

THE WHITE HOUSE

WASHINGTON

January 10, 2005

MEMORANDUM FOR DISTRIBUTION

FROM:

  
FRANCES FRAGOS TOWNSEND  
ASSISTANT TO THE PRESIDENT FOR HOMELAND SECURITY

SUBJECT: Continuity Policy/Department and Agency Essential Functions

In addressing the recommendations of the *Comprehensive Policy and Program Review of Continuity of Operations and Continuity of Government* as outlined in my memorandum of October 6, 2004, one of my highest priorities is ensuring that Federal executive departments and agencies have viable Continuity of Operations (COOP) capabilities. A principal building block of continuity of operations is a set of well defined and understood "essential functions" – that is, those government functions that must be uninterrupted or resumed rapidly after a disruption, during an emergency. These functions, in turn, drive the requirements for our COOP capabilities.

The Interagency Continuity Working Group that I established has developed a systematic approach to defining Federal department and agency mission essential functions. The process includes identifying the "National Essential Functions" (NEFs) that must be performed by the Federal government during an emergency and includes identifying the department and agency "Priority Mission Essential Functions" (PMEFs) that support these national functions. Generally PMEFs must be uninterrupted, or resumed, during the first 24-48 hours after the occurrence of an emergency and continued through full resumption of all Government Functions.

On January 4, 2005, the Homeland Security Council Deputies reviewed and concurred with eight NEFs and the process for identifying agency Priority Mission Essential Functions (PMEFs). The process includes soliciting and coordinating department and agency input and developing a final set of NEFs and PMEFs for review by the Homeland Security Council.

Attached at Tab A is a memorandum from David W. Howe, Special Assistant to the President and Senior Director for Emergency Preparedness and Response, providing additional background and recommended guidelines for collecting and submitting your department's or agency's PMEFs.

**I request that you complete and submit your department's or agency's PMEFs by February 18, 2005.** Submissions should be provided back to the Homeland Security Council and the Federal Emergency Management Agency.

I want to emphasize the importance of your senior management team's participation in the development of your PMEFs. The results should reflect the most important mission activities of your organization, including all sub-elements and at any location, in times of crisis. They should be only that narrow set of functions that are critical to support the NEFs and therefore must be supported by continuity capabilities. I request that the response be signed by your Deputy Secretary (or equivalent) or other senior level policy official with department- or agency-wide responsibility.

To help your staff better understand the approach and the recommended process for responding to this request, the Federal Emergency Management Agency and the Homeland Security Council are co-chairing a kick-off meeting on January 12, 2005. Details are found at Tab A. It is requested that you send one or more representatives to this meeting.

Thank you for your support and cooperation in this important endeavor. If you have any questions, please contact David W. Howe, Special Assistant to the President and Senior Director for Emergency Preparedness and Response, at 202-456-2300.

Finally, I have asked Mike Brown, Department of Homeland Security Under Secretary for Emergency Preparedness and Response, in his role as lead agent for government-wide continuity of operations, to distribute this memorandum to all Federal Executive Branch agencies in order to ensure that we obtain a list of PMEFs that is as comprehensive as possible.

cc: THE VICE PRESIDENT  
CHIEF OF STAFF TO THE PRESIDENT  
DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET  
DIRECTOR, OFFICE OF SCIENCE AND TECHNOLOGY POLICY  
DIRECTOR, WHITE HOUSE MILITARY OFFICE  
ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY AFFAIRS

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DIRECTOR, OFFICE OF PERSONNEL MANAGEMENT  
CHAIRMAN, NUCLEAR REGULATORY COMMISSION  
CHAIRMAN, FEDERAL COMMUNICATIONS COMMISSION  
POSTMASTER GENERAL, UNITED STATES POSTAL SERVICE  
COMMISSIONER, SOCIAL SECURITY ADMINISTRATION  
SPECIAL ASSISTANT TO THE PRESIDENT FOR MANAGEMENT AND  
ADMINISTRATION

# TAB A

THE WHITE HOUSE

WASHINGTON

January 10, 2005

MEMORANDUM FOR DISTRIBUTION

FROM: DAVID W. HOWE *DWH*  
SPECIAL ASSISTANT TO THE PRESIDENT  
AND SENIOR DIRECTOR FOR EMERGENCY PREPAREDNESS  
AND RESPONSE

SUBJECT: Background Paper on Essential Functions Concept and Implementation  
and Recommended Guidelines for Submitting Department/Agency  
Priority Mission Essential Functions Information

This memorandum provides the following additional information and recommended guidance on the concept and implementation of a systematic approach to defining Federal department and agency mission essential functions, as described in the Assistant to the President for Homeland Security's memorandum of January 10, 2005:

1. Background Paper on Essential Functions Concept and Implementation
2. Recommended Guidelines for Submitting Department/Agency Priority Mission Essential Functions Information
3. Information on kick off meeting for Developing Department/Agency Priority Mission Essential Functions Information

If you have any questions, please contact me at 202-456-2300.

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SPECIAL ASSISTANT TO THE PRESIDENT FOR MANAGEMENT AND  
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# Essential Functions Concept and Implementation

## Background Paper

### Background

One of the principal pillars of continuity is well-defined and understood “mission essential functions” – i.e., that limited set of department- and agency-level government functions that must be continued throughout, or resumed rapidly after, a disruption of normal activities. Once identified, mission essential functions serve as key continuity planning factors for departments and agencies to determine appropriate staffing, communications, information, facilities, training, and other capabilities. Although the concept of essential functions has been used for many years and has been included in guidance for continuity of operations planning, that guidance remains at a general level. For example, Executive Order 12656 of November 18, 1988 (“Assignment of emergency preparedness responsibilities”), as amended, requires departments and agencies to “ensure the continuity of essential functions” but is significantly out of date and lacks sufficient detail to identify specific essential functions that departments and agencies must undertake during an emergency. Presidential Decision Directive 67 requires that agencies be able to perform their essential functions as defined in Executive Order 12656, without further elaboration. More recently, Federal Preparedness Circular 65 defines essential functions broadly as those functions that enable an organization to provide vital services, maintain safety of the public, exercise civil authority, and sustain the economic base.

Many departments and agencies have had difficulty clearly identifying and articulating their essential functions. In part, this difficulty stems from the lack of a defined set of national-level essential functions to guide agency continuity planning, resulting in multiple efforts to develop agency essential functions for different specific purposes (e.g. Y2K planning, IT planning, critical infrastructure planning). Further, departments and agencies sometimes do not distinguish between a “function” and the specific activities necessary to perform the function. For example, “provide legal advice to the Secretary” is identified as an essential function without any elaboration as to the specific subset of everyday functions in this area that are “essential.”

As a result, the *Comprehensive Policy and Program Review of Continuity of Operations and Continuity of Government* included a recommendation to “initiate a process by which to identify and validate agency essential functions.” The recommendation continued: “This should include an individual effort by agencies to identify their essential functions as a means of refining their continuity planning activities and capabilities, and a corresponding effort by the Executive Office of the President to review and validate agency essential functions in relation to core national essential functions identified in Presidential continuity policy.”

In order to implement this recommendation, the Homeland Security Council, in coordination and consultation with departments and agencies, has developed an approach

for organizing and defining Federal government mission essential functions in order to improve continuity policy and programs, including department and agency continuity capabilities.

### Discussion

The approach for organizing and defining Federal government mission essential functions is comprised of four major elements:

- Identify “national” level essential functions; i.e., those that are of greatest importance to the overall functioning of the Federal government in times of emergency;
- Identify the individual specific department and agency Priority Mission Essential Functions (i.e., those specific department and agency functions that directly support one or more of the national functions)
- Incorporate the National Essential Functions and supporting department and agency Priority Mission Essential Functions into national level continuity policy; and
- Set program requirements, performance metrics, training objectives, and related continuity program elements based on the essential functions identified in the policy.

The list of National Essential Functions was approved by the Homeland Security Deputies Committee on January 4, 2005. The Deputies agreed that each department and agency will be requested to determine which of their specific functions directly support these national functions and to identify any of their other specific functions that have national significance. These department and agency responses will be reviewed and, following refinement through the interagency policy coordination process, approved for inclusion in policy and program requirements.

This approach focuses exclusively on identifying that limited set of functions that must be performed continuously throughout, or in immediate response to, an emergency, and prior to full business resumption.

### Concepts and Definitions

The proposed approach is based on the following key concepts:

- Government Functions – the set of all functions of Federal departments and agencies performed in the ordinary course of business, as defined by statute, regulation, Presidential direction, or other legal authority.
- National Essential Functions (NEFs) – that subset of Government Functions that are necessary to lead and sustain the country during an emergency and, therefore, that must be supported through department and agency continuity capabilities. The NEFs will be the primary focus of the President and the national leadership during and following an emergency. These are categories of functions performed

by one or more departments and agencies. They are not new authorities, requirements, or functions.

- Priority Mission Essential Functions (PMEFs) - those MEFs that must be performed to support or implement the NEFs before, during, and in the immediate aftermath of an emergency. Generally PMEFs must be uninterrupted, or resumed, during the first 24-48 hours after the occurrence of an emergency and continued through full resumption of all Government Functions.
- Secondary Mission Essential Functions (SMEFs) - those MEFs that a department or agency determines must be performed in order to bring about full resumption of its normal functions, but which are not PMEFs. Resumption of SMEFs may need to occur within a very short period of time or only after several days depending on the nature of the agency mission and the nature of the disruption to normal agency functions.
- Supporting Activities – those specific activities that a department or agency must conduct in order to perform its MEFs.
- Capabilities – communications, facilities, information, trained personnel, and other assets necessary to conduct MEFs and Supporting Activities.

The relationship of these concepts is illustrated in Figure 1.

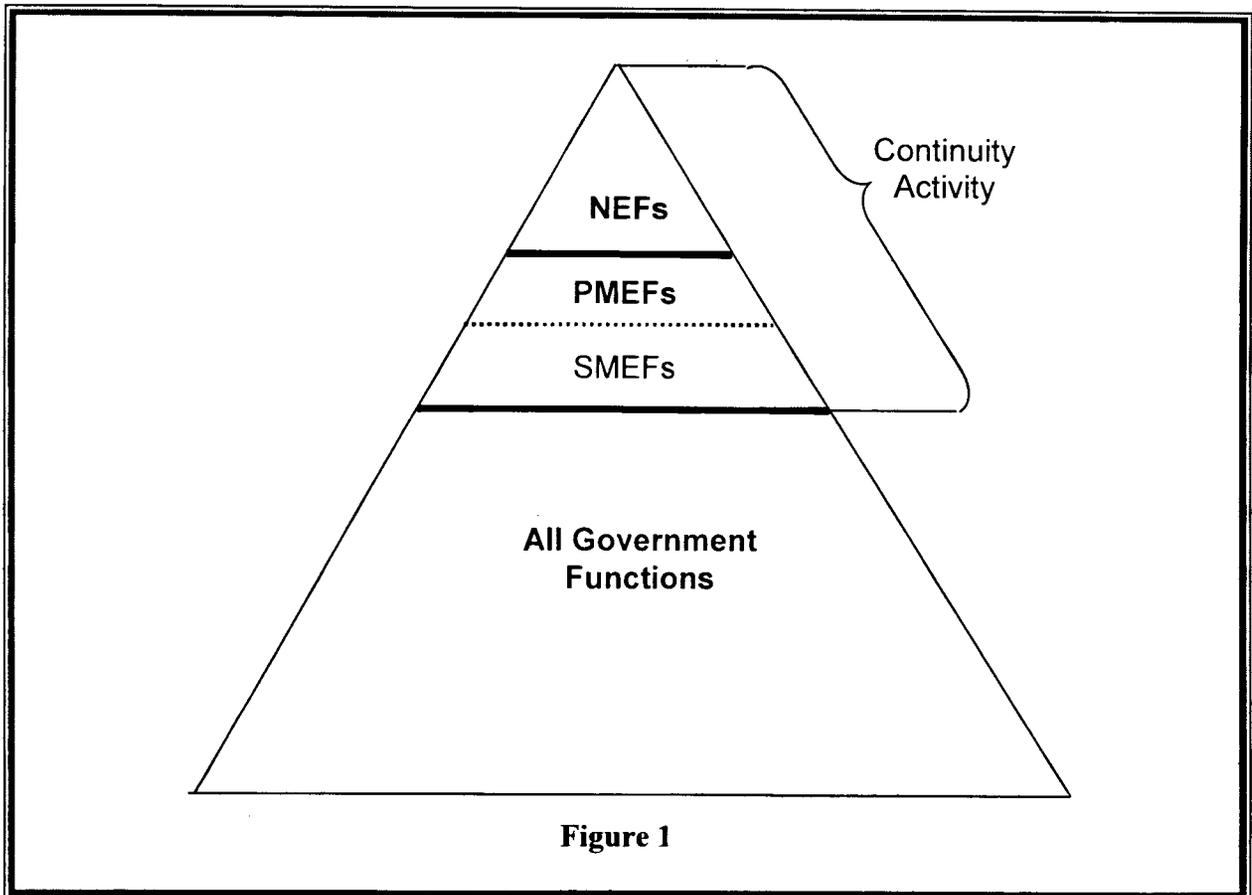


Figure 1

## National Essential Functions – with illustrative examples

*Those Government Functions that are necessary to lead and sustain the country during an emergency and, therefore, that must be supported through continuity capabilities. The NEFs will be the primary focus of the President and the national leadership during and following an emergency. These are categories of functions performed by one or more departments and agencies. They are not new authorities, requirements, or functions.*

*The illustrative examples are suggested PMEFs to support the NEFs. PMEFs should be regarded as the “end” – not the “means” to the end. The “means” will be reflected as Supporting Activities or Capabilities in department or agency continuity plans.*

1. **Preserve our Constitutional form of government.** This NEF includes department and agency functions that respect and implement the check and balance relationship among the three branches of the Federal government.
  - Illustrative example:
    - Preserve essential communications between the Executive, Legislative, and Judicial branches.
2. **Provide leadership visible to the Nation and the world; maintain the trust and confidence of the American people.** This NEF includes department and agency functions to demonstrate that the Federal government is viable, functioning, and effectively addressing the emergency.
  - Illustrative examples:
    - Communicate with the American people and foreign leaders
    - Coordinate with and provide information to state and local governments
3. **Defend the country against all enemies, foreign or domestic, and prevent or interdict future attacks.** This NEF includes department and agency functions to protect and defend the worldwide interests of the United States against foreign or domestic enemies, to honor security agreements and treaties with allies, and to maintain military readiness and preparedness in furtherance of national interests and objectives
  - Illustrative example:
    - Maintain the security of the United States through timely and effective deployment of the Armed Forces.
4. **Maintain and foster effective relationships with foreign nations.** This NEF includes department and agency functions to maintain and strengthen American foreign policy.
  - Illustrative examples:
    - Ensure the ability to communicate and interact with Foreign governments to coordinate responses to the emergency and build international support for U.S. actions
    - Cooperate with foreign governments to share intelligence and identify threats

5. **Protect against threats to the homeland and bring to justice perpetrators of crimes or attacks against the nation, its citizens or interests.** This NEF includes department and agency functions to protect against, prevent, or interdict attacks on the people or interests of the nation and to identify, incarcerate, and punish those who have committed violations of the law.
  - Illustrative examples:
    - Maintain the security of the nation's borders against unlawful or hostile entry
    - Ensure the safety of commercial transportation
    - Conduct law enforcement investigations of Federal crimes
  
6. **Provide rapid and effective response to and recovery from the domestic consequences of an attack or other incident.** This NEF includes department and agency functions to implement response and recovery plans, including, but not limited to, the National Response Plan.
  - Illustrative examples:
    - Collect and disseminate incident and threat related information
    - Provide medical care to the population affected by the attack or incident.
  
7. **Protect and stabilize the nation's economy; ensure confidence in financial systems.** This NEF includes department and agency functions to minimize the economic consequences of an attack or other major impact on national or international economic functions or activities.
  - Illustrative examples:
    - Coordinate re-opening of financial markets
    - Facilitate movement of goods and services across borders to support economic activity.
  
8. **Provide for critical Federal government services that address the national health, safety, and welfare needs of the Nation.** This NEF includes department and agency functions that ensure that the critical national level needs of the nation are met during an emergency. [Note: this NEF is strictly limited to *critical* functions of the Federal government with a national level consequence; it *not* does apply to general well-being and welfare of the nation.]
  - Illustrative examples:
    - Ensure and maintain the safety and efficiency of the nation's air traffic
    - Protect the nation's food supply
    - Provide timely and accurate severe storm warning information to the public.

### Approach

Each Federal department and agency will identify its PMEFs based on the list of NEFs. Departments and agencies will be asked to describe their proposed PMEFs succinctly, show the NEFs with which each PMEF is associated, provide the minimum time period in which the PMEFs must be performed during an emergency, and list any other

departments and agencies upon which they depend in order to perform their PMEFS. A PMEFS may be associated with more than one NEF. In order to ensure that the submission represents all aspects of the department's or agency's mission, and that the priorities have been approved by the department's or agency's leadership, submissions will be provided under the signature of the deputy or other appropriate policy official. (Note: identification of SMEFS is the responsibility of each department and agency for use within their organizations for continuity and related planning. These will not be collected, reviewed, or approved at the national level).

Following receipt of agency submissions, an interagency continuity working group will review the results and work with individual departments and agencies to clarify information and resolve any gaps or conflicts. The proposed list of PMEFS for all agencies will be presented to the Deputies Committee for concurrence to support anticipated Presidential level continuity policy and will be used to develop and implement improved requirements for capabilities, inform the annual budget process, establish program metrics, and guide training and exercises and other continuity program activities.

## **Recommended Guidelines for Submitting Department/Agency Priority Mission Essential Functions Information**

A meeting to provide training and amplification on these guidelines will be held on Wednesday, January 12, 2005.

### **Materials that should be submitted**

1. A narrative statement itemizing the Priority Mission Essential Functions for the department or agency. Each PMEFL should be numbered and should be a short one-sentence or phrase plus two explanatory paragraphs. The first paragraph should further describe and explain the function. The second paragraph should describe the consequences of failure to continue or resume the function in a timely way. The submission should also include a name, e-mail address, and phone number of a point of contact for questions and follow-up.
2. A completed spread sheet. The spread sheet will be provided electronically to each department and agency. Detailed guidance for entering data in the spreadsheet is provided at the end of these instructions. **It is critical that the format of the spread sheet NOT be modified.**

Carefully review the list of PMEFLs to ensure that it represents that narrow set of functions that are critical to support the NEFs and therefore must be supported by continuity capabilities.

### **Form of submission**

Submit the narrative statement in hard copy via a cover memorandum signed by the Deputy Secretary or other appropriate senior level policy official with department- or agency-wide responsibility. Address submissions to David W. Howe, Special Assistant to the President and Senior Director for Emergency Preparedness and Response, Homeland Security Council.

Submit an electronic version of the narrative along with the completed spreadsheet to the Office of National Security Coordination (ONSC) at FEMA via the following e-mail address: [onscoop@dhs.gov](mailto:onscoop@dhs.gov).

### **Due Date for Submissions**

Submissions should be made no later than Friday, February 18, 2005.

### **Classified submissions**

All departments and agencies should submit an unclassified version of their submission. Departments and agencies that wish to submit additional classified material should contact ONSC to make appropriate arrangements.

### **Negative Responses**

Many departments and agencies will not have PMEFLs. Those that do not have any PMEFLs should submit a memorandum to that effect.

**Scope of Responses**

The submission of each department or agency should cover the full range of activities within the department or agency, including all bureaus, services, administrations, laboratories, and other organizations and facilities AND cover all locations at which any of those entities conducts business. This effort is NOT limited to headquarters activities and locations.

**For Further Information**

Contact: Jim Douglas  
Director for COOP Programs  
Homeland Security Council  
202-456-5781  
[jdouglas@who.eop.gov](mailto:jdouglas@who.eop.gov)

## Guidance for Completing the PMEF Spreadsheet

(See sample on following page)

Column A	Entry number
Column B	Acronym of the <i>parent</i> or principal organization (e.g. DOJ)
Column C	Acronym of the sub-element that is responsible for the function (e.g. FBI)
Column D	Short descriptor sentence or phrase for the PMEF (should match the lead sentence or phrase in the narrative submission)
Columns E-L	Enter an "x" under each applicable NEF. One PMEF may support more than one NEF. If no applicable NEF, but the department or agency believes merits status as a PMEF annotate in the Narrative submission.
Columns M-Q	Indicate with an "x" the time (in hours) needed to resume the function after disruption occurs from the options provided. Functions that must be performed continuously or resumed in less than an hour should be shown as "0". Functions that must be resumed only after 3 or more days should be shown in the ">72" column. Only one time frame per PMEF.
Column R	Identify department or agency partners required to perform function.



**Information on Meeting for Developing Department/Agency  
Priority Mission Essential Functions Information**

**Purpose:** To provide training on the guidelines for submitting  
Department/Agency Priority Mission Essential Functions information

**Date:** January 12, 2005

**Location:** GSA Auditorium, 18<sup>th</sup> and F Street, NW

**Time:** 9 a.m. – 12 p.m.

**Participants:** Representatives from each department and agency with responsibility  
for preparation and review of PME information (agencies may send  
multiple representatives)

**Classification:** The meeting will be unclassified

**For Further Information:** Kelly Wolslayer, 202-254-2213