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PROCEDURES FOR PRESIDENTIAL ACTIONS AND DOCUMENTS

ANNEX E
TO

FEDERAL EMERGENCY PLANS

JUNE 1959

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Executive Office of the President
OFFICE OF CIVIL AND DEFENSE MOBILIZATION

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EXECUTIVE OFFICE OF THE PRESIDENT Office of Civil and Defense Mobilization Washington 25, D.C.

June, 1959

PROCEDURES

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PREFACE

FEDERAL EMERGENCY PLANS are prepared in accordance with provisions of Section 103 of the National Security Act of 1947, as amended, (50 USC 404); Section 2 of the Defense Production Act of 1950, as amended, (50 USC App. 2062); the Federal Civil Defense Act of 1950, as amended, (50 USC App. 2251-2297); Reorganization Plan No. 1 of 1958, as amended, (5 USC 133Z-15 Note); Executive Order 10346 (17 F.R. 3477), as amended; and Executive Order 10480 (18 F.R. 4939), as amended.

This Annex contains a discussion of actions that may be taken by the President to meet an emergency situation as described in a Federal Emergency Plan, and the documents necessary to implement these actions. In addition, the Annex includes procedures for initiating, developing and maintaining, and the responsibilities of Departments and Agencies for carrying out, Presidential Emergency Actions.

This Annex is classified SECRET and contains information affecting the national defense of the United States within the meaning of the Espionage Laws, Title 18 USC, Sections 793 and 794, the transmission or the revelation of which in any manner to an unauthorized person is prohibited by law.

Leo A. Hoegh

Director

OFFICE OF CIVIL AND DEFENSE MOBILIZATION

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ANNEX E - FEDERAL EMERGENCY PLANS

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A. INTRODUCTION

- Presidential Emergency Action is the term applied to the possible action that may be taken by the President to meet the situation described in the particular Federal Emergency Plan, including submission to the Congress of required legislation. Presidential Emergency Actions prescribe and implement national policies, assign responsibilities and delegate authorities. All other planning and readiness measures to meet the described situation will be consistent therewith. In an actual situation, the President retains the power of decision as to whether or not to take the actions, the scope of actions if taken, their timing and sequence, alternative course of action and other considerations.
- 2. Presidential Emergency Action Summary Statement summarizes, for purposes of listing in the Federal Emergency Plan, the proposed Presidential Emergency Action.
- Presidential Emergency Action Documents consisting of executive orders, proclamations, other directives, and drafts of required ligislation, will be provided to implement all Presidential Emergency Action Summary Statements listed in the Federal Emergency Plans.
- 4. Departments and agencies having direct or indirect responsibility for carrying out Presidential Emergency Actions, or portions thereof, in an emergency shall establish and maintain operational capability therefor, as a current planning responsibility.

 Operational Capability includes:
 - a. Preparation of emergency operational plans through all organizational levels appropriate to emergency functions;
 - b. Maintenance of adequate communications facilities at necessary national and regional relocation sites to receive and issue information;
 - c. Maintenance at appropriate relocation and other sites of responsible personnel with delegated authority adequate to carry out the emergency functions of the department or agency;
 - d. Pre-positioning at all appropriate organizational levels and locations of Presidential Emergency Action Documents, and of specific agency plans and documents as will fully implement Presidential Emergency Actions.

5. Nothing herein shall be construed as in any manner altering department and agency responsibility to insure the presentation of Presidential Emergency Actions and supporting Presidential Emergency Action Documents to the President in time of emergency.



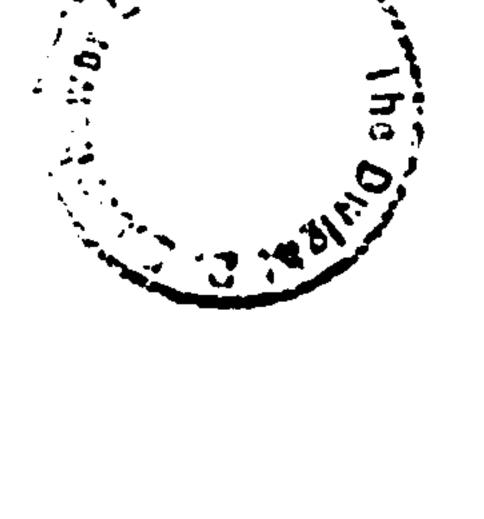
B. TYPES OF PRESIDENTIAL EMERGENCY ACTIONS AND AUTHORITY

- 1. PRESIDENTIAL PLAN C ACTIONS matters of national importance which are expected to require execution by the President to meet the situation. Presidential Plan C Actions consist of (1) those actions for which legal authority presently exists; (2) those actions which are dependent upon the enactment of new enabling legislation.
- 2. PRESIDENTIAL PLAN D-MINUS ACTIONS matters of supreme national importance in a civil defense emergency, which are expected to require execution by the President on D-Day or at an appropriate time thereafter. Presidential Plan D-Minus Actions consist of, in order of urgency, (1) H-Hour actions, i. e., those actions to be taken immediately by the President, wherever he may be, upon enemy attack, or intelligence to the effect that attack has been launched even though physical damage to the U.S. has not yet occurred, (2) D-Day actions, i. e., those actions to be taken as soon as possible on D-Day, (3) Reserve actions, i. e., those actions to be taken as soon as prevailing conditions demonstrate the need therefor.
- REQUIRED LEGISLATION matters of national importance requiring the enactment of enabling legislation before the President or other officials are empowered to take action. These actions as listed in Federal Emergency Plans describe (1) the required legislation, and (2) the Presidential Emergency Action in implementation thereof.
- 4. PRE-EMERGENCY AUTHORITIES Presidential or other delegations of authority which have already been promulgated and emergency statutes already enacted (or which are proposed for promulgation or enactment in the near future and prior to the emergency), and which will become operative automatically under the situations as described in Federal Emergency Plans.
- 5. AUTHORITY in the preparation of Presidential Emergency Actions and supporting Documents to meet a situation:
 - a. which assumes a civil-defense emergency, statutory authorities relied upon where available. Where such authorities are not available, and the probable delay which would be occasioned by obtaining such authorities

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would jeopardize the national security, the extraordinary powers of the President under the Constitution shall be used as legal authority for the required actions. Appropriate legislation will be requested as soon as possible.

which does not assume a civil-defense emergency, existing statutory authorities shall be relied upon, or the actions shall be dependent upon the enactment of new enabling legislation.





C. PROCEDURES

- 1. Submission of Presidential Emergency Action Summary Statements for inclusion in Federal Emergency Plans
 - a. Normally, Summary Statements of proposed
 Presidential Emergency actions including required
 legislation are submitted by departments and agencies
 to the Director, Plans Development and Review,
 OCDM, for review by the Mobilization Plans Group.
 This Group, chaired by the Director, is advisory
 to the Deputy Assistant Director for Federal, State
 and Local Plans. The statements are reviewed in
 context of the planning assumptions and other plans,
 and are recommended for approval, modification
 or rejection as may be warranted in the circumstances.
 - b. It is only on the basis of approved Presidential Emergency Action Summary Statements and their inclusion in the Plan, that the Presidential Emergency Action Documents are developed and submitted to the White House Office for approval. However, departments and agencies are responsible for recommending promptly to OCDM, deletions, changes in, or new Presidential Emergency Action Summary Statements at any time the need therefor develops.
- 2. Submission of Presidential Emergency Action Documents

An original and two copies of each document required to implement a Presidential Emergency Action shall be prepared by the responsible department or agency, double spaced, on size $8 \times 10 \ 1/2$ " paper and forwarded to the Director, Plans Development and Review Division, Office of Civil and Defense Mobilization.

3. Cover Sheet

A uniform cover sheet shall be completed similar to the sample, Attachment "A", and appended to each copy of the document.

4. Descriptive Statement

A descriptive statement shall be prepared and attached to



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each copy of the document. The statement should contain such explanatory background material as will fully reveal the need for the document, its nature, significance and merits. Each statutory provision (with U.S. Code Citation) which is involved in the document, including those relied upon and those effected, should be cited in the descriptive statement, as well as the wartime or other emergency precedent, if any, and any departure therefrom with explanation. Any problems ramifications, or delicate aspects of the documents, should be reported. In general, the information on the descriptive statement should permit the making of decisions as to recommending the document to the President and as to the adoption thereof by the President.

5. Security Classification

- If the document contains information requiring protection in the interest of national defense, it shall be given an appropriate security classification according to the provisions of Executive Order 10501, as amended. No reference shall be made in the document to the Federal Emergency Plan which the document implements, or its status, purpose or use, except as may be required in the context of the document to accomplish the purpose for which it is intended. Therefore, if a classification is required, it will be on the basis of the document's own contents and no consideration need to be given to the Plan which it implements or, normally, to its relationship to other documents, except that documents implementing Presidential Plan D-Minus Actions will have a minimum classification of CONFIDEN -TIAL during the document development and clearance process until their submission to the White House Office. If, of course, the contents of a document warrants a higher classification, it shall be accorded such classification.
- b. Similarly, the descriptive statement will be classified according to its own contents. However, it may require classification when the basic document is unclassified, or a higher classification than the basic document since it may contain information as to the time of use of the document, its intended purpose, its relationship to the Federal Emergency Plan or to other documents, etc.



c. The cover sheet shall be protected by an appropriate security classification of "CONFIDENTIAL" or higher since it contains reference to the Federal Emergency Plan and other pertinent information for the attention of the President. It will be classified at least as high as the most highly classified attachment thereto.

6. Review and clearance of documents

- a. OCDM will provide staff review to assure that documents adequately reflect the intent of the Presidential Emergency Action Summary Statements which they implement in the Plan and are otherwise consistent with OCDM policy, with the Plan and with other documents. Where changes are necessary, the document may be returned to the originating agency for revision and resubmission.
- b. After OCDM review, documents will be forwarded to the Bureau of the Budget for interagency comment and clearance, review by the Department of Justice as to form and legality, and submission to the White House Office. When the Bureau of the Budget or the Department of Justice clearance process result in substantive revision of a document, it shall be returned to OCDM for review and clearance with the initiating agency before submission to the White House Office.
- c. Agencies are not authorized to reproduce documents, their cover sheets or supporting papers except during the clear-ance process and upon the express approval of OCDM in each instance.

7. Approval, distribution and execution of Plan C Documents

a. Presidential Plan C Documents are approved for planning purposes and for consideration by the President in a Plan C emergency. After such approval the documents will be distributed to Action and Information agencies as noted on the cover sheets. Additional copies as required by departments and agencies for planning purposes and for emergency readiness will be provided upon receipt of written request therefor to the Director, Plans Development and Review, OCDM. Such written request should contain a brief explanation of the purpose for which the additional copies are needed.

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- b. In the event of an actual situation, similar to that described in Plan C, the documents will be evaluated in the light of the actual circumstances existing and would be implemented, adapted or modified as might be required. In such an event, to the extent the President deems it necessary, he may consult the department and agency heads responsible for preparation of the documents prior to execution thereof.
- c. Notification of the execution of such documents in an emergency and dissemination of copies thereof will be by regularly established means.
- 8. Approval, reproduction and distribution of Plan D-Minus Documents.
 - a. Presidential Plan D-Minus documents are approved by the President for planning purposes and for inclusion in his Emergency File. After such approval, they are positioned so as to be at all times immediately available to the President for possible execution by him in a D-Minus type of emergency.

For planning purposes and to insure prompt implementation in an emergency, photo-offset copies of these documents in limited numbers, as set forth below, will be provided to those departments and agencies requiring advance knowledge of the contents of these documents. These copies must be pre-positioned at relocation sites and other necessary locations so that they will immediately be available to agency heads and authorized personnel in an emergency.

b. After a document is approved by the President for inclusion in his Emergency File, it will be reproduced by photo-offset process and copies so made will be serially numbered by OCDM. One photo-offset copy will be supplied to each Action and Information addressee for inclusion in the Emergency File of the agency head, and one additional copy is authorized for pre-positioning in each agency relocation site (except field relocation sites), providing that secure storage facilities and cleared personnel are available at such site to receive and control classified information.



- C. Dissemination of additional photo-offset copies of Presidential Emergency Documents by OCDM will be rigidly controlled and reproduction by departments and agencies is forbidden (see subparagraph "f"). Departments and agencies believing they need additional photo-offset copies should submit requests therefor with accompanying justification to the Director, Plans Development and Review, OCDM. Such justification should describe the need for and the proposed storage location of each additional photo-offset copy required.
- d. Two photo-offset copies of all documents will be forwarded to the Emergency Federal Register Division of General Services Administration for pre-positioning at the Division's relocation site.
- e. Where all departments and agencies of the Executive Branch are Action or Information Addressees on a document, photo-offset copies of that document will be provided only to departments and agencies equipped to receive and control classified information. There will be no pre-emergency distribution to agencies not so equipped. Distribution to these latter agencies will be made by the Emergency Federal Register Division as soon as practicable following execution by the President, in an emergency. Agencies having no relocation site, or no secure storage facilities at a relocation site, will not receive photo-offset copies for such locations.
- Agencies are not authorized to reproduce, in full or in part, any Presidential Emergency Document or supporting paper until execution thereof by the President in an emergency. Security of these documents prior to execution is a paramount consideration. Upon such execution, the documents become unclassified. For training and planning purposes, however, including the development of implementing plans by agencies, a department or agency head having responsibility pursuant to a Presidential Emergency Document is authorized to implement such document by issuance of a department or agency directive or other appropriate instrument which may contain all or some of the language as contained in the Presidential Emergency Document, provided that no reference is made in the agency instrument to the Presidential document and that the language in the agency instrument so issued be presented as the language of the agency itself.

g. Photo-offset copies of Presidential Emergency Documents must be held under strict accountability. Periodic reports will be required by the OCDM and periodic inspections will be made by OCDM of prepositioned documents, their corresponding Emergency Code Word Lists, and agency plans and procedures for the effective emergency implementation thereof.

9. Use of Code Words and Code Word Lists for Plan D-Minus Documents

- a. Each document will be assigned a code word. For each agency an Emergency Code Word List will be prepared relating the assigned code words to the identification numbers of the document or documents the agency holds. One such Code Word List will be provided by OCDM for each set of documents held. No reproduction of Code Word Lists in whole or in part is authorized.
- b. Where field elements of agencies have emergency operational responsibilities, or otherwise need to know of an emergency action taken by the President, agencies in framing their supporting emergency plans should establish their own means of conveying immediate notification to these field elements, (field elements should be instructed upon receipt of such notification, to undertake necessary implementing action immediately and without further direction).
- c. For purposes of pre-emergency security, code words will not appear and must not be placed on the photo-offset copies of the document or on the Distribution Cover Sheet therefor.
- d. Identification of the Emergency Document signed by the President must be made by relating the code word to the opposite document number on the Code Word List, and then by relating such document number to the document itself (the document number appears on the Distribution Cover Sheet attached to the photo-offset copy of the document). Code Word Lists will be distributed in sealed envelopes to Agency heads with instructions (as indicated on Attachment "B") that they should not be opened except upon receipt of a message to the effect that the President has signed certain Emergency Documents signified by code words. The sealed envelopes containing the Code Word Lists will not be delivered to the Agency head simultaneously with the photo-offset copies of the documents to which the

lists apply. In accordance with standard procedures, separate storage facilities must be provided for the photo-offset copies of the documents and the Code Word Lists.

e. Periodically, code words assigned to documents will be changed. New Code Word Lists will be provided to agencies and the old lists must be returned to OCDM.

10. Notification of Execution of Plan D-Minus Documents

- a. In the event an emergency arises and the President executes an Emergency Action Document, notification of such execution to Action and Information Addressees will be by the most expeditious means available. Code Words transmitted via the Government Communications Network (Govnet), (Attachment "C"), will be used for notification if possible. Code Words may also be transmitted by other means. Emergency conditions, however, may dictate notification by transmission of the full text. Code Words or full text may also be transmitted by other means. Action and Information Addressees should be prepared to take implementing action upon receipt of notification by any means of communications (commercial, broadcast, telegraph, etc.).
- b. If use is made of the code word as a means of notification, a message pertaining thereto will be sent by the most expeditious means available to Action and Information Addressees, similar, for example, to the following:

"The President has this date signed the following Emergency Action Documents: COMEX, BANANA, FINANCIAL, GOLDEN. FINANCIAL is changed as follows: Quote first line second paragraph. . . . etc."

Upon receipt of such a message, a Department or Agency should refer to its Code Word List. If the Code Word and a photo-offset copy of the document to which it relates are held by the department or agency, that department or agency should without further direction immediately take all necessary implementing action with respect to the document concerned, including appropriate notification to field elements having implementing responsibilities.

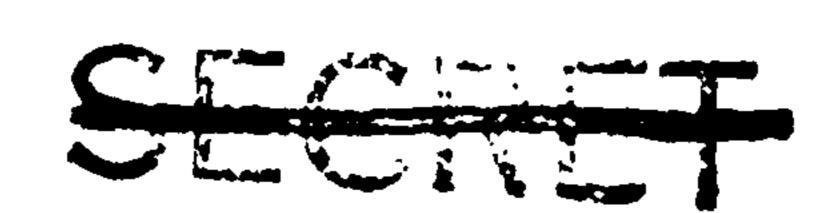
c. Any agency receiving a message containing a code word or words not on its Code Word List should disregard such word or words.

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d. Where the Action and/or Information Addressees on a document are all departments and agencies of the Executive Branch and the Govnet is employed as the primary means of notification, the code word will be transmitted only to those agencies on the Govnet. Notification to agencies not on the Govnet will be accomplished by the Emergency Federal Register Division, or by other means as facilities permit.

11. Annual Review of Approved Documents

- a. Departments and agencies are responsible for recommending promptly to OCDM any necessary changes in Presidential Emergency Action Documents at any time after they are approved as specified in paragraphs C.7 and C.8 herein.
- b. An agency responsible for the initial preparation and submission of a Presidential Emergency Action Document is also responsible for performing an annual review of the document to assure that it is (1) consistent with other plans, (2) currently conforms to the particular Federal Emergency Plan the document implements, and (3) realistically reflects the possible action that should be taken by the President to meet the situation described in the Plan in terms of (a) weapons developments and other technical data, (b) the availability of resources, and (c) current assignments of emergency responsibility and delegations of authority.
- c. On or about the anniversary date of the approval of a Presidential Emergency Action Document, the OCDM will address a letter to the responsible agency, requesting review of the document. The agency will accomplish the review, including appropriate clearances with any other interested departments or agencies, and will, within 20 days of the receipt of the request from OCDM, reply by letter that (1) no changes are recommended, or (2) changes are recommended as contained in a proposed draft which is to be forwarded with the agency reply.
- d. Upon receipt of agency recommendations, OCDM will perform any appropriate staff review and arrange for a review of the document and any pertinent recommendations by the Mobilization Plans Group. Following such review, if there is no significant substantive change, OCDM will by letter



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so inform the White House Office. If any substantive change in the document is recommended, OCDM will prepare a revised document, bearing the original identification number but showing the month of the proposed revision, and transmit it to the Bureau of the Budget for appropriate clearance and recommendation to the White House Office.



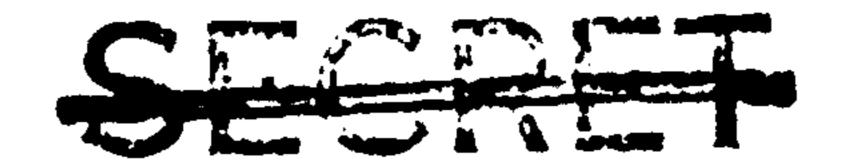
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ATTACHMENT "A"

COVER SHEET

	Plan	Action
Description of Document		
(Title, and sufficient additional desc contents, scope and effect of the		er to reveal the
Conditions Precedent to Execution		
(e.g. attack on the Continental Unite military forces by an aggressor; de prior execution of other document(sthis document depends; etc.)	claration of	national emergency;
Action Addressees		
(Departments and/or agencies responses is executed.)	nsible for a	ction when document
Information Addressees		
(Departments and/or agencies which document in order to carry on relat		
Actions Required of White House Sub	sequent to E	xecution
(e.g. submission of legislative prop conferences with representatives of		
Attachments		
Descriptive statement and any other understanding and use of the docume	_	ary to facilitate
Classification	of Document	Prior to Execution
Classification	of Documen	t Upon Execution





ATTACHMENT "B"

DO NOT OPEN EXCEPT AS SPECIFIED BELOW

DO NOT OPEN EXCEPT AS SPECIFIED BELOW

OUTSIDE ENVELOPE

THIS ENVELOPE CONTAINS AN EMERGENCY CODE WORD LIST FOR USE ONLY IN A CIVIL DEFENSE EMERGENCY IN REFERRING TO PRESIDENTIAL EMER-GENCY ACTION DOCUMENTS DESCRIBED IN OCDM EMERGENCY PLANS.

List No.	Issue Date	Receiving Agency_	
Name of Pe	rmanent Custodian		
		NSTRUCTIONS	

Each Presidential Emergency Action Document for which your agency has responsibility is assigned a code word on the list contained herein. In the event an emergency arises and the President executes an Emergency Action Document, a message pertaining to the Code Word may be sent to Action and Information Addressees, similar, for example, to the following:

"The President has this date signed the following Emergency Action Documents: COMEX, BANANA, FINANCIAL, GOLDEN. FINANCIAL is changed as follows: Quote first line second paragraph...etc."

- Upon receipt of such a message, open this envelope and the inner envelope and refer to the Code Word List. Opposite the code word is the document number. The document number also appears on the Distribution Cover Sheet of the photo-offset copy of the document. (note 6, below)
- IF THE CODE WORD APPEARS ON YOUR LIST AND YOU HOLD THE PHOTO-OFFSET COPY OF THE DOCUMENT TO WHICH IT RELATES, YOU SHOULD WITHOUT FURTHER DIRECTION IMMEDIATELY TAKE ALL NECESSARY IMPLEMENTING ACTION WITH RESPECT TO THE DOCUMENT. THIS INCLUDES NOTIFICATION TO ALL INDIVIDUALS, ORGANIZATION UNITS AND FIELD ELEMENTS HAVING EMERGENCY OPERATIONAL RESPONS-IBILITIES WITH RESPECT TO THE DOCUMENT.
- Any agency receiving a message containing a code word or code words not on the Code Word List should disregard such word or words.
- No part of these instructions may be reproduced.
- This envelope must not be stored in the same safe (or other secure container) as your photo-offset copies of Presidential Emergency Action Documents.
- Any questions regarding the storage or use of this envelope or its contents should be referred to the Director, Plans Development and Review, Office of Civil and Defense Mobilization.
- 8. If this envelope is opened, or the contents are otherwise compromised, the agency's Security Officer and the Director, Plans Development and Review. Office of Civil and Defense Mobilization, shall be notified immediately by the most expeditious means.



GOVERNMENT COMMUNICATIONS NETWORK (GOVNET)

Agriculture, Department of Atomic Energy Commission Bureau of the Budget Central Intelligence Agency Civil Aeronautics Board Civil Service Commission Commerce, Department of Council of Economic Advisers Defense, Department of (incl. Coast Guard) Emergency Censorship Agency Emergency Communications Agency Emergency Stabilization Agency Farm Credit Administration Federal Bureau of Investigation 17 64 Federal Communications Commission Federal Deposit Insurance Corporation Federal Mediation & Conciliation Service Federal Power Commission Federal Reserve System(Board of Governors) General Services Administration Health, Education and Welfare, Department of Federal Home Loan Bank Board Housing and Home Finance Agency Interior, Department of International Cooperation Administration Interstate Commerce Commission Justice, Department of Labor, Department of National Security Council National Science Foundation Office of Civil and Defense Mobilization Post Office Department Selective Service System Small Business Administration State, Department of Treasury, Department of U. S. Information Agency Veterans Administration White House

Procedures for presidential actions and documents to meet the situations described in the Federal Emergency Plan. Emergency actions prescribe and implement national policies, assign responsibilities and delegate authorities. White House, 1 June 1959. U.S. Declassified Documents Online, link.gale.com/apps/doc/CK2349110254/USDD? u=new64731&sid=bookmark-USDD&xid=1261ea48&pg=1. Accessed 8 Nov. 2021.