US Department of Transportation

Office of the Secretary of Transportation

ORDER

DOT 1900.9

April 20, 2000

Subject: Department of Transportation Emergency Management Policies and Programs

1. PURPOSE. This order establishes Department of Transportation (DOT) policy governing transportation management in support of domestic and national security emergencies. It also assigns responsibilities that implement emergency transportation management policy and provides the basis for emergency transportation management procedures prescribed in the DOT Emergency Operations Plan (EOP).

2. CANCELLATIONS. The following directives are hereby canceled:

   a. DOT Order 1900.7D, DOT Crisis Action Plan, dated 08-29-90.

   b. DOT Order 1900.8, DOT Civil Emergency Preparedness Policies and Program(s) dated 03-15-84.

   c. DOT Order 1910.1C, Preparedness Manual of the Office of Emergency Transportation, dated 11-6-79.

   d. DOT Order 1910.2C, Department of Transportation Continuity of Operations Plan (DOTCOOP), dated 05-19-80.

   e. DOT Order 1910.3B, Disaster Operations, dated 06-05-81.

   f. DOT Order 1910.4A, Continuity of Operations Plan of the Office of the Secretary (OST), dated 08-31-79.

   g. DOT Order 1910.5C, Standard Operating Procedures for the DOT Situation Center, dated 03-09-87.

   h. DOT Order 1910.7, Procedures for Dealing with Non-Military Incidents, dated 08-17-78.

   i. DOT Order 1940.1A, DOT Emergency Organization -- Emergency Procedures for Claiming Supporting Resources for Civil Transportation, dated 05-17-72.

   j. DOT Order 1940.4, Emergency Procedures for the Control of Civil Transportation, dated 02-02-70.

   k. DOT Order 1940.5A, DOT Emergency Organization -- Standard Operating Procedures for Headquarters and Regional Offices, dated 11-21-75.

Distribution: All Secretarial Offices
All Operating Administrations
All Regional Emergency Transportation Coordinators

OPI: RSPA, Office of Emergency Transportation

l. DOT Order 1950.1C, Reports on Non-Defense Transportation Emergencies, dated 04-19-88.

m. Publication P 1945.1B, Glossary of Terms and Abbreviations: Transportation Preparedness Planning.

3. SCOPE. This order applies to all departmental Offices and Operating Administrations. It describes DOT roles, responsibilities, and actions that apply to emergency transportation management during domestic and national security emergencies. The order also provides planning guidance to state, local, and other supporting Federal agencies that may be requested to participate in or support DOT emergency transportation operations. Nothing in this order or in the EOP should be construed as limiting DOT Operating Administrations or other organizational elements in exercising any autonomous statutory authority or regulatory responsibility.

4. AUTHORITIES.

a. Public Laws.

(1) Public Law 81-774 (50 U.S.C. 2061 et seq.), The Defense Production Act of 1950, as amended.

(2) Public Law 93-288, (42 U.S.C. 5121 et seq.), The Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended.

b. Executive Orders.

(1) Executive Order 12919, as amended, delegates and redelegates priorities and allocations authority.

(2) Executive Order 12656, assigns emergency preparedness responsibilities to the Secretary of Transportation and the heads of other Federal agencies.

(3) Executive Order 12657, requires Federal departments and agencies to develop plans and procedures to respond to radiological emergencies at commercial nuclear power plants, if state and/or local governments fail to prepare adequate plans.

c. Other Applicable Authorities and Guidance.

(1) The Federal Response Plan (FRP), April 1992.

(2) DOT Emergency Operations Plan (to be published).

(3) DOT Order 1100.29G, Regional Emergency Transportation Coordinators and Representatives.

(4) DOT Order 1600.29, Transportation Security Contingency Plans.

(5) The Federal Radiological Emergency Response Plan, May 1, 1996.

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

(7) Presidential Decision Directive (PDD 63), Critical Infrastructure Protection, May 22, 1998.

(8) Presidential Decision Directive (PDD-39), U.S. Policy on Counterterrorism, June 21, 1995.

(9) Memorandum of Understanding between the Department of Transportation and the Department of Justice, Public Notification of Terrorist Threats to Domestic Transportation Entities, March 25, 1991.

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

5. DEFINITIONS.

a. Activation. The process of mobilizing Federal personnel and materiel resources according to a predetermined plan, after notification by proper authority to prepare for employment or deployment in response to an emergency.

b. Administrator. The Head of an Operating Administration within the Department (including the Commandant of the U.S. Coast Guard, Director of the Bureau of Transportation Statistics, and the Director of the Transportation Administrative Service Center).

c. Analysis. The orderly examination and evaluation of available information to produce situation assessments, establish priorities, or otherwise support the decision-making process.

d. Civil Transportation. A broadly descriptive term that includes all non-military transportation services, equipment, facilities, and systems excluding publicly-owned transit, including petroleum, natural gas, and hazardous materials pipelines.

e. Crisis. Any significant alteration to or disruption of normal social, governmental, commercial, or economic activity that requires, or may require, intensive management actions and expedited decision-making. This includes any unusual

interruption of transportation operations, or actual or potential damage to any part of the transportation infrastructure.

f. Disaster. A fundamental disruption of socioeconomic activity resulting from natural or human causes that is characterized by actual or potential significant loss of life, widespread property damage, interruption of transportation operations, or damage to portions of the transportation infrastructure that are beyond the response capabilities of state and local authorities, and for which a Federal disaster declaration has been requested or is anticipated.

g. Emergency. Any single incident or series of incidents that warrants Federal attention or for which Federal assistance has been or may be requested to supplement state and local efforts to protect lives and property, safeguard public health, and/or recover from economic disruptions, including any interruption of transportation-related operations or damage to any part of the transportation infrastructure. Emergencies are generally grouped into one of the following categories:

(1) *Domestic Emergencies.* Include "major disasters" and "emergencies," as defined in the FRP, and other events, such as transportation labor disruptions, energy shortages, and similar situations that affect the economy or public health and safety, including terrorist acts or threats.

(2) National Security Emergencies. Include periods of international tension, whether or not a national emergency has been declared; limited engagements, in which the United States may or may not be directly engaged, but which involve the national security; war and all other declared emergencies pertaining to the national defense.

(3) National Security Consequences. The result of a national security emergency involving either mobilization, property damage, or loss of life.

h. External Agencies. Departments and agencies that are not part of the DOT organization, but that may support DOT (or DOT may support) in responding to domestic or national security emergencies. These include, but are not limited to, state and local transportation agencies, other Federal departments and agencies, and certain private entities, such as The American Red Cross.

i. Incident. Any transportation-related event or series of events that are locally focused, usually of short duration, and have affected or may affect transportation operations or any part of the transportation infrastructure. An incident generally requires further analysis, evaluation, or reporting actions that could ultimately result in emergency or disaster declarations by appropriate authorities.

j. Notification.

(1) The receipt, by formal or informal means, of oral or written information regarding an incident that has transportation implications and requires further action.

(2) The process of providing information regarding transportation-related incidents to designated individuals, state or local transportation agencies, other Federal agencies, or the general public.

k. Priorities and Allocations Authority: The authority granted to the President by Title I of the Defense Production Act of 1950, as amended, or civil emergency preparedness activities carried out under provisions of Title VI of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and delegated to the Secretary, to order the priority performance of designated contracts and allocate elements of civil transportation capacity as may be necessary to promote the national defense.

(1) *Priority.* The relative preference given to a specific national defense or civil emergency preparedness requirement in the use of any element of civil transportation capacity.

(2) *Allocation.* The assignment of a specific portion of civil transportation capacity to satisfy a specific national defense or including civil emergency preparedness requirement, to the exclusion of any other requirement.

l. Reporting. The process of distributing information between or among individuals or organizations for a specific purpose. The reporting process may be either formal, following prescribed procedures and format and having predetermined recipients, or informal, using any appropriate means or methods.

m. Terrorism. Premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents, usually intended to influence an audience. The term "international terrorism" means terrorism involving citizens or the territory of more than one country. "Domestic" or "indigenous" terrorism involves groups or individuals whose activities are directed at elements of their own government or population without foreign involvement.

n. Threat. Statements regarding the intended use of violence or acts meant to influence or intimidate an audience broader than the intended victims.

6. GUIDING PRINCIPLES.

a. Interruptions to transportation system operations and incidental damage to transportation facilities or infrastructure occur frequently and are primarily addressed at local or state levels.

b. Federal emergency assistance in transportation matters is generally reserved for extraordinary situations that constitute domestic or national security emergencies, as defined above, or when otherwise determined by the President under appropriate legal authority, to include terrorist acts or threats having actual or potential transportation implications.

c. Prompt and full response to any domestic or national security emergency is a priority mission for all departmental elements. Temporary assignment to headquarters, Operating Administration, or regional emergency response organizations will constitute the primary and full-time duty of all personnel so assigned until the emergency has been terminated, unless otherwise mutually agreed to by supporting and supported organizations.

d. Although specific emergency management roles and responsibilities are assigned to Secretarial Offices and Operating Administrations elsewhere in this order, response to and recovery from transportation system disruptions remain an explicit responsibility of each employee of the Department.

e. The authorities cited in paragraph 4 provide the statutory and administrative bases for DOT responses to domestic and national security emergencies, and responses to other events that constitute a crisis, as determined by the Secretary.

f. The DOT Emergency Operations Plan implements this order and provides procedures for conducting DOT emergency management actions.

g. Emergency management actions provided for in this order and in the EOP are based on the fundamental principle that civil transportation will continue to be operated by the private sector, subject to DOT oversight functions mandated by statute or applicable regulatory authority.

7. POLICY. It is the policy of the DOT that effective response to actual and threatened emergencies affecting transportation is a first-line mission of all departmental elements. To accomplish this, the Operating Administrations and Secretarial Officers shall:

a. Develop, implement, and maintain necessary programs, policies, and procedures that:

(1) Ensure the continued operation of the civil transportation system and the Nation's pipeline infrastructure.

(2) Provide or make available civil transportation resources, in response to domestic or national security emergencies.

(3) Facilitate the expeditious repair or rehabilitation of, transportation resources to recover from natural disasters, acts of war, or terrorist acts.

b. Coordinate and cooperate with the transportation industry, state and local governments, other Federal agencies, and appropriate international organizations or foreign governments to ensure the continuing readiness of the national transportation infrastructure to respond to domestic and national security emergencies.

c. Promptly respond to requests for transportation assistance, consistent with priorities established by state authorities and Federal agencies.

d. Ensure that emergency transportation management at the regional level is administered through the Regional Emergency Transportation Coordinators (RETCO).

e. Develop, implement, and support appropriate emergency management training programs at the national and regional levels, and within Operating Administrations, to include periodic exercises that enhance, sustain, and reinforce training, and validate emergency management plans.

f. Ensure that Employee Assistance Programs (EAP) are established at DOT Headquarters and within Operating Administrations, and that such programs consider the effects of intensive, traumatic, or prolonged emergency response activities on members of DOT emergency organizations and their families.

g. Develop, implement, and maintain essential emergency communications capability at the national and regional levels to enhance departmental responsiveness to domestic or national security emergencies.

h. Provide resources necessary to support emergency transportation management and related intergovernmental affairs, plans, and programs at the national and regional levels.

i. Develop an integrated and coordinated financial resource management plan to ensure billing, reimbursement, and auditable costs, as detailed in FEMA's Financial Annex to the Federal Response Plan.

j. Support departmental participation in the National Defense Executive Reserve (NDER), and/or other volunteer programs, to provide additional qualified personnel at the national and regional levels, when necessary and appropriate.

8. CONCEPT OF OPERATIONS.

a. DOT Headquarters Operating Administrations will maintain normal operations unless otherwise directed by the Secretary. Decisions to activate emergency organizations or otherwise alter the operational posture of the Department will normally be made through departmental emergency management channels.

b. Normal notification procedures and reporting channels will be used to the maximum practical extent. In unusual circumstances, where normal procedures are impractical or do not apply, reports may be made directly to the Office of Emergency Transportation (OET) or the Office of Intelligence and Security (OIS), as appropriate, by the most expeditious means.

c. Except for established procedures that require Secretarial Officers or Modal Administrators to report directly to the Secretary, the Director, OET, shall collect and evaluate information and report to the Secretary, through the Research and Special Programs Administration (RSPA) Administrator, on incidents, or reports of incidents, other than criminal, nation state, or terrorist acts or threats, that are assessed as potentially requiring a Federal response. The Director, OIS, shall perform these functions in the case of criminal, nation state, and terrorist acts or threats. Operating Administrations shall keep the Directors, OET and OIS, informed of all incident reports made directly to the Secretary.

d. When it is determined that a domestic or national security emergency exists or is anticipated, the Secretary may elect to take either or both of the following actions:

(1) Convene an Emergency Response Policy Group (ERPG), which shall be chaired by the Deputy Secretary and have a membership consisting of the Deputy Assistant Secretaries and the Deputy Administrators of the Operating Administrations and representatives of other offices as appropriate. The ERPG shall address policy issues, resolve intradepartmental conflicts, formulate a strategic plan for an integrated and coordinated Departmental response, and otherwise facilitate expedited senior-level decisionmaking.

(2) Except where otherwise specified, appoint a DOT Crisis Coordinator to manage departmental emergency response actions and serve as principal departmental point of contact with the transportation industry, affected state and local governments, the Federal Emergency Management Agency (FEMA), the Department of Defense (DOD), and other Federal agencies in matters pertaining to transportation emergency management. When appointed, the DOT Crisis Coordinator will serve for the duration of the emergency, or at the discretion of the Secretary, and will:

(a) Act on behalf of the Secretary to execute those tasks and responsibilities assigned to the Department under all applicable Federal emergency directives and plans.

(b) When duly authorized, exercise priorities and allocations authority delegated to the Secretary under provisions of the DPA, except authority specifically delegated to other departmental officials by statute, regulation, or other authority.

(c) Serve as director of the national-level Emergency Support Function (ESF) for transportation, under provisions of the FRP.

(d) When directed or considered necessary, coordinate with OET to activate the DOT Headquarters Crisis Management Center (CMC), which can be used to:

1 Collect and evaluate information related to the emergency and assess the impact on the civil transportation system.

2 Report the current status of the emergency transportation situation.

3 Coordinate other emergency management actions, as directed.

4 Provide appropriate direction and support to affected RETCOs.

(e) Keep the Secretary informed of all pertinent facts and circumstances related to the departmental response, and its impacts on the civil economy and public interest.

(f) Coordinate directly with affected RETCOs to activate regional response organizations, as necessary.

(g) Coordinate DOT emergency management actions with those of other Federal agencies, state and local governments, voluntary organizations, and the transportation industry, as considered necessary, prudent, and appropriate.

(h) Ensure that periodic situation reports (SITREP) are prepared and distributed throughout DOT headquarters, regions, Operating Administrations, and other Federal agencies, as necessary.

(i) Assess needs and arrange for providing necessary internal administrative and logistical support.

e. The RSPA Administrator will normally assume duties as DOT Crisis Coordinator, unless appointment of another Administrator or Secretarial Officer is warranted by the nature of the emergency, as determined by the Secretary. Exceptions include:

(1) Emergencies involving a single transportation mode, which will be managed exclusively by the affected Operating Administration.

(2) Situations involving criminal, nation state, or terrorist acts or threats, for which the Director, OIS, will normally be appointed DOT Crisis Coordinator.

f. Personnel and materiel resources required by the DOT Crisis Coordinator, other than those assigned to the CMC, will be provided, to the extent available, from within the Coordinator's own organization. The DOT Crisis Coordinator will direct requests for additional personnel and supplemental supplies, services, and equipment to the Assistant Secretary for Administration and the Director, Transportation Administrative Services Center.

g. The RETCOs will plan, coordinate, and conduct emergency operations within their regions.

9. APPLICABILITY OF THE DEFENSE PRODUCTION ACT.

a. The DPA provides authority to implement civil transportation priorities and allocations, and to negotiate and activate voluntary standby agreements with industry, when considered necessary or appropriate to promote national defense. This authority specifically encompasses civil emergency preparedness activities, including response to, recovery from, and actions taken to mitigate the effects of natural disasters or other civil emergencies.

b. Priorities and allocation authority derived from the DPA is vested in the President. Specific authority relating to civil transportation resources is delegated to the Secretary and may be further delegated to Administrators and the DOT Crisis Coordinator, to the extent necessary.

c. Existing relationships between the transportation industry and DOT Operating Administrations will be maintained and used to the maximum practical extent in responding to, or supporting recovery from, emergency situations of any kind. This is a fundamental principle that will not be affected by any delegation of authority.

d. Priorities and allocation authority will be used only when:

(1) Civil transportation resources required in support of national defense requirements, including those related to civil emergency preparedness activities, cannot be satisfied through normal procurement channels; and

(2) The requesting agency certifies that the requirement is essential and provides sufficient justification to support a finding that the exercise of priorities or allocation authority is necessary and proper. An affirmative finding is a precondition for executing prioritization or allocation authority, or activating any voluntary standby agreements.

e. Application and use of priorities and allocation authority will be in accordance with the following policies:

(1) Prioritization of civil transportation capacity is the preferred application of DPA authority. Prioritization will be applied only to the minimum degree necessary to satisfy essential emergency requirements.

(2) Allocation authority will be used only when the requirement is critical and no other action, including prioritization, is sufficient to satisfy essential emergency requirements.

(3) Activation of any voluntary standby agreements, where required to satisfy essential emergency requirements, will be in accordance with provisions of the applicable agreements.

10. ROLES AND RESPONSIBILITIES.

a. DOT Headquarters.

(1) Immediate Office of the Secretary of Transportation (OST).

(a) Exercise national leadership in developing plans, policies, procedures, and programs to ensure the effective operation of civil transportation resources in the event of domestic or national security emergencies.

(b) Designate a DOT Crisis Coordinator during domestic or national security emergencies, or when otherwise considered necessary, prudent, or appropriate.

(c) Review regulations to determine the applicability of temporary waivers from those regulatory requirements not already delegated to Operating Administrations, where needed to expedite responses to domestic or national security emergencies.

(d) Ensure that departmental business continuity contingency plans are developed and kept current. In this connection:

1 Determine and promulgate lines of succession for assumption of statutory authority in the event senior departmental officials become unavailable or otherwise incapable of carrying out assigned duties and responsibilities during a domestic or national security emergency.

2 Ensure the development and availability of personnel and facility evacuation plans, as necessary.

3 Provide for alternate sites of operation for essential DOT functions.

(e) Provide guidance and direction for allocating civil transportation resources during domestic or national security emergencies.

(f) Ensure resource support for the RETCO Program, to include assigning a full-time Regional Emergency Transportation Representative (RETREP) to each designated RETCO.

(g) Provide program support for developing and maintaining an integrated departmental emergency communications capability.

(h) Ensure that departmental EAPs include provisions that consider the effects of emergency response activities on members of DOT emergency organizations and their families and provide appropriate assistance when requested or as appropriate.

(i) Coordinate travel requirements for the Secretary, Administrators, and senior OST officials to designated disaster areas, in advance, with the appropriate RETCOs, through the Director, OET.

(j) Through the Assistant Secretary for Budget and Programs:

1 Work with the Operating Administrations to identify actual or potential departmental requirements for supplemental appropriations incident to domestic or national security emergencies, and prepare necessary budget requests.

2 Request additional reimbursement authority from the Office of Management and Budget (OMB), when required to fund Federal response actions directed by FEMA.

3 Provide emergency transportation program and budget guidance to Operating Administrations, RETCOs, and the DOT Crisis Coordinator, as requested or considered appropriate.

4 Provide financial management staff representation to the DOT CMC, when requested by the DOT Crisis Coordinator.

(2) Office of Intelligence and Security (OIS).

(a) Serve as the Secretary's National Security Advisor and departmental focal point, provide leadership and direction on intelligence, security, and national security aspects of emergency transportation management.

(b) Provide intelligence support, as required, to Secretarial Offices, RETCOs, and Operating Administrations tasked with the planning or conduct of emergency transportation operations during national security emergencies, or emergencies involving domestic or foreign terrorist acts or threats.

(c) Provide timely intelligence advisories to Secretarial Offices or Operating Administrations that have been or may be affected by domestic or foreign terrorist activity. Where appropriate, task RETCOs to provide transportation threat notifications to appropriate Federal, state, and local authorities within each region, and at the same time notify the Director, OET.

(d) Establish and maintain liaison with appropriate intelligence and law enforcement agencies in support of emergency transportation plans or operations. Advise Secretarial Offices, regions, and Operating Administrations, as necessary, of information or developments that have potential transportation implications.

(e) Establish and maintain liaison with other public, private, and international organizations concerning emergency transportation intelligence, security and national security matters.

(f) Coordinate with other departments and agencies on infrastructure assurance and protection, and information assurance. Advise appropriate departmental agencies of developments having potential transportation implications.

(g) Provide liaison to the National Security Council and Executive Office of the President on intelligence and security aspects of emergency transportation plans and operations.

(h) Assess departmental responses to criminal, nation state, or terrorist acts or threats, and national security emergencies. Advise the Secretary,

Secretarial Officers, Administrators, or the DOT Crisis Coordinator, as appropriate, of the adequacy of such response as they relate to intelligence, security and national security aspects.

(i) Ensure that senior officials are kept advised of departmental actions and countermeasures during national security emergencies and domestic emergencies involving terrorist acts or threats.

(j) Serve as DOT Crisis Coordinator in situations involving criminal, nation state, or terrorist acts or threats, unless otherwise directed by the Secretary; advise the DOT Crisis Coordinator, as appropriate, in situations involving consequence management of terrorist acts.

(3) Office of Public Affairs.

(a) Serve as the departmental focal point for information dissemination, media relations, and public affairs, as they pertain to emergency transportation management plans or operations.

(b) Monitor reports of transportation-related incidents provided by OET or OIS, whether or not an emergency has been declared, and ensure that the Secretary is continuously kept informed of potential newsworthy aspects that may attract media interest or require public comment.

(c) Provide full-time representation to the DOT CMC, when activated and requested.

(d) Provide public affairs advice, assistance, and guidance to affected Operating Administrations, RETCOs, and the DOT Crisis Coordinator, as requested or considered appropriate. Provide staffing to interagency joint information centers.

(e) Ensure that emergency public information activities are coordinated with those of FEMA, other Federal agencies, and affected state agencies.

(4) Office of Governmental Affairs.

(a) Monitor departmental operations during domestic or national security emergencies and coordinate plans or actions related to response or recovery with Congress, other Federal agencies, state and local governments, industry, labor, and the public, as may be necessary and appropriate.

(b) Coordinate actual or potential requirements for emergency legislation.

(c) Provide staff representation to the DOT CMC, when activated, as requested by the DOT Crisis Coordinator.

(d) Provide advice, assistance, and guidance to affected Operating Administrations, RETCOs, and the DOT Crisis Coordinator, as requested or considered appropriate.

(e) Ensure that emergency intergovernmental affairs programs are coordinated with FEMA, other Federal agencies, and affected state agencies.

(5) Office of the General Counsel.

(a) Draft emergency legislation that may be required in connection with departmental responses to domestic or national security emergencies; review emergency legislation drafted by other elements of the Department for legal sufficiency.

(b) Ensure that public notices required by statute or regulation, as they pertain to departmental emergency management plans or operations, are published in the Federal Register or other appropriate public records.

(c) Coordinate legal aspects of emergency transportation plans or operations with FEMA, the Department of Justice, other Federal agencies, and state and local governments, as required.

(d) Provide staff representation to the DOT CMC, when activated, as requested by the DOT Crisis Coordinator.

(e) Provide legal advice, assistance, and guidance to affected Operating Administrations, RETCOs, and the DOT Crisis Coordinator, as requested or considered appropriate.

(6) Office of Budget and Programs.

(a) Develop requests for supplemental appropriations, when existing funds are inadequate in response to an emergency.

(b) Request additional reimbursement authority from the OMB, when required to fund disaster response actions directed by FEMA.

(c) Provide advice, assistance, and guidance to affected Operating Administrations, RETCOs and the DOT Crisis Coordinator, as requested or considered appropriate.

(7) Office of the Chief Information Officer.

(a) Ensure information assurance through protection of DOT IT infrastructure from harmful intrusions and disruptions through development of policies to ensure its protection and security.

(b) Provide liaison to the National Communications System for matters of national security emergency preparedness telecommunications including Emergency Support Function 2 (ESF-2) issues.

(c) Provide staff representation to the DOT CMC, when activated, as requested by the DOT Crisis Coordinator.

(8) Office of Transportation Policy.

(a) Provide guidance on the operation and deployment of civil transportation resources.

(b) Coordinate overall transportation policy as it pertains to emergency plans and operations.

(c) Provide staff representation to the DOT CMC, when activated, as requested by the DOT Crisis Coordinator.

b. Operating Administrations.

(1) United States Coast Guard (USCG).

(a) Exercise applicable statutory authority, and provide other necessary and appropriate emergency transportation support, to include:

1 Port security;

2 Protection of offshore assets;

3 Operation and maintenance of aids-to-navigation.

4 Search and rescue operations.

5 Enforcement or assistance in the enforcement of all applicable Federal laws on, under, and over the high seas and waters subject to the jurisdiction of the United States.

(b) Develop appropriate plans to ensure continuity of functions in the event of transfer of the USCG to the U.S. Navy, under provisions of 14 U.S.C. 3, prior to or during a national security emergency.

(c) Provide advice and assistance, as requested and within capabilities, in support of port operations.

(d) Conduct security and defense, maritime interception, peacetime engagement, and sabotage protection operations in support of domestic or national security emergencies, including terrorist actions or threats, as directed by competent authority.

(e) Develop appropriate plans and programs for emergency use of non-industrial facilities that may be required in support of USCG domestic or national security emergency operations.

(f) Share with DOD any USCG-derived facility information pertaining to ports located in the United States, its possessions, and territories, in support of domestic or national security emergencies.

(g) Develop procedures to ensure that reports of actual or potential transportation emergencies that may initially be received by the National Response Center or USCG Command Center are promptly relayed to appropriate departmental authorities and Operating Administrations, including the Federal Aviation Administration (FAA) Operations Center.

(h) Monitor status of reported transportation emergencies until activation of the DOT CMC, unless otherwise directed by competent authority.

(i) Direct and coordinate oil spill hazardous materials (HAZMAT) response actions incident to transportation emergencies that occur on offshore waters or inland waterways, as Federal On-Scene Coordinator, under provisions of the National Contingency Plan.

(j) Support the RETCO program. In this connection, ensure that personnel assigned or detailed to temporary emergency response or emergency management duties perform such functions on a primary or full-time basis until the emergency is terminated, unless otherwise properly relieved with the concurrence of the supported RETCO(s) for other USCG mission requirements.

(k) Appoint RETCOs and RETREPs, as prescribed in DOT Order 1100.29G, or subsequent issuances.

(l) Provide maritime operations advice or assistance to other departmental elements in support of emergency transportation operations, including the provision of liaison teams or other expertise, as requested.

(m) Share current information on USCG disaster response operations with OET and other DOT Operating Administrations.

(2) Federal Aviation Administration.

(a) Exercise emergency management and control of the national airspace system, as defined in DOT Order 1900.1E.

(b) Develop appropriate plans to implement the Civil Reserve Air Fleet (CRAF) program, when directed, and provide operational support of activated CRAF aircraft.

(c) Provide Federal aviation hull and liability insurance, where required, in accordance with 49 U.S.C. Chapter 443, as amended.

(d) Develop appropriate emergency transportation contingency plans for statutory and administrative functions that are not transferred to or placed under DOD control during national security emergencies.

(e) Develop and administer claimancy procedures to provide necessary and appropriate resources to ensure the continued effective operation of the civil aviation system during domestic or national security emergencies, including foreign flag programs and related activities that support a common defense during national security emergencies.

(f) Develop procedures to ensure that reports of actual or potential non-aviation transportation emergencies that may initially be received by the FAA Operations Center are promptly relayed to appropriate departmental authorities and Operating Administrations, including the USCG Command Center.

(g) Provide emergency communications support, within capabilities, to emergency transportation operations, when requested by a RETCO, the DOT Crisis Coordinator, or the Director, OET.

(h) Support the RETCO program. In this connection, ensure that personnel assigned or detailed to temporary emergency response or emergency management duties perform such functions on a primary or full-time basis until the emergency is terminated, unless otherwise properly relieved with the concurrence of the supported RETCO(s).

(i) Appoint RETCOs and RETREPs, as prescribed in DOT Order 1100.29G, or subsequent issuances.

(j) Provide civil aviation advice or assistance to other departmental elements in support of emergency transportation operations, to include providing liaison teams or other technical expertise, where required or as requested.

(3) Federal Highway Administration.

(a) Provide emergency response support, as required, for incidents involving roads, streets, bridges, and tunnels maintained by state and local transportation agencies, or other Federal agencies.

(b) Perform damage assessments and provide funds to adapt, develop, construct, reconstruct, or maintain highway and street systems to meet emergency requirements through the Federal Emergency Relief Program (23 CFR Part 668), for Federal aid-eligible routes, or through assistance provided to FEMA, for other routes.

(c) Assist state and local transportation agencies in regulating highway traffic under State Emergency Highway Traffic Regulations plans, as appropriate.

(d) Provide waivers from or exemptions to Federal motor carrier regulations to facilitate emergency transportation operations, under the provisions of 49 CFR Parts 390-399, when requested by appropriate state or local authorities, or when otherwise considered necessary and appropriate.

(e) Administer claimancy procedures to ensure necessary resources are provided to support emergency requirements associated with street and highway systems.

(f) Support the RETCO program. In this connection, ensure that personnel assigned or detailed to temporary emergency response or emergency management duties perform such functions on a primary or full-time basis until the emergency is terminated, unless otherwise properly relieved with the concurrence of the supported RETCO(s).

(g) Appoint RETCOs and RETREPs, as prescribed in DOT Order 1100.29G, or subsequent issuances.

(h) Provide highway transportation advice or assistance to other departmental elements in support of emergency transportation operations, including the provision of liaison teams or other technical expertise, where required or as requested.

(4) Federal Railroad Administration.

(a) Exercise emergency operation and management, when necessary and appropriate, of the National Railroad Passenger Corporation (AMTRAK).

(b) Provide for continuity of railroad safety programs under emergency conditions.

(c) Administer claimancy procedures to ensure necessary resources are provided to support emergency operations and maintenance of AMTRAK and other rail systems, as appropriate.

(d) Administer emergency funding programs for the restoration of rail system infrastructure, when provided for in supplemental appropriations.

(e) Support the RETCO program. In this connection, ensure that personnel assigned or detailed to temporary emergency response or emergency management duties perform such functions on a primary or full-time basis until the emergency is terminated, unless otherwise properly relieved with the concurrence of the supported RETCO(s).

(f) Provide rail transportation advice or assistance to other departmental elements in support of emergency transportation operations, including the provision of liaison teams or other technical expertise, where required or as requested.

(5) Federal Transit Administration.

(a) Exercise emergency coordination of ferry, bus, and rail transit capacity, including services, equipment, facilities, and systems, in cooperation with state and local mass transit authorities.

(b) Provide emergency planning guidance to state and local mass transit authorities.

(c) Coordinate all urban mass transit emergency planning actions with the Department of Housing and Urban Development, to ensure compatibility with related urban development interests.

(d) Facilitate emergency transportation response planning by maintaining a comprehensive inventory of equipment and facilities for all mass transit systems.

(e) Administer claimancy procedures to ensure necessary resources are provided to support mass transit emergency operations.

(f) Support the RETCO program. In this connection, ensure that personnel assigned or detailed to temporary emergency response or emergency management duties perform such functions on a primary or full-time basis until the emergency is terminated, unless otherwise properly relieved with the concurrence of the supported RETCO(s).

(g) Provide mass transit advice or assistance to other departmental elements in support of emergency transportation operations, including the provision of liaison teams or other technical expertise, where required or as requested.

(6) Maritime Administration (MARAD).

(a) Maintain and manage the National Defense Reserve Fleet, including the Ready Reserve Force component.

(b) Develop plans and programs that provide for the emergency use of U.S. and other available shipping resources to support domestic and national security emergencies, including:

1 Provision of shipping services to meet military and essential civil requirements.

2 Acquisition and operation of ships, as provided for in the Merchant Marine Act of 1936, and other authorities.

3 Provision of war risk insurance, under provisions of Title XII of the Merchant Marine Act of 1936.

4 Recruiting, training, and assignment of available ships' officers and crew.

5 Maintenance and repair of merchant ships, in coordination with the Coordinator for Ship Repair and Conversion.

(c) Coordinate the development of plans and programs for the emergency utilization of deepwater ports and ocean-going, Great Lakes, and inland waterways shipping capacity to meet emergency military and civil requirements, in conjunction with other concerned agencies.

(d) Develop plans and programs for emergency construction of merchant ships to support emergency military and civil requirements.

(e) Consult with industry and other interests to obtain voluntary agreements to aid in the defense of the United States, subject to approval by the Secretary and other competent authorities.

(f) Represent the United States on the North Atlantic Treaty Organization (NATO) Planning Board for Ocean Shipping.

(g) Administer claimancy procedures to ensure necessary resources are provided to support emergency merchant shipping operations, and ship and port construction programs.

(h) Provide emergency communications support, as requested and within capabilities, through the MARAD Telecommunications Center.

(i) Support the RETCO program. In this connection, ensure that personnel assigned or detailed to temporary emergency response or emergency management duties perform such functions on a primary or full-time basis until the emergency is terminated, unless otherwise properly relieved with the concurrence of the supported RETCO(s).

(j) Provide maritime transport advice or assistance to other departmental elements in support of emergency transportation operations, including the provision of liaison teams or other technical expertise, where required or as requested.

(k) Exercise DPA priority and allocation authority in accordance with 46 CFR Part 340, including publication of notices in the Federal Register, as required.

(7) Research and Special Programs Administration.

(a) Exercise management oversight of emergency transportation planning and operational functions delegated to the Director, OET.

(b) Serve as DOT Crisis Coordinator for managing the civil transportation resources in an emergency, including crisis management for multimodal emergencies and consequence management of terrorist acts, unless otherwise directed by the Secretary.

(c) Provide emergency management of oil, natural gas, liquefied natural gas, and other hazardous liquid pipelines, except for offshore pipelines regulated by the USCG or Department of the Interior.

(d) Monitor state, local, or industry response to pipeline-related incidents or emergencies; provide advice or assistance, where appropriate.

(e) Monitor HAZMAT incidents that affect transportation operations, facilities, or infrastructure; provide technical advice or assistance to affected Operating Administrations, where requested or considered appropriate.

(f) Provide waivers from or exemptions to pipeline or HAZMAT regulations to facilitate emergency transportation operations, when requested by industry or state or local authorities, or when otherwise considered necessary and appropriate.

(g) Except as to DPA priorities and allocations authority delegated to other Operating Administrations, prepare public notices of DPA priorities and allocations actions for publication in the Federal Register or other public records, as required by applicable statute or regulations.

(h) Support the RETCO program. In this connection, ensure that personnel assigned or detailed to temporary emergency response or emergency management duties perform such functions on a primary or full-time basis until the emergency is terminated, unless otherwise properly relieved with the concurrence of the supported RETCO(s).

(8) National Highway Traffic Safety Administration.

(a) Develop and administer automotive safety policies and programs in support of emergency transportation actions, to include emergency medical services, police traffic services, and other highway safety services, as considered appropriate.

(b) Coordinate the interagency Military Assistance to Safety and Traffic program, in support of domestic and national security emergencies.

(c) Support the RETCO program. In this connection, ensure that personnel assigned or detailed to temporary emergency response or emergency management duties perform such functions on a primary or full-time basis until the emergency is terminated, unless otherwise properly relieved with the concurrence of the supported RETCO(s).

(9) Bureau of Transportation Statistics.

(a) Provide emergency mapping support, as required.

(b) Provide spatial and network analyses in support of emergency transportation actions, including identification and location of affected populations, ascertain the proximity of emergency transportation resources, and determine alternate routes.

(c) Provide other data and technical support, within capabilities, that may be required in support of domestic or national security emergencies, including terrorist acts or threats.

(d) Support the RETCO program. In this connection, ensure that personnel assigned or detailed to temporary emergency response or emergency management duties perform such functions on a primary or full-time basis until the emergency is terminated, unless otherwise properly relieved with the concurrence of the supported RETCO(s).

(10) Saint Lawrence Seaway Development Corporation.

(a) Provide emergency management, operation, and maintenance of U.S.-controlled sections of the Saint Lawrence Seaway.

(b) Administer claimancy procedures to ensure necessary resources are provided for the continued operation and maintenance of U.S.-controlled sections during domestic or national security emergencies.

(c) Support the RETCO program. In this connection, ensure that personnel assigned or detailed to temporary emergency response or emergency management duties perform such functions on a primary or full-time basis until the emergency is terminated, unless otherwise properly relieved with the concurrence of the supported RETCO(s).

c. Regional Emergency Transportation Coordinators.

(1) Establish, organize, and maintain appropriate regional transportation emergency organizations, in coordination with regional Operating Administrations.

(2) Develop, publish, distribute, and maintain appropriate regional transportation supplements to the FRP, EOP, and other national or regional emergency plans.

(3) Exercise operational direction and management supervision over regional emergency organizations, when activated.

(4) Coordinate regional emergency transportation plans, operations, and requirements directly with the DOT Crisis Coordinator or Operating Administrations during declared domestic or national security emergencies.

(5) Provide transportation-related threat notifications to appropriate Federal, state, and local authorities, when requested by the Director, OIS.

(6) Ensure that SITREPs are prepared and distributed during domestic or national security emergencies. Maintain close liaison with OET.

(7) Coordinate local travel and provide appropriate administrative and logistical support for the Secretary, Administrators, and senior OST personnel in designated disaster areas, as requested.

(8) Provide appropriate training for regional emergency transportation organizations, including at least one emergency management exercise annually.

(9) Coordinate directly with FEMA regional offices, regional offices of other Federal agencies, state and local governments, voluntary organizations, and the transportation industry in matters pertaining to regional emergency transportation plans and operations.

d. RSPA's Office of Emergency Transportation.

(1) Serve as the departmental focal point for multimodal national and international civil transportation emergency preparedness programs not assigned to Operating Administrations. In this connection, represent the Secretary on emergency transportation matters and maintain liaison with FEMA, other Federal agencies, state and local governments, foreign governments, international agencies, and the transportation industry, as appropriate.

(2) Serve as DOT Crisis Coordinator for crisis emergency preparedness activities, including crisis management and reporting for multimodal emergencies and

consequence management of terrorist acts, unless otherwise directed by the Administrator, RPSA.

(3) Develop and promulgate Department-wide civil emergency preparedness plans, training, policies, procedures, and programs, including provisions for interregional emergency management support, where necessary or appropriate.

(4) Develop appropriate plans and procedures to ensure the continuity of departmental emergency transportation management functions.

(5) Designate and provide for the availability of temporary or alternate facilities for use in the event permanent facilities are damaged, destroyed, or otherwise not available.

(6) Develop civil transportation resource management programs that facilitate emergency direction and control of civil transportation capacity. In this connection, maintain oversight of civil transportation priorities and allocations, including preallocation of civil transportation capacity necessary to meet national defense requirements, including civil emergency preparedness requirements, except those otherwise assigned to Operating Administrations.

(7) Develop information management systems in support of emergency transportation management functions, including:

(a) Identification and assessment of national and regional transportation capacity.

(b) Identification of civil transportation emergency resource requirements submitted by claimant agencies.

(c) Projections of emergency transportation demands.

(d) Collection of emergency transportation management plans, policies, agreements, procedures, and other related data, as pertains to capacity utilization, recovery, prioritization, and allocation under domestic or national security emergency conditions.

(8) Allocate designated CRAF aircraft, where appropriate.

(9) Administer the RETCO Program, including management, funding, coordination, and policy direction.

(10) Advise affected RETCOs of travel requirements involving the Secretary, Administrators, and senior OST officials to designated disaster areas.

(11) Provide policy direction and management oversight of departmental participation in the NDER program, and/or other public/private volunteer programs, including administration, control, funding, and direction.

(12) Develop requirements for, and coordinate the acquisition or use of suitable emergency communications capabilities to provide essential communications with disaster or other impacted areas, independent of commercial communications systems, during domestic or national security emergencies.

(13) Except as to DPA priorities and allocations authority delegated to other Operating Administrations, develop, organize, and administer departmental requirements for participation in military, civil, domestic, and international emergency preparedness training and exercise programs.

(14) Serve as the principal departmental point of contact with other Federal agencies, foreign governments, and international agencies in matters pertaining to civil emergency preparedness training and exercise programs, except for programs specifically assigned to Operating Administrations.

(15) Operate and maintain the DOT Headquarters CMC.

(16) Participate in international transportation civil emergency preparedness planning boards, committees, and related activities not assigned to Operating Administrations, including, but not limited to, those sponsored by Canada, Mexico, and NATO.

(17) Represent the Secretary as the senior officer and head of the U.S. delegation to the NATO Civil Aviation Planning Committee.

(18) Serve as U.S. co-chair of the U.S./Canadian Emergency Planning Committee for Civil Transportation.

(19) Serve as departmental lead for ESF-1.

(20) Serve as Department-wide coordinating office for the development of continuity of operations plans, continuity of government plans, and plans to address the consequences of weapons of mass destruction.

e. Transportation Administrative Service Center.

(1) Monitor departmental operations during domestic or national security emergencies and provide advice and assistance regarding telecommunications, health and safety, security, and employee assistance programs to the affected

Operating Administrations, RETCOs, and the DOT Crisis Coordinator, as requested or considered appropriate.

(2) Provide staff representation to the DOT CMC, when activated, as requested by the DOT Crisis Coordinator.

11. REPORTS.

a. Use normal headquarters and Operating Administration reporting systems to the maximum practical extent. Include, as information addressees, the DOT CMC, when activated; the Directors, OET and OIS, and affected Operating Administrations and RETCOs on all electronically generated reports; distribute information copies of all other reports on the same basis by the most expeditious available means.

b. Submit specific reports required during declared national security emergencies as prescribed by applicable statute, orders, or other regulations.

c. Report any potential or actual transportation incidents to OET in a timely manner 24-hours a day.

12. TERMINATION.

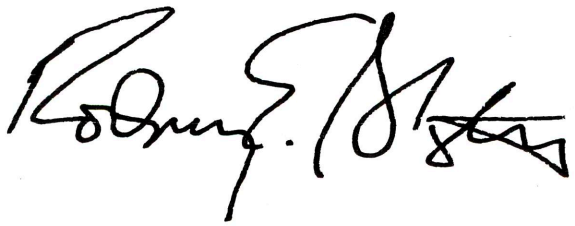
a. The Secretary of Transportation may, at their discretion, terminate emergency conditions and return to day-to-day operations. However, FEMA retains authority to activate and deactivate ESF-1 emergency response teams, under provisions of the FRP.

(1) In the absence of specific direction to the contrary, the DOT Crisis Coordinator will determine when a transportation emergency can be considered to have ended and will coordinate with the Director, OET to reduce in scope or terminate CMC operations.

(2) Each respective Administrator, at his/her discretion, may reduce in scope or terminate emergency operations of his/her Administration, unless otherwise directed by the Secretary.

(3) Each affected RETCO, at his/her discretion, can reduce in scope or terminate regional emergency operations, unless otherwise directed by the Secretary. Recommendations to reduce or deactivate regional emergency organizations activated for domestic emergencies under provisions of the FRP will be coordinated with respective FEMA regions and the DOT Crisis Coordinator, or Director, OET.

13. IMPLEMENTATION. This order is effective for planning and implementation upon publication. Where appropriate, Secretarial Offices, Operating Administrations, and

RETCOs shall develop appropriate implementing guidance and provide a copy to the Director, OET, within six months of the date of this order.

FOR THE SECRETARY OF TRANSPORTATION: