telecommunications.** The Director shall be responsible for

(1) planning for the mobilization of the nation's telecommunications resources in time of national emergency, and

(2) carrying out, under the authority of, and in accordance with the provisions of, Executive Order No. 10705 of April 17, 1957, the functions thereby delegated or otherwise assigned to him. SEC. 307. Post-attack recovery. Under the direction of the President, the Director, with the cooperation and assistance of the Federal agencies, shall develop policies, plans, and programs designed to provide for the rapid restoration after an attack on the United States of a national capability to support a strong national defense effort.

#### **PART IV. CURRENT MANAGEMENT RESPONSIBILITIES**

**SEC. 401. Defense production.** Under the authority of, and in accordance with the provisions of, Executive Order No. 10480 of August 14, 1953, the Director shall perform the functions thereby delegated or otherwise assigned to him.

**SEC. 402. Strategic and critical materials stockpiling.**

(a) There are hereby delegated to the Director all those functions under the Strategic and Critical Materials Stockpiling Act (50 U.S.C. 98 et seq.), under Section 4(h) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714b(h)), and under Section 204(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 485 (f)), which were transferred to the President by the provisions of Reorganization Plan No. 1 of 1958 (72 Stat. 1799).

(b) The Director, under the provisions of the said Strategic and Critical Materials Stockpiling Act, shall determine which materials are strategic and critical and the quality and quantity of such materials which shall be stockpiled, and shall direct the General Services Administration in the purchase, storage, refinement, rotation, and disposal of materials.

(c) The Director is hereby designated as an agency under and for the purposes of the provisions of clause (b) of Section 5 of the Strategic and Critical Materials Stockpiling Act (50 U.S.C. 98d (clause (b))); and, accordingly, in the event of enemy attack upon the United States the Director is authorized and directed to order the release by the Administrator of General Services of such materials from stockpiles established under the said Act, in such quantities, for such uses, and on such terms and conditions, as the Director determines to be necessary in the interests of the national defense.

**SEC. 403. Supplemental stockpile.** The Director, under authority of the provisions of Section 4(d) (2) of Executive Order No. 10900 of January 6, 1961, shall determine from time to time the materials to be contracted for or purchased for a supplemental stockpile with foreign currencies pursuant to the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704(b)). SEC. 404. Imports threatening the national security.

(a) The Director, under the authority of, and in accordance with the provisions of, Section 2 of the Act of July 1, 1954 (68 Stat. 360; 19 U.S.C. 1352a), shall make appropriate investigations of the effects of imports on the national security and shall advise the

President of any case in which the Director is of the opinion that an article is being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security.

(b) The Director, under authority of, and in accordance with the provisions of, Section 3 (d) of Executive Order No. 10582 of December 17, 1954, shall furnish advice to procuring agencies with respect to the rejection of bids or offers to furnish materials of foreign origin on the ground that such rejection is necessary to protect essential national security interests.

**SEC. 405. Disaster relief.** The Director, under authority of, and in accordance with the provisions of, Executive Order No. 10427 of January 16, 1953, and Executive Order No. 10737 of October 29, 1957, shall exercise authority under the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855 et seq.).

**SEC. 406. Telecommunications.** Under authority of, and in accordance with the provisions of, Executive Order No. 10995 of February 16, 1962, the Director shall perform functions in respect of telecommunications.

## **PART V. GENERAL PROVISIONS**

**SEC. 501. Rules and regulations.** In carrying out his responsibilities under this order, the Director is authorized to issue such rules and regulations, and directives, consonant with law and Executive order, as he deems necessary and appropriate to the functions involved.

**SEC. 502. Boards and committees.** The Director is hereby authorized to establish in headquarters and in the field such boards and committees as he deems necessary to advise him in the conduct of activities outlined herein.

### **SEC. 503. Certain additional authorities.**

(a) There are hereby delegated to the Director all those now-existing functions under the National Security Act of 1947 which were transferred to the President by the provisions of Reorganization Plan No. 1 of 1958 (72 Stat. 1799).

(b) In performing the functions under the Federal Civil Defense Act of 1950 assigned to him, and subject to applicable provisions of Executive orders, the Director is authorized to exercise the authority conferred by Title IV of that Act. The foregoing provision of this subsection shall not be deemed to derogate from any authority under Title IV heretofore available to the Secretary of Defense.

**SEC. 504. Reports.** The Director is authorized to require from Federal agencies such statistical data and progress reports at such intervals as he deems necessary to discharge his responsibilities under this order.

**SEC. 505. Prior actions.** All orders, regulations, rulings, certificates, directives, and other actions relating to any function affected by this order shall remain in effect except as they are inconsistent herewith or are hereafter amended or revoked under proper authority, and nothing in this order shall affect the validity or force of anything done under previous delegations or other assignments of the functions affected by this order.

**SEC. 506. Executive Order 11030.** Nothing in this order or in any order amended by this order shall derogate from the provisions of Executive Order No. 11030 of June 19, 1962.

**SEC. 507. References to orders and Acts.** Except as may for any reason be inappropriate, references in this order to any other Executive order or to any Act, and references in this order or in any other Executive order to this order, shall be deemed to include references thereto, respectively, as amended from time to time.

## **PART VI. PRIOR EXECUTIVE ORDERS AND PROCLAMATIONS**

**SEC. 601. General amendments.** Each reference to the Office of Civil and Defense Mobilization or to the Director of the Office of Civil and Defense Mobilization in the following is hereby amended to refer to the Office of Emergency Planning and the Director of the Office of Emergency Planning, respectively:

- (1) Executive Order No. 10296 of October 2, 1951
- (2) Executive Order No. 10312 of December 10, 1951
- (3) Executive Order No. 10346 of April 17, 1952 (penultimate sentence of Section 2, only)
- (4) Executive Order No. 10421 of December 31, 1952
- (5) Executive Order No. 10427 of January 16, 1953
- (6) Executive Order No. 10480 of August 14, 1953
- (7) Executive Order No. 10494 of October 14, 1953
- (8) Executive Order No. 10601 of March 21, 1955
- (9) Executive Order No. 10634 of August 25, 1955
- (10) Executive Order No. 10660 of February 15, 1956
- (11) Executive Order No. 10705 of April 17, 1957
- (12) Executive Order No. 10737 of October 29, 1957

(13) Executive Order No. 10900 of January 5, 1961

(14) Executive Order No. 10952 of July 20, 1961

(15) Executive Order No. 10958 of August 14, 1961

(16) Proclamation No. 3279 of March 10, 1959 SEC. 602. Executive Order 10242. Executive Order No. 10242 of May 8, 1951, is hereby amended:

(1) By deleting from subsection 101(a) thereof the following: "upon the Director of the Office of Civil and Defense Mobilization, hereinafter referred to as the Director,".

(2) By deleting from Sections 101(c), 101(d), 102, 103, 104, 106 (preamble), 201, and 301 the following: "upon the Director of the Office of Civil and Defense Mobilization".

(3) By substituting for the words "the Director of the Office of Civil and Defense Mobilization", at each place where they occur in the order and are not deleted or otherwise amended by this order, the following: 'the delegate of the President'.

(4) By substituting for the words shall not be delegated" in sub-section 101 (d) the following: "shall not be redelegated by the delegate of the President".

(5) By adding after Section 106 new Sections 107, 108, and 109, reading as follows: "SEC. 107. The words "the delegate of the President' as used in this order: "(1) In respect of functions under the Act delegated or otherwise assigned to the Secretary of Defense, mean the Secretary of Defense. "(2) In respect of functions delegated or otherwise assigned to the Director of the Office of Emergency Planning, mean the Director of the Office of Emergency Planning. "SEC. 108. The authority conferred by Section 401(a) of the Act to employ part-time or temporary advisory personnel deemed necessary in carrying out the provisions of the Act, and delegated by the provisions of Section 101 (a) of this order, shall be available as follows: (1) To the Secretary of Defense in respect of not to exceed eighty personnel (including not to exceed twenty subjects of the United Kingdom and Canada), and (2) to the Director of the Office of Emergency Planning in respect of not to exceed twenty personnel (including not to exceed five subjects of the United Kingdom and Canada). "SEC. 109. The relevant provisions of this Part shall be subject to the provisions of the Memorandum of the President, pertaining to conflicts of interest, dated February 9, 1962 (27 F.R. 1341ff.)."

(6) By amending Section 401 to read as follows: "SEC. 401. The approval of the President is hereby given for the employment of retired personnel of the armed services, pursuant to the provisions of subsection 401(a) of the Act as follows: (1) By the Secretary of Defense, not to exceed twenty persons, and (2) by the Director of the Office of Emergency Planning, not to exceed five persons."

**SEC. 603. Other orders.**

(a) Executive Order No. 10260 of June 27, 1951, is hereby amended by striking from Section 1 thereof the following: "Office of Civil and Defense Mobilization, the".

(b) Executive Order No. 10346 of April 17, 1952, is hereby amended by substituting for the reference therein to the Director of the Office of Civil and Defense Mobilization, and for each reference therein to the Office and Defense Mobilization except that in the penultimate sentence of Section 2, the following: "the Office of Emergency Planning or the Department of Defense or both, as may be determined under the provisions of appropriate Executive orders".

(c) Executive Order No. 10421 of December 31, 1952, is hereby amended by inserting before the period at the end of Section 3 (b) (9) thereof a comma and the following: "including recommendations as to actions necessary to strengthen the program provided for in this order".

(d) Executive Order No. 10529 of April 22, 1954, is hereby amended by substituting for each reference therein to the Director of the Office of Civil and Defense Mobilization the following: "the Director of the Office of Emergency Planning or the Secretary of Defense or both as may be determined under appropriate Executive orders".

(e) Executive Order No. 10582 of December 17, 1954, is hereby amended by striking from Section 3

(d) thereof the words "from any officer of the Government designated by the President to furnish such advice" and by inserting in lieu of the stricken words the following: "from the Director of the Office of Emergency Planning. In providing this advice the Director shall be governed by the principle that exceptions under this section shall be made only upon a clear showing that the payment of a greater differential than the procedures of this section generally prescribe is justified by consideration of national security".

(f) Executive Order No. 10789 of November 14, 1958, is hereby amended by striking from Section 21 thereof the words "Office of Civil and Defense Mobilization".

**SEC. 604. Superseded orders.** To the extent that the following have not heretofore been made or become inapplicable, they are hereby superseded and revoked:

(1) Executive Order No. 9981 of July 26, 1948

(2) Executive Order No. 10219 of February 28, 1951

(3) Executive Order No. 10269 of July 6, 1951

(4) Executive Order No. 10438 of March 13, 1953

(5) Executive Order No. 10461 of June 17, 1953

(6) Executive Order No. 10524 of March, 31, 1954

(7) Executive Order No. 10539 of June 22, 1954 (without prejudice to final liquidation of any affairs thereunder)

(8) Executive Order No. 10638 of October 10, 1955

(9) Executive Order No. 10773 of July 1, 1958

(10) Executive Order No. 10782 of September 6, 1958

(11) Executive Order No. 10902 of January 9, 1961

JOHN F. KENNEDY

THE WHITE HOUSE, September 27, 1962.