

10/7
~~Handwritten signature~~
HOLD PER
NELSON -
He talking to NCS

October 4, 1994

MEMORANDUM FOR JOHN PODESTA

FROM: MIKE NELSON *MN*

CC: GREG SIMON

SUBJECT: NATIONAL COMMUNICATIONS SYSTEM DIRECTIVE 4-3

Thank you for routing a copy of the NCS directive on interoperability to me for review. I have some serious reservations about sending this forward to the President for approval. My main concerns: (1) the language of the directive is rather vague and open-ended and subject to misinterpretation, and (2) there are probably better ways to accomplish what is called for in the directive.

As I read it, the directive does little more than exhort Federal agencies to ensure that their communications systems are interoperable in times of emergency. Unfortunately, others could read the directive as giving the NCS a new, large, but unspecified role in the design and development of the entire National Information Infrastructure. I have been unable to get a convincing argument from NCS or anyone else as to why this directive is needed and what specifically it will accomplish.

I suspect that it would be more effective to have NCS, OSTP, and OMB work together on more specific guidance to the agencies regarding interoperability of Federal telecommunications systems, and have talked with contacts at NCS and OMB about doing so.

9-22

OK to close
per Todd,
but double 'ck
w/you

OK

NOT

OK

OVP will get back
with comments Thurs. a.m.

Mike Nelson

395-6175
OSTP

Todd

Have Andy

check ~~once more~~
w Nelson on
interoperability
& then
per
JDP

HOL D →

for OSTP

Comments

WHITE HOUSE STAFFING MEMORANDUM

DATE: 8-14 ACTION/CONCURRENCE/COMMENT DUE BY: 8-15SUBJECT: National Communications System

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☐	☐	McGINTY	☐	☐
PANETTA	☐	☐	MYERS	☐	☐
McLARTY	☐	☐	QUINN	☐	☐
LADER	☐	☐	RASCO	☐	☐
ICKES	☐	☐	RUBIN	☐	☐
RIVLIN	☐	☐	SEGAL	☐	☐
BAGGETT	☐	☐	SEIDMAN	☐	☐
CUTLER	☐	☐	STEPHANOPOULOS	☐	☐
EMANUEL	☐	☐	TYSON	☐	☐
GEARAN	☐	☐	VARNEY	☐	☐
GERGEN	☐	☐	WILLIAMS	☐	☐
GIBBONS <i>opposed</i>	☐	☐	<u>Greg Simon</u>	☒	☐
GRIFFIN	☐	☐	_____	☐	☐
HALE	☐	☐	_____	☐	☐
HERMAN	☐	☐	_____	☐	☐
LAKE	☐	☐	_____	☐	☐
LINDSEY	☐	☐	_____	☐	☐

REMARKS:

Are you ok on this?

RESPONSE:

JOHN D. PODESTA
 Assistant to the President
 and Staff Secretary
 Ext. 2702

THE WHITE HOUSE

WASHINGTON

September 13, 1994

94 SEP 13 P10:47

078278

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM:

ANTHONY LAKE ✓

SUBJECT:

National Communications System Issuance

Purpose

To establish a policy by which the National Communications System (NCS) can ensure that national security telecommunication system interface requirements and standards for meeting interoperability and survivability objectives are considered in federal agency telecommunications plans and architectures.

Background

Executive Order 12472 tasks the NCS to assist the President, the National Security Council, the Director of the Office of Science and Technology Policy and the Director of the Office of Management and Budget (as applicable) in the coordination of national security and emergency preparedness communications for the federal government. The Directive at Tab A establishes authority for NCS to ensure that these national security telecommunications requirements are met.

RECOMMENDATION

That you authorize Dr. Gibbons and myself to sign NCS Directive 4-3 at Tab A.

Approve _____ Disapprove _____

Attachment

Tab A National Communications System Directive 4-3

cc: Vice President
Chief of Staff



NATIONAL COMMUNICATIONS SYSTEM

NCS 2985/1

OFFICE OF THE MANAGER
701 SOUTH COURT HOUSE ROAD
ARLINGTON, VIRGINIA 22204-2198

IN REPLY
REFER TO: NJ

6 December 1993

MEMORANDUM FOR ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY AFFAIRS

THRU: Executive Agent, National Communications System

SUBJECT: National Communications System Issuance

Sign 15 Dec 93

1. On behalf of the National Communications System (NCS) Committee of Principals, NCS Directive (NCSD) 4-3, "Interoperability of Telecommunications in Support of National Security and Emergency Preparedness (NS/EP)," is submitted in accordance with the NCS Issuance System for review and action by the Executive Office of the President.

2. In accordance with Executive Order (E.O.) 12472, "Assignment of National Security and Emergency Preparedness Telecommunications (NS/EP) Functions," the NCS is tasked to ensure that system interface requirements and standards for meeting interoperability and system survivability objectives are considered in agency telecommunications plans and system architectures. NCS Directive 4-3 establishes the policy by which the NCS supports NS/EP objectives by seeking to ensure the interoperability of NS/EP telecommunications assets within Federal Government. Once approved, the Manager, NCS, will distribute this document in accordance with the NCS Issuance System.

3. Questions regarding this matter should be referred to Ms. Janet Jefferson, NCS Joint Secretariat, at (703) 692-8434.

1 Enclosure:
NCSD 4-3

ALONZO E. SHORT, JR.
Lieutenant General, USA
Manager

NATIONAL COMMUNICATIONS SYSTEM
701 South Court House Road
Arlington, Virginia 22204-2198

NCS DIRECTIVE 4-3

TECHNOLOGY AND STANDARDS

Interoperability of Telecommunications in Support of National
Security and Emergency Preparedness (NS/EP)

1. Purpose. This Directive establishes the policy by which the National Communications System (NCS) supports national security and emergency preparedness (NS/EP) objectives by seeking to ensure the interoperability of NS/EP telecommunications assets among Federal Government departments, agencies, or entities, and other affected Executive entities.
2. Applicability. This Directive is binding upon the Executive Agent, NCS; Manager, NCS; NCS Committee of Principals and member organizations; and other affected Executive entities.
3. Authority. This directive is issued pursuant to Executive Order No. 12472 (E.O. 12472) "Assignment of National Security and Emergency Preparedness Telecommunications Functions," April 3, 1984; Volume 49, No. 67 Federal Register 13471, and NCS Directive 1-1, "National Communications System (NCS) Issuance System," November 30, 1987.
4. References:
 - a. Executive Order 12472 (E.O. 12472) "Assignment of National Security and Emergency Preparedness Telecommunications Functions," April 3, 1984; Volume 49, No. 67 Federal Register 13471.
 - b. Executive Order 12656 (E.O. 12656) "Assignment of Emergency Preparedness Responsibilities," November 18, 1988; Volume 53, No. 288 Federal Register 47491.
 - c. NCS Directive 2-1, "National Security Emergency Preparedness (NS/EP) Telecommunications Planning Process."
 - d. NCS Directive 3-1, "Telecommunications Service Priority (TSP) System for National Security Emergency Preparedness (NSEP)."
 - e. NCS Directive 4-1, "Federal Telecommunications Standards Program," February 21, 1991.

-
- Office of Primary Responsibility: NT
 - Distribution: NCS

f. White House Memorandum, Subject: "National Communications System Interoperability (E.O. 12472)," January 9, 1989.

5. Cancellation/Supersession. Initial publication.

6. Definitions. Terms used in this directive are defined in Appendix A.

7. Policy.

a. The National Communications System (NCS) will use the National telecommunications infrastructure for the national security and emergency preparedness needs of the President and the Federal departments, agencies, or entities and other Executive entities, that support the national security leadership and is consistent with other national telecommunications policies to the maximum extent possible.

b. A National telecommunications infrastructure is available that is based on commercial standards, practices, and network operations.

8. Responsibilities.

a. The Executive Agent, NCS Shall:

(1) Ensure NCS compliance with reference (a) for the interoperability of telecommunications assets for NS/EP purposes.

(2) Consider and approve other issuances to ensure the interoperability of telecommunications assets for NS/EP purposes.

(3) Review and provide comments regarding telecommunications interoperability concepts, plans, procedures, processes, and policies, for NS/EP purposes, to the Executive Office of the President.

b. The Manager, NCS Shall:

(1) In coordination with the NCS Committee of Principals and the Executive Agent, NCS, develop plans, procedures, standards, and processes for minimizing or removing impediments to the interoperability of government-owned and commercially-provided telecommunications assets for NS/EP purposes.

(2) In coordination with the NCS Committee of Principals, develop a process by which NCS member organizations ensure that requisite intra- and interagency telecommunications assets are interoperable for NS/EP purposes.

(3) Assist NCS member organizations in implementing the developed interoperability plans, procedures, standards, and processes developed for telecommunications assets for NS/EP purposes.

c. The NCS Committee of Principals Shall:

(1) In coordination with the Manager, NCS, develop a process by which the NCS member organizations will ensure the interoperability of requisite intra- and interagency telecommunications assets for NS/EP purposes.

(2) Review and provide comments regarding the interoperability of NS/EP telecommunications assets, concepts, plans, procedures, standards, and processes affecting NS/EP activities, to the Executive Agent, NCS.

(3) Consider other issuances for the interoperability of telecommunications assets for NS/EP purposes.

d. The NCS Member Organizations Shall:

(1) Ensure that adequate intra- and interagency NS/EP telecommunications interoperability exists to enable the performance of assigned NS/EP functions.

(2) Implement, with the assistance of the Manager, NCS, plans, procedures, standards, and processes developed for telecommunications assets for NS/EP purposes.

9. Authorizing Provision. NCS manuals, handbooks, and notices implementing this directive are authorized.

10. Effective Date. This directive is effective immediately.

11. Expiration Date. This directive will remain in effect until superseded or canceled.

1 Appendix:
Definitions

Director
Office of Science and Technology Policy
Date:

Assistant to the President
for National Security Affairs
Date:

Summary of changes: Initial issuance.

APPENDIX: Definitions

Definitions have been derived from Federal Standard 1037B.

Interoperability. 1. The ability of systems, units, or forces to provide services to and accept services from other systems, units, or forces and to use the services so exchanged to enable them to operate effectively together. 2. The condition achieved among communications-electronics systems or items of communications-electronics equipment when information or services can be exchanged directly and satisfactorily between them and/or their users. The degree of interoperability should be defined when referring to specific cases. 3. The ability to exchange data in a prescribed manner and the processing of such data to extract intelligible information that can be used to control/coordinate operations.

National Communications System. 1. The organization established by Section 1(a) of Executive Order No. 12472 to assist the President, the National Security Council, the Director of the Office of Science and Technology Policy, and the Director of the Office of Management and Budget, in the discharge of their national security emergency preparedness telecommunications functions. The NCS consists of both the telecommunications assets of the entities represented on the NCS Committee of Principals and an administrative structure consisting of the Executive Agent, the NCS Committee of Principals, and the Manager. 2. The telecommunications system that results from the technical and operational integration of the separate telecommunications systems of the several Executive branch departments and agencies having a significant telecommunications capability.

NS/EP Telecommunications. Telecommunications services that are used to maintain a state of readiness or to respond to and manage any event or crisis (local, national, or international) that causes or could cause injury or harm to the population, damage to or loss of property, or degrade or threaten the national security /or emergency preparedness posture of the United States.

System. 1. Any organized assembly of resources and procedures united and regulated by interaction or interdependence to accomplish a set of specific functions. 2. A collection of personnel, equipment, and methods organized to accomplish a set of specific functions.

Presidential Documents

Executive Order 12472 of April 3, 1984

Assignment of National Security and Emergency Preparedness Telecommunications Functions

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Communications Act of 1934, as amended (47 U.S.C. 151), the National Security Act of 1947, as amended, the Defense Production Act of 1950, as amended (50 U.S.C. App. 2081), the Federal Civil Defense Act of 1950, as amended (50 U.S.C. App. 2251), the Disaster Relief Act of 1974 (42 U.S.C. 5121), Section 5 of Reorganization Plan No. 1 of 1977 (3 C.F.R. 197, 1978 Comp.), and Section 203 of Reorganization Plan No. 3 of 1978 (3 C.F.R. 389, 1978 Comp.), and in order to provide for the consolidation of assignment and responsibility for improved execution of national security and emergency preparedness telecommunications functions, it is hereby ordered as follows:

Section 1. *The National Communications System.* (a) There is hereby established the National Communications System (NCS). The NCS shall consist of the telecommunications assets of the entities represented on the NCS Committee of Principals and an administrative structure consisting of the Executive Agent, the NCS Committee of Principals and the Manager. The NCS Committee of Principals shall consist of representatives from those Federal departments, agencies or entities, designated by the President, which lease or own telecommunications facilities or services of significance to national security or emergency preparedness, and, to the extent permitted by law, other Executive entities which bear policy, regulatory or enforcement responsibilities of importance to national security or emergency preparedness telecommunications capabilities.

(b) The mission of the NCS shall be to assist the President, the National Security Council, the Director of the Office of Science and Technology Policy and the Director of the Office of Management and Budget in:

(1) the exercise of the telecommunications functions and responsibilities set forth in Section 2 of this Order; and

(2) the coordination of the planning for and provision of national security and emergency preparedness communications for the Federal government under all circumstances, including crisis or emergency, attack, recovery and reconstruction.

(c) The NCS shall seek to ensure that a national telecommunications infrastructure is developed which:

(1) Is responsive to the national security and emergency preparedness needs of the President and the Federal departments, agencies and other entities, including telecommunications in support of national security leadership and continuity of government;

(2) Is capable of satisfying priority telecommunications requirements under all circumstances through use of commercial, government and privately owned telecommunications resources;

(3) Incorporates the necessary combination of hardness, redundancy, mobility, connectivity, interoperability, restorability and security to obtain, to the maximum extent practicable, the survivability of national security and emergency

preparedness telecommunications in all circumstances, including conditions of crisis or emergency; and

(4) Is consistent, to the maximum extent practicable, with other national telecommunications policies.

(d) To assist in accomplishing its mission, the NCS shall:

(1) serve as a focal point for joint industry-government national security and emergency preparedness telecommunications planning; and

(2) establish a joint industry-government National Coordinating Center which is capable of assisting in the initiation, coordination, restoration and reconstitution of national security or emergency preparedness telecommunications services or facilities under all conditions of crisis or emergency.

(e) The Secretary of Defense is designated as the Executive Agent for the NCS. The Executive Agent shall:

(1) Designate the Manager of the NCS;

(2) Ensure that the NCS conducts unified planning and operations, in order to coordinate the development and maintenance of an effective and responsive capability for meeting the domestic and international national security and emergency preparedness telecommunications needs of the Federal government;

(3) Ensure that the activities of the NCS are conducted in conjunction with the emergency management activities of the Federal Emergency Management Agency;

(4) Recommend, in consultation with the NCS Committee of Principals, to the National Security Council, the Director of the Office of Science and Technology Policy, or the Director of the Office of Management and Budget, as appropriate:

a. The assignment of implementation or other responsibilities to NCS member entities;

b. New initiatives to assist in the exercise of the functions specified in Section 2; and

c. Changes in the composition or structure of the NCS;

(5) Oversee the activities of and provide personnel and administrative support to the Manager of the NCS;

(6) Provide staff support and technical assistance to the National Security Telecommunications Advisory Committee established by Executive Order No. 12382, as amended; and

(7) Perform such other duties as are from time to time assigned by the President or his authorized designee.

(f) The NCS Committee of Principals shall:

(1) Serve as the forum in which each member of the Committee may review, evaluate, and present views, information and recommendations concerning ongoing or prospective national security or emergency preparedness telecommunications programs or activities of the NCS and the entities represented on the Committee;

(2) Serve as the forum in which each member of the Committee shall report on and explain ongoing or prospective telecommunications plans and programs developed or designed to achieve national security or emergency preparedness telecommunications objectives;

(3) Provide comments or recommendations, as appropriate, to the National Security Council, the Director of the Office of Science and Technology Policy, the Director of the Office of Management and Budget, the Executive Agent, or the Manager of the NCS, regarding ongoing or prospective activities of the NCS; and

(4) The National Security Council, the Director of the Office of Science and Technology Policy and the Director of the Office of Management and Budget shall, in consultation with the Executive Agent for the NCS and the NCS Committee of Principals, determine what constitutes national security and emergency preparedness telecommunications requirements.

(d) *Consultation with Federal Departments and Agencies.* In performing the functions assigned under this Order, the National Security Council and the Director of the Office of Science and Technology Policy, in consultation with each other, shall:

(1) Consult, as appropriate, with the Director of the Office of Management and Budget; the Director of the Federal Emergency Management Agency with respect to the emergency management responsibilities assigned pursuant to Executive Order No. 12148, as amended; the Secretary of Commerce, with respect to responsibilities assigned pursuant to Executive Order No. 12048; the Secretary of Defense, with respect to communications security responsibilities assigned pursuant to Executive Order No. 12333; and the Chairman of the Federal Communications Commission or his authorized designee; and

(2) Establish arrangements for consultation among all interested Federal departments, agencies or entities to ensure that the national security and emergency preparedness communications needs of all Federal government entities are identified; that mechanisms to address such needs are incorporated into pertinent plans and procedures; and that such needs are met in a manner consistent to the maximum extent practicable, with other national telecommunications policies.

(e) *Budgetary Guidelines.* The Director of the Office of Management and Budget, in consultation with the National Security Council and the NCS, will prescribe general guidelines and procedures for reviewing the financing of the NCS within the budgetary process and for preparation of budget estimates by participating agencies. These guidelines and procedures may provide for mechanisms for funding, through the budget review process, national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities.

Sec. 3. Assignment of Responsibilities to Other Departments and Agencies. In order to support and enhance the capability to satisfy the national security and emergency preparedness telecommunications needs of the Federal government, State and local governments, private industry and volunteer organizations, under all circumstances including those of crisis or emergency, the Federal departments and agencies shall perform the following functions:

(a) *Department of Commerce.* The Secretary of Commerce shall, for all conditions of crisis or emergency: (1) Develop plans and procedures concerning radio spectrum assignments, priorities and allocations for use by Federal departments, agencies and entities; and

(2) Develop, maintain and publish policy, plans, and procedures for the control and allocation of frequency assignments, including the authority to amend, modify or revoke such assignments, in those parts of the electromagnetic spectrum assigned to the Federal government.

(b) *Federal Emergency Management Agency.* The Director of the Federal Emergency Management Agency shall:

(1) Plan for and provide, operate and maintain telecommunications services and facilities, as part of its National Emergency Management System, adequate to support its assigned emergency management responsibilities;

(2) Advise and assist State and local governments and volunteer organizations, upon request and to the extent consistent with law, in developing plans and procedures for identifying and satisfying their national security or emergency preparedness telecommunications requirements;

(3) Ensure, to the maximum extent practicable, that national security and emergency preparedness telecommunications planning by State and local

governments and volunteer organizations is mutually supportive and consistent with the planning of the Federal government; and

(4) Develop, upon request and to the extent consistent with law and in consonance with regulations promulgated by and agreements with the Federal Communications Commission, plans and capabilities for, and provide policy and management oversight of, the Emergency Broadcast System, and advise and assist private radio licensees of the Commission in developing emergency communications plans, procedures and capabilities.

(c) *Department of State.* The Secretary of State, in accordance with assigned responsibilities within the Diplomatic Telecommunications System, shall plan for and provide, operate and maintain rapid, reliable and secure telecommunications services to those Federal entities represented at United States diplomatic missions and consular offices overseas. This responsibility shall include the provision and operation of domestic telecommunications in support of assigned national security or emergency preparedness responsibilities.

(d) *Department of Defense.* In addition to the other responsibilities assigned by this Order, the Secretary of Defense shall:

(1) Plan for and provide, operate and maintain telecommunications services and facilities adequate to support the National Command Authorities and to execute the responsibilities assigned by Executive Order No. 12333; and

(2) Ensure that the Director of the National Security Agency provides the technical support necessary to develop and maintain plans adequate to provide for the security and protection of national security and emergency preparedness telecommunications.

(e) *Department of Justice.* The Attorney General shall, as necessary, review for legal sufficiency, including consistency with the antitrust laws, all policies, plans or procedures developed pursuant to responsibilities assigned by this Order.

(f) *Central Intelligence Agency.* The Director of Central Intelligence shall plan for and provide, operate, and maintain telecommunications services adequate to support its assigned responsibilities, including the dissemination of intelligence within the Federal government.

(g) *General Services Administration.* Except as otherwise assigned by this Order, the Administrator of General Services, consistent with policy guidance provided by the Director of the Office of Management and Budget, shall ensure that Federally owned or managed domestic communications facilities and services meet the national security and emergency preparedness requirements of the Federal civilian departments, agencies and entities.

(h) *Federal Communications Commission.* The Federal Communications Commission shall, consistent with Section 4(c) of this Order:

(1) Review the policies, plans and procedures of all entities licensed or regulated by the Commission that are developed to provide national security or emergency preparedness communications services, in order to ensure that such policies, plans and procedures are consistent with the public interest, convenience and necessity;

(2) Perform such functions as required by law with respect to all entities licensed or regulated by the Commission, including (but not limited to) the extension, discontinuance or reduction of common carrier facilities or services; the control of common carrier rates, charges, practices and classifications; the construction, authorization, activation, deactivation or closing of radio stations, services and facilities; the assignment of radio frequencies to Commission licensees; the investigation of violations of pertinent law and regulation; and the initiation of appropriate enforcement actions;

(3) Develop policy, plans and procedures adequate to execute the responsibilities assigned in this Order under all conditions or crisis or emergency; and

(4) Perform such other duties as are from time to time assigned by the President or his authorized designee.

(g) The Manager of the NCS shall:

(1) Develop for consideration by the NCS Committee of Principals and the Executive Agent:

a. A recommended evolutionary telecommunications architecture designed to meet current and future Federal government national security and emergency preparedness telecommunications requirements;

b. Plans and procedures for the management, allocation and use, including the establishment of priorities or preferences, of Federally owned or leased telecommunications assets under all conditions of crisis or emergency;

c. Plans, procedures and standards for minimizing or removing technical impediments to the interoperability of government-owned and/or commercially-provided telecommunications systems;

d. Test and exercise programs and procedures for the evaluation of the capability of the Nation's telecommunications resources to meet national security or emergency preparedness telecommunications requirements; and

e. Alternative mechanisms for funding, through the budget review process, national security or emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities. Those mechanisms recommended by the NCS Committee of Principals and the Executive Agent shall be submitted to the Director of the Office of Management and Budget.

(2) Implement and administer any approved plans or programs as assigned, including any system of priorities and preferences for the provision of communications service, in consultation with the NCS Committee of Principals and the Federal Communications Commission, to the extent practicable or otherwise required by law or regulation;

(3) Chair the NCS Committee of Principals and provide staff support and technical assistance thereto;

(4) Serve as a focal point for joint industry-government planning, including the dissemination of technical information, concerning the national security or emergency preparedness telecommunications requirements of the Federal government;

(5) Conduct technical studies or analyses, and examine research and development programs, for the purpose of identifying, for consideration by the NCS Committee of Principals and the Executive Agent, improved approaches which may assist Federal entities in fulfilling national security or emergency preparedness telecommunications objectives;

(6) Pursuant to the Federal Standardization Program of the General Services Administration, and in consultation with other appropriate entities of the Federal government including the NCS Committee of Principals, manage the Federal Telecommunications Standards Program, ensuring wherever feasible that existing or evolving industry, national, and international standards are used as the basis for Federal telecommunications standards; and

(7) Provide such reports and perform such other duties as are from time to time assigned by the President or his authorized designee, the Executive Agent, or the NCS Committee of Principals. Any such assignments of responsibility to, or reports made by, the Manager shall be transmitted through the Executive Agent.

Sec. 2. Executive Office Responsibilities. (a) Wartime Emergency Functions.

(1) The National Security Council shall provide policy direction for the exercise of the war power functions of the President under Section 606 of the Communications Act of 1934, as amended (47 U.S.C. 606), should the President

issue implementing instructions in accordance with the National Emergencies Act (50 U.S.C. 1601).

(2) The Director of the Office of Science and Technology Policy shall direct the exercise of the war power functions of the President under Section 606 (a), (c)-(e), of the Communications Act of 1934, as amended (47 U.S.C. 606), should the President issue implementing instructions in accordance with the National Emergencies Act (50 U.S.C. 1601).

(b) *Non-Wartime Emergency Functions.* (1) The National Security Council shall:

a. Advise and assist the President in coordinating the development of policy, plans, programs and standards within the Federal government for the identification, allocation, and use of the Nation's telecommunications resources by the Federal government, and by State and local governments, private industry and volunteer organizations upon request, to the extent practicable and otherwise consistent with law, during those crises or emergencies in which the exercise of the President's war power functions is not required or permitted by law; and

b. Provide policy direction for the exercise of the President's non-wartime emergency telecommunications functions, should the President so instruct.

(2) The Director of the Office of Science and Technology Policy shall provide information, advice, guidance and assistance, as appropriate, to the President and to those Federal departments and agencies with responsibilities for the provision, management, or allocation of telecommunications resources, during those crises or emergencies in which the exercise of the President's war power functions is not required or permitted by law;

(3) The Director of the Office of Science and Technology Policy shall establish a Joint Telecommunications Resources Board (JTRB) to assist him in the exercise of the functions specified in this subsection. The Director of the Office of Science and Technology Policy shall serve as chairman of the JTRB; select those Federal departments, agencies, or entities which shall be members of the JTRB; and specify the functions it shall perform.

(c) *Planning and Oversight Responsibilities.* (1) The National Security Council shall advise and assist the President in:

a. Coordinating the development of policy, plans, programs and standards for the mobilization and use of the Nation's commercial, government, and privately owned telecommunications resources, in order to meet national security or emergency preparedness requirements;

b. Providing policy oversight and direction of the activities of the NCS; and

c. Providing policy oversight and guidance for the execution of the responsibilities assigned to the Federal departments and agencies by this Order.

(2) The Director of the Office of Science and Technology Policy shall make recommendations to the President with respect to the test, exercise and evaluation of the capability of existing and planned communications systems, networks or facilities to meet national security or emergency preparedness requirements and report the results of any such tests or evaluations and any recommended remedial actions to the President and to the National Security Council;

(3) The Director of the Office of Science and Technology Policy or his designee shall advise and assist the President in the administration of a system of radio spectrum priorities for those spectrum dependent telecommunications resources of the Federal government which support national security or emergency preparedness functions. The Director also shall certify or approve priorities for radio spectrum use by the Federal government, including the resolution of any conflicts in or among priorities, under all conditions of crisis or emergency; and

(4) Consult as appropriate with the Executive Agent for the NCS and the NCS Committee of Principals to ensure continued coordination of their respective national security and emergency preparedness activities.

(i) All Federal departments and agencies, to the extent consistent with law (including those authorities and responsibilities set forth in Section 4(c) of this Order), shall:

(1) Determine their national security and emergency preparedness telecommunications requirements, and provide information regarding such requirements to the Manager of the NCS;

(2) Prepare policies, plans and procedures concerning telecommunications facilities, services or equipment under their management or operational control to maximize their capability of responding to the national security or emergency preparedness needs of the Federal government;

(3) Provide, after consultation with the Director of the Office of Management and Budget, resources to support their respective requirements for national security and emergency preparedness telecommunications; and provide personnel and staff support to the Manager of the NCS as required by the President;

(4) Make information available to, and consult with, the Manager of the NCS regarding agency telecommunications activities in support of national security or emergency preparedness;

(5) Consult, consistent with the provisions of Executive Order No. 12048, as amended, and in conjunction with the Manager of the NCS, with the Federal Communications Commission regarding execution of responsibilities assigned by this Order;

(6) Submit reports annually, or as otherwise requested, to the Manager of the NCS, regarding agency national security or emergency preparedness telecommunications activities; and

(7) Cooperate with and assist the Executive Agent for the NCS, the NCS Committee of Principals, the Manager of the NCS, and other departments and agencies in the execution of the functions set forth in this Order, furnishing them such information, support and assistance as may be required.

(j) Each Federal department or agency shall execute the responsibilities assigned by this Order in conjunction with the emergency management activities of the Federal Emergency Management Agency, and in regular consultation with the Executive Agent for the NCS and the NCS Committee of Principals to ensure continued coordination of NCS and individual agency telecommunications activities.

Sec. 4. General Provisions. (a) All Executive departments and agencies may issue such rules and regulations as may be necessary to carry out the functions assigned under this Order.

(b) In order to reflect the assignments of responsibility provided by this Order.

(1) Sections 2-414, 4-102, 4-103, 4-202, 4-302, 5-3, and 6-101 of Executive Order No. 12048, as amended, are revoked;

(2) The Presidential Memorandum of August 21, 1963, as amended, entitled "Establishment of the National Communications System", is hereby superseded; and

(3) Section 2-411 of Executive Order No. 12048, as amended, is further amended by deleting the period and inserting ", except as otherwise provided by Executive Order No. " and inserting the number assigned to this Order.

(c) Nothing in this Order shall be deemed to affect the authorities or responsibilities of the Director of the Office of Management and Budget, or any Office or official thereof; or reassign any function assigned any agency under the Federal Property and Administrative Services Act of 1949, as amended; or

under any other law; or any function vested by law in the Federal Communications Commission.

Sec. 5. This Order shall be effective upon publication in the Federal Register.

Ronald Reagan

THE WHITE HOUSE

April 3, 1984.

THE WHITE HOUSE

WASHINGTON

September 13, 1994

94 SEP 13 P10:47

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM:

ANTHONY LAKE ✓

SUBJECT:

National Communications System Issuance

Purpose

To establish a policy by which the National Communications System (NCS) can ensure that national security telecommunication system interface requirements and standards for meeting interoperability and survivability objectives are considered in federal agency telecommunications plans and architectures.

Background

Executive Order 12472 tasks the NCS to assist the President, the National Security Council, the Director of the Office of Science and Technology Policy and the Director of the Office of Management and Budget (as applicable) in the coordination of national security and emergency preparedness communications for the federal government. The Directive at Tab A establishes authority for NCS to ensure that these national security telecommunications requirements are met.

RECOMMENDATION

That you authorize Dr. Gibbons and myself to sign NCS Directive 4-3 at Tab A.

Approve _____ Disapprove _____

Attachment

Tab A National Communications System Directive 4-3

cc: Vice President
Chief of Staff



NATIONAL COMMUNICATIONS SYSTEM

NCS 2985/1

OFFICE OF THE MANAGER
701 SOUTH COURT HOUSE ROAD
ARLINGTON, VIRGINIA 22204-2198

IN REPLY
REFER TO: NJ

6 December 1993

MEMORANDUM FOR ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY AFFAIRS

THRU: Executive Agent, National Communications System

SUBJECT: National Communications System Issuance

Sign 15 Dec 93

1. On behalf of the National Communications System (NCS) Committee of Principals, NCS Directive (NCSD) 4-3, "Interoperability of Telecommunications in Support of National Security and Emergency Preparedness (NS/EP)," is submitted in accordance with the NCS Issuance System for review and action by the Executive Office of the President.

2. In accordance with Executive Order (E.O.) 12472, "Assignment of National Security and Emergency Preparedness Telecommunications (NS/EP) Functions," the NCS is tasked to ensure that system interface requirements and standards for meeting interoperability and system survivability objectives are considered in agency telecommunications plans and system architectures. NCS Directive 4-3 establishes the policy by which the NCS supports NS/EP objectives by seeking to ensure the interoperability of NS/EP telecommunications assets within Federal Government. Once approved, the Manager, NCS, will distribute this document in accordance with the NCS Issuance System.

3. Questions regarding this matter should be referred to Ms. Janet Jefferson, NCS Joint Secretariat, at (703) 692-8434.

1 Enclosure:
NCSD 4-3

ALONZO E. SHORT, JR.
Lieutenant General, USA
Manager

NATIONAL COMMUNICATIONS SYSTEM
701 South Court House Road
Arlington, Virginia 22204-2198

NCS DIRECTIVE 4-3

TECHNOLOGY AND STANDARDS

Interoperability of Telecommunications in Support of National
Security and Emergency Preparedness (NS/EP)

1. Purpose. This Directive establishes the policy by which the National Communications System (NCS) supports national security and emergency preparedness (NS/EP) objectives by seeking to ensure the interoperability of NS/EP telecommunications assets among Federal Government departments, agencies, or entities, and other affected Executive entities.
2. Applicability. This Directive is binding upon the Executive Agent, NCS; Manager, NCS; NCS Committee of Principals and member organizations; and other affected Executive entities.
3. Authority. This directive is issued pursuant to Executive Order No. 12472 (E.O. 12472) "Assignment of National Security and Emergency Preparedness Telecommunications Functions," April 3, 1984; Volume 49, No. 67 Federal Register 13471, and NCS Directive 1-1, "National Communications System (NCS) Issuance System," November 30, 1987.
4. References:
 - a. Executive Order 12472 (E.O. 12472) "Assignment of National Security and Emergency Preparedness Telecommunications Functions," April 3, 1984; Volume 49, No. 67 Federal Register 13471.
 - b. Executive Order 12656 (E.O. 12656) "Assignment of Emergency Preparedness Responsibilities," November 18, 1988; Volume 53, No. 288 Federal Register 47491.
 - c. NCS Directive 2-1, "National Security Emergency Preparedness (NS/EP) Telecommunications Planning Process."
 - d. NCS Directive 3-1, "Telecommunications Service Priority (TSP) System for National Security Emergency Preparedness (NSEP)."
 - e. NCS Directive 4-1, "Federal Telecommunications Standards Program," February 21, 1991.

-
- Office of Primary Responsibility: NT
 - Distribution: NCS

f. White House Memorandum, Subject: "National Communications System Interoperability (E.O. 12472)," January 9, 1989.

5. Cancellation/Supersession. Initial publication.

6. Definitions. Terms used in this directive are defined in Appendix A.

7. Policy.

a. The National Communications System (NCS) will use the National telecommunications infrastructure for the national security and emergency preparedness needs of the President and the Federal departments, agencies, or entities and other Executive entities, that support the national security leadership and is consistent with other national telecommunications policies to the maximum extent possible.

b. A National telecommunications infrastructure is available that is based on commercial standards, practices, and network operations.

8. Responsibilities.

a. The Executive Agent, NCS Shall:

(1) Ensure NCS compliance with reference (a) for the interoperability of telecommunications assets for NS/EP purposes.

(2) Consider and approve other issuances to ensure the interoperability of telecommunications assets for NS/EP purposes.

(3) Review and provide comments regarding telecommunications interoperability concepts, plans, procedures, processes, and policies, for NS/EP purposes, to the Executive Office of the President.

b. The Manager, NCS Shall:

(1) In coordination with the NCS Committee of Principals and the Executive Agent, NCS, develop plans, procedures, standards, and processes for minimizing or removing impediments to the interoperability of government-owned and commercially-provided telecommunications assets for NS/EP purposes.

(2) In coordination with the NCS Committee of Principals, develop a process by which NCS member organizations ensure that requisite intra- and interagency telecommunications assets are interoperable for NS/EP purposes.

(3) Assist NCS member organizations in implementing the developed interoperability plans, procedures, standards, and processes developed for telecommunications assets for NS/EP purposes.

c. The NCS Committee of Principals Shall:

(1) In coordination with the Manager, NCS, develop a process by which the NCS member organizations will ensure the interoperability of requisite intra- and interagency telecommunications assets for NS/EP purposes.

(2) Review and provide comments regarding the interoperability of NS/EP telecommunications assets, concepts, plans, procedures, standards, and processes affecting NS/EP activities, to the Executive Agent, NCS.

(3) Consider other issuances for the interoperability of telecommunications assets for NS/EP purposes.

d. The NCS Member Organizations Shall:

(1) Ensure that adequate intra- and interagency NS/EP telecommunications interoperability exists to enable the performance of assigned NS/EP functions.

(2) Implement, with the assistance of the Manager, NCS, plans, procedures, standards, and processes developed for telecommunications assets for NS/EP purposes.

9. Authorizing Provision. NCS manuals, handbooks, and notices implementing this directive are authorized.

10. Effective Date. This directive is effective immediately.

11. Expiration Date. This directive will remain in effect until superseded or canceled.

1 Appendix:
Definitions

Director
Office of Science and Technology Policy
Date:

Assistant to the President
for National Security Affairs
Date:

Summary of changes: Initial issuance.

APPENDIX: Definitions

Definitions have been derived from Federal Standard 1037B.

Interoperability. 1. The ability of systems, units, or forces to provide services to and accept services from other systems, units, or forces and to use the services so exchanged to enable them to operate effectively together. 2. The condition achieved among communications-electronics systems or items of communications-electronics equipment when information or services can be exchanged directly and satisfactorily between them and/or their users. The degree of interoperability should be defined when referring to specific cases. 3. The ability to exchange data in a prescribed manner and the processing of such data to extract intelligible information that can be used to control/coordinate operations.

National Communications System. 1. The organization established by Section 1(a) of Executive Order No. 12472 to assist the President, the National Security Council, the Director of the Office of Science and Technology Policy, and the Director of the Office of Management and Budget, in the discharge of their national security emergency preparedness telecommunications functions. The NCS consists of both the telecommunications assets of the entities represented on the NCS Committee of Principals and an administrative structure consisting of the Executive Agent, the NCS Committee of Principals, and the Manager. 2. The telecommunications system that results from the technical and operational integration of the separate telecommunications systems of the several Executive branch departments and agencies having a significant telecommunications capability.

NS/EP Telecommunications. Telecommunications services that are used to maintain a state of readiness or to respond to and manage any event or crisis (local, national, or international) that causes or could cause injury or harm to the population, damage to or loss of property, or degrade or threaten the national security /or emergency preparedness posture of the United States.

System. 1. Any organized assembly of resources and procedures united and regulated by interaction or interdependence to accomplish a set of specific functions. 2. A collection of personnel, equipment, and methods organized to accomplish a set of specific functions.

Presidential Documents

Executive Order 12472 of April 3, 1984

Assignment of National Security and Emergency Preparedness Telecommunications Functions

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Communications Act of 1934, as amended (47 U.S.C. 151), the National Security Act of 1947, as amended, the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061), the Federal Civil Defense Act of 1950, as amended (50 U.S.C. App. 2251), the Disaster Relief Act of 1974 (42 U.S.C. 5121), Section 5 of Reorganization Plan No. 1 of 1977 (3 C.F.R. 197, 1978 Comp.), and Section 203 of Reorganization Plan No. 3 of 1978 (3 C.F.R. 389, 1978 Comp.), and in order to provide for the consolidation of assignment and responsibility for improved execution of national security and emergency preparedness telecommunications functions, it is hereby ordered as follows:

Section 1. *The National Communications System.* (a) There is hereby established the National Communications System (NCS). The NCS shall consist of the telecommunications assets of the entities represented on the NCS Committee of Principals and an administrative structure consisting of the Executive Agent, the NCS Committee of Principals and the Manager. The NCS Committee of Principals shall consist of representatives from those Federal departments, agencies or entities, designated by the President, which lease or own telecommunications facilities or services of significance to national security or emergency preparedness, and, to the extent permitted by law, other Executive entities which bear policy, regulatory or enforcement responsibilities of importance to national security or emergency preparedness telecommunications capabilities.

(b) The mission of the NCS shall be to assist the President, the National Security Council, the Director of the Office of Science and Technology Policy and the Director of the Office of Management and Budget in:

(1) the exercise of the telecommunications functions and responsibilities set forth in Section 2 of this Order; and

(2) the coordination of the planning for and provision of national security and emergency preparedness communications for the Federal government under all circumstances, including crisis or emergency, attack, recovery and reconstruction.

(c) The NCS shall seek to ensure that a national telecommunications infrastructure is developed which:

(1) Is responsive to the national security and emergency preparedness needs of the President and the Federal departments, agencies and other entities, including telecommunications in support of national security leadership and continuity of government;

(2) Is capable of satisfying priority telecommunications requirements under all circumstances through use of commercial, government and privately owned telecommunications resources;

(3) Incorporates the necessary combination of hardness, redundancy, mobility, connectivity, interoperability, restorability and security to obtain, to the maximum extent practicable, the survivability of national security and emergency

preparedness telecommunications in all circumstances, including conditions of crisis or emergency; and

(4) Is consistent, to the maximum extent practicable, with other national telecommunications policies.

(d) To assist in accomplishing its mission, the NCS shall:

(1) serve as a focal point for joint industry-government national security and emergency preparedness telecommunications planning; and

(2) establish a joint industry-government National Coordinating Center which is capable of assisting in the initiation, coordination, restoration and reconstitution of national security or emergency preparedness telecommunications services or facilities under all conditions of crisis or emergency.

(e) The Secretary of Defense is designated as the Executive Agent for the NCS. The Executive Agent shall:

(1) Designate the Manager of the NCS;

(2) Ensure that the NCS conducts unified planning and operations, in order to coordinate the development and maintenance of an effective and responsive capability for meeting the domestic and international national security and emergency preparedness telecommunications needs of the Federal government;

(3) Ensure that the activities of the NCS are conducted in conjunction with the emergency management activities of the Federal Emergency Management Agency;

(4) Recommend, in consultation with the NCS Committee of Principals, to the National Security Council, the Director of the Office of Science and Technology Policy, or the Director of the Office of Management and Budget, as appropriate:

a. The assignment of implementation or other responsibilities to NCS member entities;

b. New initiatives to assist in the exercise of the functions specified in Section 2; and

c. Changes in the composition or structure of the NCS;

(5) Oversee the activities of and provide personnel and administrative support to the Manager of the NCS;

(6) Provide staff support and technical assistance to the National Security Telecommunications Advisory Committee established by Executive Order No. 12382, as amended; and

(7) Perform such other duties as are from time to time assigned by the President or his authorized designee.

(f) The NCS Committee of Principals shall:

(1) Serve as the forum in which each member of the Committee may review, evaluate, and present views, information and recommendations concerning ongoing or prospective national security or emergency preparedness telecommunications programs or activities of the NCS and the entities represented on the Committee;

(2) Serve as the forum in which each member of the Committee shall report on and explain ongoing or prospective telecommunications plans and programs developed or designed to achieve national security or emergency preparedness telecommunications objectives;

(3) Provide comments or recommendations, as appropriate, to the National Security Council, the Director of the Office of Science and Technology Policy, the Director of the Office of Management and Budget, the Executive Agent, or the Manager of the NCS, regarding ongoing or prospective activities of the NCS; and

(4) The National Security Council, the Director of the Office of Science and Technology Policy and the Director of the Office of Management and Budget shall, in consultation with the Executive Agent for the NCS and the NCS Committee of Principals, determine what constitutes national security and emergency preparedness telecommunications requirements.

(d) *Consultation with Federal Departments and Agencies.* In performing the functions assigned under this Order, the National Security Council and the Director of the Office of Science and Technology Policy, in consultation with each other, shall:

(1) Consult, as appropriate, with the Director of the Office of Management and Budget; the Director of the Federal Emergency Management Agency with respect to the emergency management responsibilities assigned pursuant to Executive Order No. 12148, as amended; the Secretary of Commerce, with respect to responsibilities assigned pursuant to Executive Order No. 12046; the Secretary of Defense, with respect to communications security responsibilities assigned pursuant to Executive Order No. 12333; and the Chairman of the Federal Communications Commission or his authorized designee; and

(2) Establish arrangements for consultation among all interested Federal departments, agencies or entities to ensure that the national security and emergency preparedness communications needs of all Federal government entities are identified; that mechanisms to address such needs are incorporated into pertinent plans and procedures; and that such needs are met in a manner consistent to the maximum extent practicable, with other national telecommunications policies.

(e) *Budgetary Guidelines.* The Director of the Office of Management and Budget, in consultation with the National Security Council and the NCS, will prescribe general guidelines and procedures for reviewing the financing of the NCS within the budgetary process and for preparation of budget estimates by participating agencies. These guidelines and procedures may provide for mechanisms for funding, through the budget review process, national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities.

Sec. 3. Assignment of Responsibilities to Other Departments and Agencies. In order to support and enhance the capability to satisfy the national security and emergency preparedness telecommunications needs of the Federal government, State and local governments, private industry and volunteer organizations, under all circumstances including those of crisis or emergency, the Federal departments and agencies shall perform the following functions:

(a) *Department of Commerce.* The Secretary of Commerce shall, for all conditions of crisis or emergency: (1) Develop plans and procedures concerning radio spectrum assignments, priorities and allocations for use by Federal departments, agencies and entities; and

(2) Develop, maintain and publish policy, plans, and procedures for the control and allocation of frequency assignments, including the authority to amend, modify or revoke such assignments, in those parts of the electromagnetic spectrum assigned to the Federal government.

(b) *Federal Emergency Management Agency.* The Director of the Federal Emergency Management Agency shall:

(1) Plan for and provide, operate and maintain telecommunications services and facilities, as part of its National Emergency Management System, adequate to support its assigned emergency management responsibilities;

(2) Advise and assist State and local governments and volunteer organizations, upon request and to the extent consistent with law, in developing plans and procedures for identifying and satisfying their national security or emergency preparedness telecommunications requirements;

(3) Ensure, to the maximum extent practicable, that national security and emergency preparedness telecommunications planning by State and local

governments and volunteer organizations is mutually supportive and consistent with the planning of the Federal government; and

(4) Develop, upon request and to the extent consistent with law and in consonance with regulations promulgated by and agreements with the Federal Communications Commission, plans and capabilities for, and provide policy and management oversight of, the Emergency Broadcast System, and advise and assist private radio licensees of the Commission in developing emergency communications plans, procedures and capabilities.

(c) *Department of State.* The Secretary of State, in accordance with assigned responsibilities within the Diplomatic Telecommunications System, shall plan for and provide, operate and maintain rapid, reliable and secure telecommunications services to those Federal entities represented at United States diplomatic missions and consular offices overseas. This responsibility shall include the provision and operation of domestic telecommunications in support of assigned national security or emergency preparedness responsibilities.

(d) *Department of Defense.* In addition to the other responsibilities assigned by this Order, the Secretary of Defense shall:

(1) Plan for and provide, operate and maintain telecommunications services and facilities adequate to support the National Command Authorities and to execute the responsibilities assigned by Executive Order No. 12333; and

(2) Ensure that the Director of the National Security Agency provides the technical support necessary to develop and maintain plans adequate to provide for the security and protection of national security and emergency preparedness telecommunications.

(e) *Department of Justice.* The Attorney General shall, as necessary, review for legal sufficiency, including consistency with the antitrust laws, all policies, plans or procedures developed pursuant to responsibilities assigned by this Order.

(f) *Central Intelligence Agency.* The Director of Central Intelligence shall plan for and provide, operate, and maintain telecommunications services adequate to support its assigned responsibilities, including the dissemination of intelligence within the Federal government.

(g) *General Services Administration.* Except as otherwise assigned by this Order, the Administrator of General Services, consistent with policy guidance provided by the Director of the Office of Management and Budget, shall ensure that Federally owned or managed domestic communications facilities and services meet the national security and emergency preparedness requirements of the Federal civilian departments, agencies and entities.

(h) *Federal Communications Commission.* The Federal Communications Commission shall, consistent with Section 4(c) of this Order:

(1) Review the policies, plans and procedures of all entities licensed or regulated by the Commission that are developed to provide national security or emergency preparedness communications services, in order to ensure that such policies, plans and procedures are consistent with the public interest, convenience and necessity;

(2) Perform such functions as required by law with respect to all entities licensed or regulated by the Commission, including (but not limited to) the extension, discontinuance or reduction of common carrier facilities or services; the control of common carrier rates, charges, practices and classifications; the construction, authorization, activation, deactivation or closing of radio stations, services and facilities; the assignment of radio frequencies to Commission licensees; the investigation of violations of pertinent law and regulation; and the initiation of appropriate enforcement actions;

(3) Develop policy, plans and procedures adequate to execute the responsibilities assigned in this Order under all conditions or crisis or emergency; and

(4) Perform such other duties as are from time to time assigned by the President or his authorized designee.

(g) The Manager of the NCS shall:

(1) Develop for consideration by the NCS Committee of Principals and the Executive Agent:

a. A recommended evolutionary telecommunications architecture designed to meet current and future Federal government national security and emergency preparedness telecommunications requirements;

b. Plans and procedures for the management, allocation and use, including the establishment of priorities or preferences, of Federally owned or leased telecommunications assets under all conditions of crisis or emergency;

c. Plans, procedures and standards for minimizing or removing technical impediments to the interoperability of government-owned and/or commercially-provided telecommunications systems;

d. Test and exercise programs and procedures for the evaluation of the capability of the Nation's telecommunications resources to meet national security or emergency preparedness telecommunications requirements; and

e. Alternative mechanisms for funding, through the budget review process, national security or emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities. Those mechanisms recommended by the NCS Committee of Principals and the Executive Agent shall be submitted to the Director of the Office of Management and Budget.

(2) Implement and administer any approved plans or programs as assigned, including any system of priorities and preferences for the provision of communications service, in consultation with the NCS Committee of Principals and the Federal Communications Commission, to the extent practicable or otherwise required by law or regulation;

(3) Chair the NCS Committee of Principals and provide staff support and technical assistance thereto;

(4) Serve as a focal point for joint industry-government planning, including the dissemination of technical information, concerning the national security or emergency preparedness telecommunications requirements of the Federal government;

(5) Conduct technical studies or analyses, and examine research and development programs, for the purpose of identifying, for consideration by the NCS Committee of Principals and the Executive Agent, improved approaches which may assist Federal entities in fulfilling national security or emergency preparedness telecommunications objectives;

(6) Pursuant to the Federal Standardization Program of the General Services Administration, and in consultation with other appropriate entities of the Federal government including the NCS Committee of Principals, manage the Federal Telecommunications Standards Program, ensuring wherever feasible that existing or evolving industry, national, and international standards are used as the basis for Federal telecommunications standards; and

(7) Provide such reports and perform such other duties as are from time to time assigned by the President or his authorized designee, the Executive Agent, or the NCS Committee of Principals. Any such assignments of responsibility to, or reports made by, the Manager shall be transmitted through the Executive Agent.

Sec. 2. Executive Office Responsibilities. (a) Wartime Emergency Functions.
(1) The National Security Council shall provide policy direction for the exercise of the war power functions of the President under Section 606 of the Communications Act of 1934, as amended (47 U.S.C. 606), should the President

issue implementing instructions in accordance with the National Emergencies Act (50 U.S.C. 1601).

(2) The Director of the Office of Science and Technology Policy shall direct the exercise of the war power functions of the President under Section 606 (a), (c)-(e), of the Communications Act of 1934, as amended (47 U.S.C. 606), should the President issue implementing instructions in accordance with the National Emergencies Act (50 U.S.C. 1601).

(b) *Non-Wartime Emergency Functions.* (1) The National Security Council shall:

a. Advise and assist the President in coordinating the development of policy, plans, programs and standards within the Federal government for the identification, allocation, and use of the Nation's telecommunications resources by the Federal government, and by State and local governments, private industry and volunteer organizations upon request, to the extent practicable and otherwise consistent with law, during those crises or emergencies in which the exercise of the President's war power functions is not required or permitted by law; and

b. Provide policy direction for the exercise of the President's non-wartime emergency telecommunications functions, should the President so instruct.

(2) The Director of the Office of Science and Technology Policy shall provide information, advice, guidance and assistance, as appropriate, to the President and to those Federal departments and agencies with responsibilities for the provision, management, or allocation of telecommunications resources, during those crises or emergencies in which the exercise of the President's war power functions is not required or permitted by law;

(3) The Director of the Office of Science and Technology Policy shall establish a Joint Telecommunications Resources Board (JTRB) to assist him in the exercise of the functions specified in this subsection. The Director of the Office of Science and Technology Policy shall serve as chairman of the JTRB; select those Federal departments, agencies, or entities which shall be members of the JTRB; and specify the functions it shall perform.

(c) *Planning and Oversight Responsibilities.* (1) The National Security Council shall advise and assist the President in:

a. Coordinating the development of policy, plans, programs and standards for the mobilization and use of the Nation's commercial, government, and privately owned telecommunications resources, in order to meet national security or emergency preparedness requirements;

b. Providing policy oversight and direction of the activities of the NCS; and

c. Providing policy oversight and guidance for the execution of the responsibilities assigned to the Federal departments and agencies by this Order.

(2) The Director of the Office of Science and Technology Policy shall make recommendations to the President with respect to the test, exercise and evaluation of the capability of existing and planned communications systems, networks or facilities to meet national security or emergency preparedness requirements and report the results of any such tests or evaluations and any recommended remedial actions to the President and to the National Security Council;

(3) The Director of the Office of Science and Technology Policy or his designee shall advise and assist the President in the administration of a system of radio spectrum priorities for those spectrum dependent telecommunications resources of the Federal government which support national security or emergency preparedness functions. The Director also shall certify or approve priorities for radio spectrum use by the Federal government, including the resolution of any conflicts in or among priorities, under all conditions of crisis or emergency; and

(4) Consult as appropriate with the Executive Agent for the NCS and the NCS Committee of Principals to ensure continued coordination of their respective national security and emergency preparedness activities.

(i) All Federal departments and agencies, to the extent consistent with law (including those authorities and responsibilities set forth in Section 4(c) of this Order), shall:

(1) Determine their national security and emergency preparedness telecommunications requirements, and provide information regarding such requirements to the Manager of the NCS;

(2) Prepare policies, plans and procedures concerning telecommunications facilities, services or equipment under their management or operational control to maximize their capability of responding to the national security or emergency preparedness needs of the Federal government;

(3) Provide, after consultation with the Director of the Office of Management and Budget, resources to support their respective requirements for national security and emergency preparedness telecommunications; and provide personnel and staff support to the Manager of the NCS as required by the President;

(4) Make information available to, and consult with, the Manager of the NCS regarding agency telecommunications activities in support of national security or emergency preparedness;

(5) Consult, consistent with the provisions of Executive Order No. 12048, as amended, and in conjunction with the Manager of the NCS, with the Federal Communications Commission regarding execution of responsibilities assigned by this Order;

(6) Submit reports annually, or as otherwise requested, to the Manager of the NCS, regarding agency national security or emergency preparedness telecommunications activities; and

(7) Cooperate with and assist the Executive Agent for the NCS, the NCS Committee of Principals, the Manager of the NCS, and other departments and agencies in the execution of the functions set forth in this Order, furnishing them such information, support and assistance as may be required.

(j) Each Federal department or agency shall execute the responsibilities assigned by this Order in conjunction with the emergency management activities of the Federal Emergency Management Agency, and in regular consultation with the Executive Agent for the NCS and the NCS Committee of Principals to ensure continued coordination of NCS and individual agency telecommunications activities.

Sec. 4. General Provisions. (a) All Executive departments and agencies may issue such rules and regulations as may be necessary to carry out the functions assigned under this Order.

(b) In order to reflect the assignments of responsibility provided by this Order,

(1) Sections 2-414, 4-102, 4-103, 4-202, 4-302, 5-3, and 6-101 of Executive Order No. 12048, as amended, are revoked;

(2) The Presidential Memorandum of August 21, 1963, as amended, entitled "Establishment of the National Communications System", is hereby superseded; and

(3) Section 2-411 of Executive Order No. 12048, as amended, is further amended by deleting the period and inserting ", except as otherwise provided by Executive Order No. " and inserting the number assigned to this Order.

(c) Nothing in this Order shall be deemed to affect the authorities or responsibilities of the Director of the Office of Management and Budget, or any Office or official thereof; or reassign any function assigned any agency under the Federal Property and Administrative Services Act of 1949, as amended; or

under any other law; or any function vested by law in the Federal Communications Commission.

Sec. 5. This Order shall be effective upon publication in the Federal Register.

Ronald Reagan

THE WHITE HOUSE
April 3, 1984.

Mike Nelson

395-6175

OSTP

Todd

Have Andy

check ~~once~~ more

w/ Nelson on
interoperability

+ then

per

JDP

HOLD

for OSTP

Comments

original
memo
here

THE WHITE HOUSE
WASHINGTON

September 13, 1994

94 SEP 13 P10:47

Natl
Communications
System
Issuance

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE ✓
SUBJECT: National Communications System Issuance

Purpose

To establish a policy by which the National Communications System (NCS) can ensure that national security telecommunication system interface requirements and standards for meeting interoperability and survivability objectives are considered in federal agency telecommunications plans and architectures.

Background

Executive Order 12472 tasks the NCS to assist the President, the National Security Council, the Director of the Office of Science and Technology Policy and the Director of the Office of Management and Budget (as applicable) in the coordination of national security and emergency preparedness communications for the federal government. The Directive at Tab A establishes authority for NCS to ensure that these national security telecommunications requirements are met.

RECOMMENDATION

That you authorize Dr. Gibbons and myself to sign NCS Directive 4-3 at Tab A.

Approve _____ Disapprove _____

Attachment

Tab A National Communications System Directive 4-3

cc: Vice President
Chief of Staff

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

Divider Title: **TAB A**



IN REPLY
REFER TO:

NJ

NATIONAL COMMUNICATIONS SYSTEM

OFFICE OF THE MANAGER
701 SOUTH COURT HOUSE ROAD
ARLINGTON, VIRGINIA 22204-2198

NCS 2985/1

6 December 1993

MEMORANDUM FOR ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY AFFAIRS

THRU: Executive Agent, National Communications System

SUBJECT: National Communications System Issuance

Ship 15 Dec 93

1. On behalf of the National Communications System (NCS) Committee of Principals, NCS Directive (NCSD) 4-3, "Interoperability of Telecommunications in Support of National Security and Emergency Preparedness (NS/EP)," is submitted in accordance with the NCS Issuance System for review and action by the Executive Office of the President.

2. In accordance with Executive Order (E.O.) 12472, "Assignment of National Security and Emergency Preparedness Telecommunications (NS/EP) Functions," the NCS is tasked to ensure that system interface requirements and standards for meeting interoperability and system survivability objectives are considered in agency telecommunications plans and system architectures. NCS Directive 4-3 establishes the policy by which the NCS supports NS/EP objectives by seeking to ensure the interoperability of NS/EP telecommunications assets within Federal Government. Once approved, the Manager, NCS, will distribute this document in accordance with the NCS Issuance System.

3. Questions regarding this matter should be referred to Ms. Janet Jefferson, NCS Joint Secretariat, at (703) 692-8434.

1 Enclosure:
NCSD 4-3

ALONZO E. SHORT, JR.
Lieutenant General, USA
Manager

NATIONAL COMMUNICATIONS SYSTEM
701 South Court House Road
Arlington, Virginia 22204-2198

NCS DIRECTIVE 4-3

TECHNOLOGY AND STANDARDS

Interoperability of Telecommunications in Support of National
Security and Emergency Preparedness (NS/EP)

1. Purpose. This Directive establishes the policy by which the National Communications System (NCS) supports national security and emergency preparedness (NS/EP) objectives by seeking to ensure the interoperability of NS/EP telecommunications assets among Federal Government departments, agencies, or entities, and other affected Executive entities.
2. Applicability. This Directive is binding upon the Executive Agent, NCS; Manager, NCS; NCS Committee of Principals and member organizations; and other affected Executive entities.
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 - e. NCS Directive 4-1, "Federal Telecommunications Standards Program," February 21, 1991.

f. White House Memorandum, Subject: "National Communications System Interoperability (E.O. 12472)," January 9, 1989.

5. Cancellation/Supersession. Initial publication.

6. Definitions. Terms used in this directive are defined in Appendix A.

7. Policy.

a. The National Communications System (NCS) will use the National telecommunications infrastructure for the national security and emergency preparedness needs of the President and the Federal departments, agencies, or entities and other Executive entities, that support the national security leadership and is consistent with other national telecommunications policies to the maximum extent possible.

b. A National telecommunications infrastructure is available that is based on commercial standards, practices, and network operations.

8. Responsibilities.

a. The Executive Agent, NCS Shall:

(1) Ensure NCS compliance with reference (a) for the interoperability of telecommunications assets for NS/EP purposes.

(2) Consider and approve other issuances to ensure the interoperability of telecommunications assets for NS/EP purposes.

(3) Review and provide comments regarding telecommunications interoperability concepts, plans, procedures, processes, and policies, for NS/EP purposes, to the Executive Office of the President.

b. The Manager, NCS Shall:

(1) In coordination with the NCS Committee of Principals and the Executive Agent, NCS, develop plans, procedures, standards, and processes for minimizing or removing impediments to the interoperability of government-owned and commercially-provided telecommunications assets for NS/EP purposes.

(2) In coordination with the NCS Committee of Principals, develop a process by which NCS member organizations ensure that requisite intra- and interagency telecommunications assets are interoperable for NS/EP purposes.

(3) Assist NCS member organizations in implementing the developed interoperability plans, procedures, standards, and processes developed for telecommunications assets for NS/EP purposes.

c. The NCS Committee of Principals Shall:

(1) In coordination with the Manager, NCS, develop a process by which the NCS member organizations will ensure the interoperability of requisite intra- and interagency telecommunications assets for NS/EP purposes.

(2) Review and provide comments regarding the interoperability of NS/EP telecommunications assets, concepts, plans, procedures, standards, and processes affecting NS/EP activities, to the Executive Agent, NCS.

(3) Consider other issuances for the interoperability of telecommunications assets for NS/EP purposes.

d. The NCS Member Organizations Shall:

(1) Ensure that adequate intra- and interagency NS/EP telecommunications interoperability exists to enable the performance of assigned NS/EP functions.

(2) Implement, with the assistance of the Manager, NCS, plans, procedures, standards, and processes developed for telecommunications assets for NS/EP purposes.

9. Authorizing Provision. NCS manuals, handbooks, and notices implementing this directive are authorized.

10. Effective Date. This directive is effective immediately.

11. Expiration Date. This directive will remain in effect until superseded or canceled.

1 Appendix:
Definitions

Director
Office of Science and Technology Policy
Date:

Assistant to the President
for National Security Affairs
Date:

Summary of changes: Initial issuance.

APPENDIX: Definitions

Definitions have been derived from Federal Standard 1037B.

Interoperability. 1. The ability of systems, units, or forces to provide services to and accept services from other systems, units, or forces and to use the services so exchanged to enable them to operate effectively together. 2. The condition achieved among communications-electronics systems or items of communications-electronics equipment when information or services can be exchanged directly and satisfactorily between them and/or their users. The degree of interoperability should be defined when referring to specific cases. 3. The ability to exchange data in a prescribed manner and the processing of such data to extract intelligible information that can be used to control/coordinate operations.

National Communications System. 1. The organization established by Section 1(a) of Executive Order No. 12472 to assist the President, the National Security Council, the Director of the Office of Science and Technology Policy, and the Director of the Office of Management and Budget, in the discharge of their national security emergency preparedness telecommunications functions. The NCS consists of both the telecommunications assets of the entities represented on the NCS Committee of Principals and an administrative structure consisting of the Executive Agent, the NCS Committee of Principals, and the Manager. 2. The telecommunications system that results from the technical and operational integration of the separate telecommunications systems of the several Executive branch departments and agencies having a significant telecommunications capability.

NS/EP Telecommunications. Telecommunications services that are used to maintain a state of readiness or to respond to and manage any event or crisis (local, national, or international) that causes or could cause injury or harm to the population, damage to or loss of property, or degrade or threaten the national security /or emergency preparedness posture of the United States.

System. 1. Any organized assembly of resources and procedures united and regulated by interaction or interdependence to accomplish a set of specific functions. 2. A collection of personnel, equipment, and methods organized to accomplish a set of specific functions.

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Divider Title: **TAB II**

Presidential Documents

Executive Order 12472 of April 3, 1984

Assignment of National Security and Emergency Preparedness Telecommunications Functions

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Communications Act of 1934, as amended (47 U.S.C. 151), the National Security Act of 1947, as amended, the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061), the Federal Civil Defense Act of 1950, as amended (50 U.S.C. App. 2251), the Disaster Relief Act of 1974 (42 U.S.C. 5121), Section 5 of Reorganization Plan No. 1 of 1977 (3 C.F.R. 197, 1978 Comp.), and Section 203 of Reorganization Plan No. 3 of 1978 (3 C.F.R. 389, 1978 Comp.), and in order to provide for the consolidation of assignment and responsibility for improved execution of national security and emergency preparedness telecommunications functions, it is hereby ordered as follows:

Section 1. *The National Communications System.* (a) There is hereby established the National Communications System (NCS). The NCS shall consist of the telecommunications assets of the entities represented on the NCS Committee of Principals and an administrative structure consisting of the Executive Agent, the NCS Committee of Principals and the Manager. The NCS Committee of Principals shall consist of representatives from those Federal departments, agencies or entities, designated by the President, which lease or own telecommunications facilities or services of significance to national security or emergency preparedness, and, to the extent permitted by law, other Executive entities which bear policy, regulatory or enforcement responsibilities of importance to national security or emergency preparedness telecommunications capabilities.

(b) The mission of the NCS shall be to assist the President, the National Security Council, the Director of the Office of Science and Technology Policy and the Director of the Office of Management and Budget in:

(1) the exercise of the telecommunications functions and responsibilities set forth in Section 2 of this Order; and

(2) the coordination of the planning for and provision of national security and emergency preparedness communications for the Federal government under all circumstances, including crisis or emergency, attack, recovery and reconstruction.

(c) The NCS shall seek to ensure that a national telecommunications infrastructure is developed which:

(1) Is responsive to the national security and emergency preparedness needs of the President and the Federal departments, agencies and other entities, including telecommunications in support of national security leadership and continuity of government;

(2) Is capable of satisfying priority telecommunications requirements under all circumstances through use of commercial, government and privately owned telecommunications resources;

(3) Incorporates the necessary combination of hardness, redundancy, mobility, connectivity, interoperability, restorability and security to obtain, to the maximum extent practicable, the survivability of national security and emergency

preparedness telecommunications in all circumstances, including conditions of crisis or emergency; and

(4) Is consistent, to the maximum extent practicable, with other national telecommunications policies.

(d) To assist in accomplishing its mission, the NCS shall:

(1) serve as a focal point for joint industry-government national security and emergency preparedness telecommunications planning; and

(2) establish a joint industry-government National Coordinating Center which is capable of assisting in the initiation, coordination, restoration and reconstitution of national security or emergency preparedness telecommunications services or facilities under all conditions of crisis or emergency.

(e) The Secretary of Defense is designated as the Executive Agent for the NCS. The Executive Agent shall:

(1) Designate the Manager of the NCS;

(2) Ensure that the NCS conducts unified planning and operations, in order to coordinate the development and maintenance of an effective and responsive capability for meeting the domestic and international national security and emergency preparedness telecommunications needs of the Federal government;

(3) Ensure that the activities of the NCS are conducted in conjunction with the emergency management activities of the Federal Emergency Management Agency;

(4) Recommend, in consultation with the NCS Committee of Principals, to the National Security Council, the Director of the Office of Science and Technology Policy, or the Director of the Office of Management and Budget, as appropriate:

a. The assignment of implementation or other responsibilities to NCS member entities;

b. New initiatives to assist in the exercise of the functions specified in Section 2; and

c. Changes in the composition or structure of the NCS;

(5) Oversee the activities of and provide personnel and administrative support to the Manager of the NCS;

(6) Provide staff support and technical assistance to the National Security Telecommunications Advisory Committee established by Executive Order No. 12382, as amended; and

(7) Perform such other duties as are from time to time assigned by the President or his authorized designee.

(f) The NCS Committee of Principals shall:

(1) Serve as the forum in which each member of the Committee may review, evaluate, and present views, information and recommendations concerning ongoing or prospective national security or emergency preparedness telecommunications programs or activities of the NCS and the entities represented on the Committee;

(2) Serve as the forum in which each member of the Committee shall report on and explain ongoing or prospective telecommunications plans and programs developed or designed to achieve national security or emergency preparedness telecommunications objectives;

(3) Provide comments or recommendations, as appropriate, to the National Security Council, the Director of the Office of Science and Technology Policy, the Director of the Office of Management and Budget, the Executive Agent, or the Manager of the NCS, regarding ongoing or prospective activities of the NCS; and

(4) The National Security Council, the Director of the Office of Science and Technology Policy and the Director of the Office of Management and Budget shall, in consultation with the Executive Agent for the NCS and the NCS Committee of Principals, determine what constitutes national security and emergency preparedness telecommunications requirements.

(d) *Consultation with Federal Departments and Agencies.* In performing the functions assigned under this Order, the National Security Council and the Director of the Office of Science and Technology Policy, in consultation with each other, shall:

(1) Consult, as appropriate, with the Director of the Office of Management and Budget; the Director of the Federal Emergency Management Agency with respect to the emergency management responsibilities assigned pursuant to Executive Order No. 12148, as amended; the Secretary of Commerce, with respect to responsibilities assigned pursuant to Executive Order No. 12046; the Secretary of Defense, with respect to communications security responsibilities assigned pursuant to Executive Order No. 12333; and the Chairman of the Federal Communications Commission or his authorized designee; and

(2) Establish arrangements for consultation among all interested Federal departments, agencies or entities to ensure that the national security and emergency preparedness communications needs of all Federal government entities are identified; that mechanisms to address such needs are incorporated into pertinent plans and procedures; and that such needs are met in a manner consistent, to the maximum extent practicable, with other national telecommunications policies.

(e) *Budgetary Guidelines.* The Director of the Office of Management and Budget, in consultation with the National Security Council and the NCS, will prescribe general guidelines and procedures for reviewing the financing of the NCS within the budgetary process and for preparation of budget estimates by participating agencies. These guidelines and procedures may provide for mechanisms for funding, through the budget review process, national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities.

Sec. 3. Assignment of Responsibilities to Other Departments and Agencies. In order to support and enhance the capability to satisfy the national security and emergency preparedness telecommunications needs of the Federal government, State and local governments, private industry and volunteer organizations, under all circumstances including those of crisis or emergency, the Federal departments and agencies shall perform the following functions:

(a) *Department of Commerce.* The Secretary of Commerce shall, for all conditions of crisis or emergency: (1) Develop plans and procedures concerning radio spectrum assignments, priorities and allocations for use by Federal departments, agencies and entities; and

(2) Develop, maintain and publish policy, plans, and procedures for the control and allocation of frequency assignments, including the authority to amend, modify or revoke such assignments, in those parts of the electromagnetic spectrum assigned to the Federal government.

(b) *Federal Emergency Management Agency.* The Director of the Federal Emergency Management Agency shall:

(1) Plan for and provide, operate and maintain telecommunications services and facilities, as part of its National Emergency Management System, adequate to support its assigned emergency management responsibilities;

(2) Advise and assist State and local governments and volunteer organizations, upon request and to the extent consistent with law, in developing plans and procedures for identifying and satisfying their national security or emergency preparedness telecommunications requirements;

(3) Ensure, to the maximum extent practicable, that national security and emergency preparedness telecommunications planning by State and local

governments and volunteer organizations is mutually supportive and consistent with the planning of the Federal government; and

(4) Develop, upon request and to the extent consistent with law and in consonance with regulations promulgated by and agreements with the Federal Communications Commission, plans and capabilities for, and provide policy and management oversight of, the Emergency Broadcast System, and advise and assist private radio licensees of the Commission in developing emergency communications plans, procedures and capabilities.

(c) *Department of State.* The Secretary of State, in accordance with assigned responsibilities within the Diplomatic Telecommunications System, shall plan for and provide, operate and maintain rapid, reliable and secure telecommunications services to those Federal entities represented at United States diplomatic missions and consular offices overseas. This responsibility shall include the provision and operation of domestic telecommunications in support of assigned national security or emergency preparedness responsibilities.

(d) *Department of Defense.* In addition to the other responsibilities assigned by this Order, the Secretary of Defense shall:

(1) Plan for and provide, operate and maintain telecommunications services and facilities adequate to support the National Command Authorities and to execute the responsibilities assigned by Executive Order No. 12333; and

(2) Ensure that the Director of the National Security Agency provides the technical support necessary to develop and maintain plans adequate to provide for the security and protection of national security and emergency preparedness telecommunications.

(e) *Department of Justice.* The Attorney General shall, as necessary, review for legal sufficiency, including consistency with the antitrust laws, all policies, plans or procedures developed pursuant to responsibilities assigned by this Order.

(f) *Central Intelligence Agency.* The Director of Central Intelligence shall plan for and provide, operate, and maintain telecommunications services adequate to support its assigned responsibilities, including the dissemination of intelligence within the Federal government.

(g) *General Services Administration.* Except as otherwise assigned by this Order, the Administrator of General Services, consistent with policy guidance provided by the Director of the Office of Management and Budget, shall ensure that Federally owned or managed domestic communications facilities and services meet the national security and emergency preparedness requirements of the Federal civilian departments, agencies and entities.

(h) *Federal Communications Commission.* The Federal Communications Commission shall, consistent with Section 4(c) of this Order:

(1) Review the policies, plans and procedures of all entities licensed or regulated by the Commission that are developed to provide national security or emergency preparedness communications services, in order to ensure that such policies, plans and procedures are consistent with the public interest, convenience and necessity;

(2) Perform such functions as required by law with respect to all entities licensed or regulated by the Commission, including (but not limited to) the extension, discontinuance or reduction of common carrier facilities or services; the control of common carrier rates, charges, practices and classifications; the construction, authorization, activation, deactivation or closing of radio stations, services and facilities; the assignment of radio frequencies to Commission licensees; the investigation of violations of pertinent law and regulation; and the initiation of appropriate enforcement actions;

(3) Develop policy, plans and procedures adequate to execute the responsibilities assigned in this Order under all conditions or crisis or emergency; and

(4) Perform such other duties as are from time to time assigned by the President or his authorized designee.

(g) The Manager of the NCS shall:

(1) Develop for consideration by the NCS Committee of Principals and the Executive Agent:

a. A recommended evolutionary telecommunications architecture designed to meet current and future Federal government national security and emergency preparedness telecommunications requirements;

b. Plans and procedures for the management, allocation and use, including the establishment of priorities or preferences, of Federally owned or leased telecommunications assets under all conditions of crisis or emergency;

c. Plans, procedures and standards for minimizing or removing technical impediments to the interoperability of government-owned and/or commercially-provided telecommunications systems;

d. Test and exercise programs and procedures for the evaluation of the capability of the Nation's telecommunications resources to meet national security or emergency preparedness telecommunications requirements; and

e. Alternative mechanisms for funding, through the budget review process, national security or emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities. Those mechanisms recommended by the NCS Committee of Principals and the Executive Agent shall be submitted to the Director of the Office of Management and Budget.

(2) Implement and administer any approved plans or programs as assigned, including any system of priorities and preferences for the provision of communications service, in consultation with the NCS Committee of Principals and the Federal Communications Commission, to the extent practicable or otherwise required by law or regulation;

(3) Chair the NCS Committee of Principals and provide staff support and technical assistance thereto;

(4) Serve as a focal point for joint industry-government planning, including the dissemination of technical information, concerning the national security or emergency preparedness telecommunications requirements of the Federal government;

(5) Conduct technical studies or analyses, and examine research and development programs, for the purpose of identifying, for consideration by the NCS Committee of Principals and the Executive Agent, improved approaches which may assist Federal entities in fulfilling national security or emergency preparedness telecommunications objectives;

(6) Pursuant to the Federal Standardization Program of the General Services Administration, and in consultation with other appropriate entities of the Federal government including the NCS Committee of Principals, manage the Federal Telecommunications Standards Program, ensuring wherever feasible that existing or evolving industry, national, and international standards are used as the basis for Federal telecommunications standards; and

(7) Provide such reports and perform such other duties as are from time to time assigned by the President or his authorized designee, the Executive Agent, or the NCS Committee of Principals. Any such assignments of responsibility to, or reports made by, the Manager shall be transmitted through the Executive Agent.

Sec. 2. Executive Office Responsibilities. (a) Wartime Emergency Functions.

(1) The National Security Council shall provide policy direction for the exercise of the war power functions of the President under Section 606 of the Communications Act of 1934, as amended (47 U.S.C. 606), should the President

issue implementing instructions in accordance with the National Emergencies Act (50 U.S.C. 1601).

(2) The Director of the Office of Science and Technology Policy shall direct the exercise of the war power functions of the President under Section 606 (a), (c)-(e), of the Communications Act of 1934, as amended (47 U.S.C. 606), should the President issue implementing instructions in accordance with the National Emergencies Act (50 U.S.C. 1601).

(b) *Non-Wartime Emergency Functions.* (1) The National Security Council shall:

a. Advise and assist the President in coordinating the development of policy, plans, programs and standards within the Federal government for the identification, allocation, and use of the Nation's telecommunications resources by the Federal government, and by State and local governments, private industry and volunteer organizations upon request, to the extent practicable and otherwise consistent with law, during those crises or emergencies in which the exercise of the President's war power functions is not required or permitted by law; and

b. Provide policy direction for the exercise of the President's non-wartime emergency telecommunications functions, should the President so instruct.

(2) The Director of the Office of Science and Technology Policy shall provide information, advice, guidance and assistance, as appropriate, to the President and to those Federal departments and agencies with responsibilities for the provision, management, or allocation of telecommunications resources, during those crises or emergencies in which the exercise of the President's war power functions is not required or permitted by law;

(3) The Director of the Office of Science and Technology Policy shall establish a Joint Telecommunications Resources Board (JTRB) to assist him in the exercise of the functions specified in this subsection. The Director of the Office of Science and Technology Policy shall serve as chairman of the JTRB; select those Federal departments, agencies, or entities which shall be members of the JTRB; and specify the functions it shall perform.

(c) *Planning and Oversight Responsibilities.* (1) The National Security Council shall advise and assist the President in:

a. Coordinating the development of policy, plans, programs and standards for the mobilization and use of the Nation's commercial, government, and privately owned telecommunications resources, in order to meet national security or emergency preparedness requirements;

b. Providing policy oversight and direction of the activities of the NCS; and

c. Providing policy oversight and guidance for the execution of the responsibilities assigned to the Federal departments and agencies by this Order.

(2) The Director of the Office of Science and Technology Policy shall make recommendations to the President with respect to the test, exercise and evaluation of the capability of existing and planned communications systems, networks or facilities to meet national security or emergency preparedness requirements and report the results of any such tests or evaluations and any recommended remedial actions to the President and to the National Security Council;

(3) The Director of the Office of Science and Technology Policy or his designee shall advise and assist the President in the administration of a system of radio spectrum priorities for those spectrum dependent telecommunications resources of the Federal government which support national security or emergency preparedness functions. The Director also shall certify or approve priorities for radio spectrum use by the Federal government, including the resolution of any conflicts in or among priorities, under all conditions of crisis or emergency; and

(4) Consult as appropriate with the Executive Agent for the NCS and the NCS Committee of Principals to ensure continued coordination of their respective national security and emergency preparedness activities.

(i) All Federal departments and agencies, to the extent consistent with law (including those authorities and responsibilities set forth in Section 4(c) of this Order), shall:

(1) Determine their national security and emergency preparedness telecommunications requirements, and provide information regarding such requirements to the Manager of the NCS;

(2) Prepare policies, plans and procedures concerning telecommunications facilities, services or equipment under their management or operational control to maximize their capability of responding to the national security or emergency preparedness needs of the Federal government;

(3) Provide, after consultation with the Director of the Office of Management and Budget, resources to support their respective requirements for national security and emergency preparedness telecommunications; and provide personnel and staff support to the Manager of the NCS as required by the President;

(4) Make information available to, and consult with, the Manager of the NCS regarding agency telecommunications activities in support of national security or emergency preparedness;

(5) Consult, consistent with the provisions of Executive Order No. 12046, as amended, and in conjunction with the Manager of the NCS, with the Federal Communications Commission regarding execution of responsibilities assigned by this Order;

(6) Submit reports annually, or as otherwise requested, to the Manager of the NCS, regarding agency national security or emergency preparedness telecommunications activities; and

(7) Cooperate with and assist the Executive Agent for the NCS, the NCS Committee of Principals, the Manager of the NCS, and other departments and agencies in the execution of the functions set forth in this Order, furnishing them such information, support and assistance as may be required.

(j) Each Federal department or agency shall execute the responsibilities assigned by this Order in conjunction with the emergency management activities of the Federal Emergency Management Agency, and in regular consultation with the Executive Agent for the NCS and the NCS Committee of Principals to ensure continued coordination of NCS and individual agency telecommunications activities.

Sec. 4. General Provisions. (a) All Executive departments and agencies may issue such rules and regulations as may be necessary to carry out the functions assigned under this Order.

(b) In order to reflect the assignments of responsibility provided by this Order,

(1) Sections 2-414, 4-102, 4-103, 4-202, 4-302, 5-3, and 6-101 of Executive Order No. 12046, as amended, are revoked;

(2) The Presidential Memorandum of August 21, 1963, as amended, entitled "Establishment of the National Communications System", is hereby superseded; and

(3) Section 2-411 of Executive Order No. 12046, as amended, is further amended by deleting the period and inserting ", except as otherwise provided by Executive Order No. " and inserting the number assigned to this Order.

(c) Nothing in this Order shall be deemed to affect the authorities or responsibilities of the Director of the Office of Management and Budget, or any Office or official thereof; or reassign any function assigned any agency under the Federal Property and Administrative Services Act of 1949, as amended; or

under any other law; or any function vested by law in the Federal Communications Commission.

Sec. 5. This Order shall be effective upon publication in the Federal Register.

Ronald Reagan

THE WHITE HOUSE,

April 3, 1984.