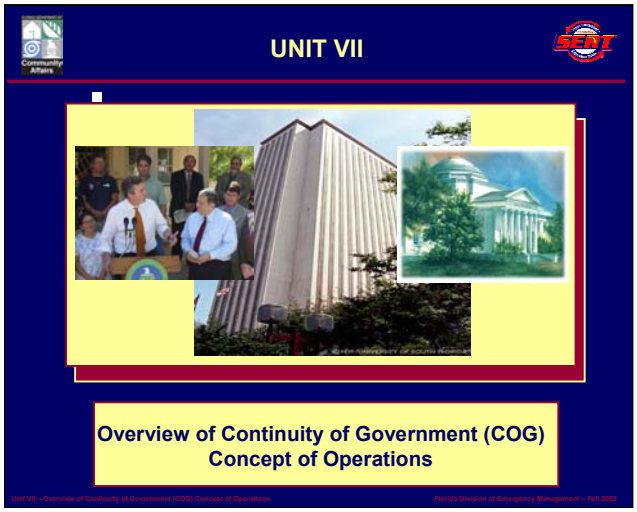
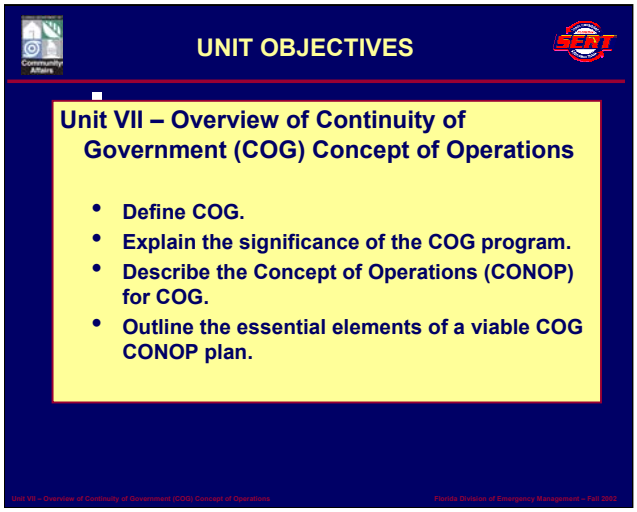


Unit VII – Overview of Continuity of Government (COG) Concept of Operations

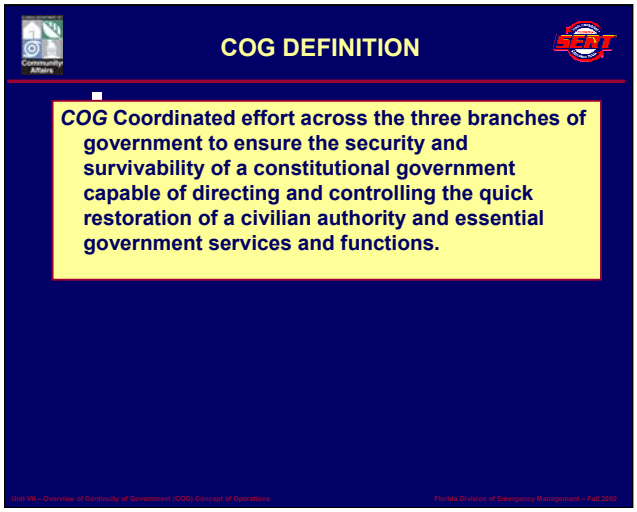
This Unit provides the definition of COG and an overview of the program in the State of Florida. The significance of COG planning is explained and the basic Concept of Operations is presented. Additionally, the essential elements of a viable COG C Concept of Operations are outlined and specific details on each element is provided.



Unit Objectives

At the conclusion of the unit, the participants will be able to:

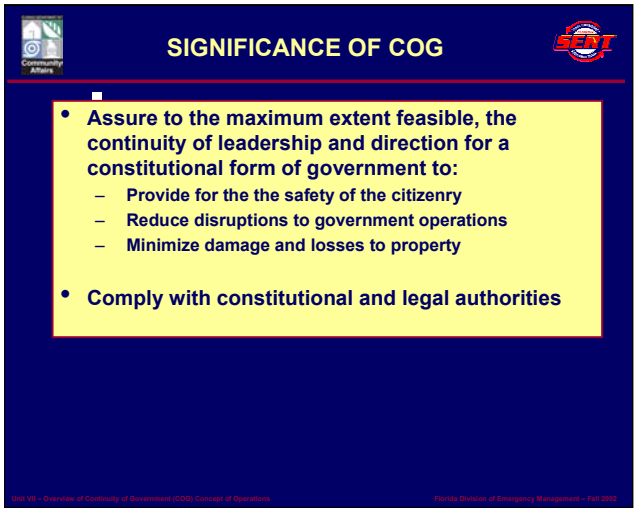
1. Define COG.
2. Explain the significance of the COG program.
3. Describe the Concept of Operations (CONOP) for COG.
4. Outline the essential elements of a viable COG CONOP plan.



COG Definition

Historically, the government has prepared to respond to disaster within its jurisdictions. Most government agencies have not always considered how they would respond to an emergency which directly affected their ability to continue normal operations. FEMA states that "Most emergencies do not threaten the institutional integrity of State or local governments. However the consequence of some major emergencies such as catastrophic earthquake, hurricane, terrorist attack, or nuclear attack, could severely disrupt or degrade State and local government's ability to function."

For this reason, a COG program is essential to ensure a constitutional government. COG is defined as a coordinated effort across the three branches of government to ensure the security and survivability of a constitutional government capable of directing and controlling the quick restoration of a civilian authority and essential government services and functions.



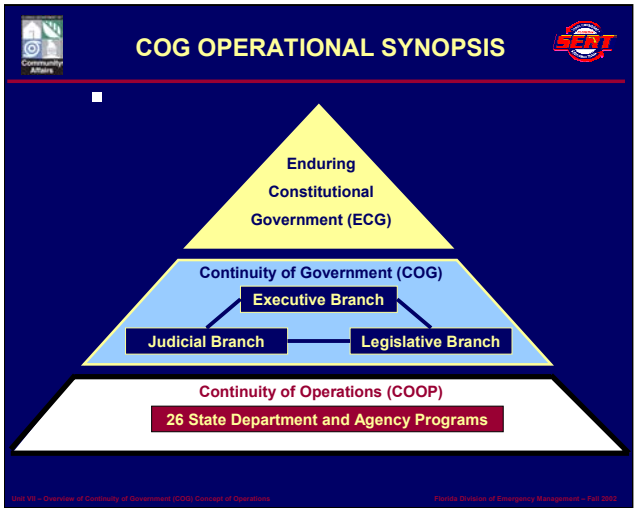
Significance of COG

The reality that government in general and its leadership in particular can be the target of emergencies demands that all government agencies prepare effectively to continue their operations in the wake of any disaster. While threats vary from region to region and governmental entity to governmental entity, it is clear that a broader scope of preparedness will assist government in providing critical services regardless of the hazard which arises.

A COG plan assures to the maximum extent feasible, the continuity of leadership and direction for a constitutional form of government to:

- Provide for the the safety of the citizenry
- Reduce disruptions to government operations
- Minimize damage and losses to property

In addition, the COG plan should comply with constitutional and legal authorities. Each organization that has an official in the direct order of succession in any of the three branches should confer with their legal counsel to determine the scope and applicability of the constitutional and legal authorities.



COG Operational Synopsis

Leadership and direction are necessary elements in the successful conduct of all operations. It is therefore essential that all COOP plans and procedures assure to the maximum extent feasible the continuity of leadership and direction is readily available before, during, and after any event or threat thereof.

Plans for COG should be developed within the framework of existing law. In the most severe emergencies, following a major calamity, the concept of operations is needed to assure that the government's remaining leaders have the delegated authority to direct operations which enable vital services to continue and provide for an enduring form of government.

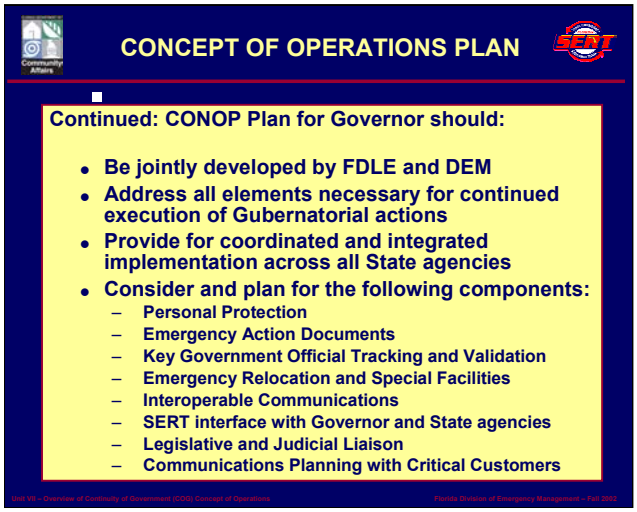
Concept of Operations Plan

The underlying principles of a COG CONOP are consistent with long established legal concepts and authorities. Once activated, a COG plan continues in existence until terminated by constitutional or statutory provisions. The key measure for COG is the assurance that leadership amongst all three branches of government can operate even though members may be casualties or otherwise unavailable.

The Florida Constitution and other statutes regulate permissible actions and operations. Pre-developed emergency actions documents should be formulated which authorize and direct the available leadership to perform all governmental functions which are vital to continue critical operations and ensure public safety. The concept of operations must include measures to:

- Assure continuous chain of command
- Establish order of succession to key management positions within each organization
- Establish alternate facilities
- Assure the preservation of vital records

The COG CONOP should preserve, maintain, or reconstitute the civil government's ability to carry out its constitutional responsibilities. It is founded on a comprehensive emergency management approach. Each State agency must have a viable COOP capability to ensure the Governor has the capability to exert direction and control in all emergencies. The Legislative and Judicial Branches must also have complementary programs to complete planning to ensure an enduring constitutional government.

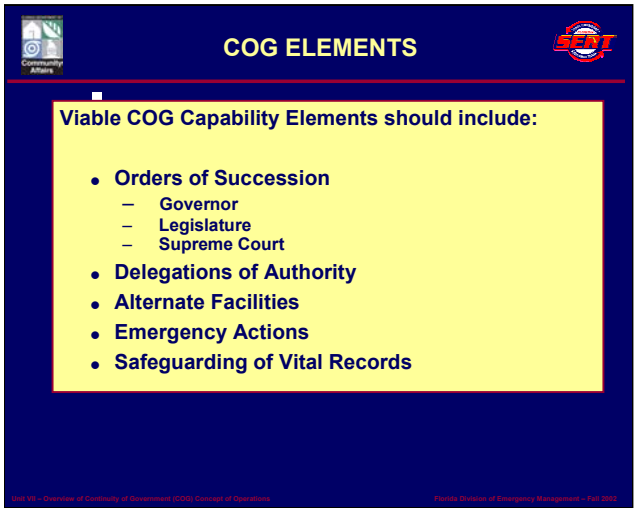


Concept of Operations Plan – Continued

Since the Executive Branch leadership sets general policy and is charged with administering the government, it is especially vital that provisions be instituted to ensure continued performance. Responsibility for day-to-day operations is vested in department and agency managers and officers, hence they have the broadest sort of authority. It is equally crucial that methods be devised to assure there is an order of succession for these leadership positions. Typically, this succession will be included in the organizational COOP plan; however, if the organization's leader is in direct succession to the Office of Governor, special considerations are required. Regulations and statutes generally vest specific functions/duties to particular managers/officers.

The COG CONOP for the Governor should:

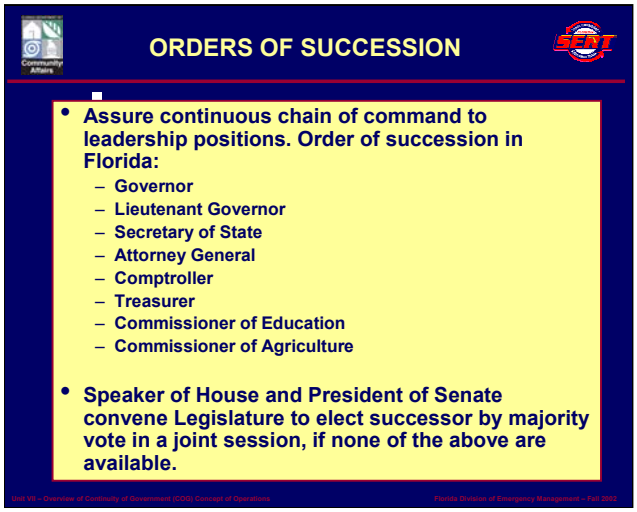
- Be jointly developed by FDLE and DEM
- Address all elements necessary for continued execution of Gubernatorial actions
- Provide for coordinated and integrated implementation across all State agencies
- Consider and plan for the following components:
  - Personal Protection
  - Emergency Action Documents
  - Key Government Official Tracking and Validation
  - Emergency Relocation and Special Facilities
  - Interoperable Communications
  - SERT interface with Governor and State agencies
  - Legislative and Judicial Liaison
  - Communications Planning with Critical Customers



COG Elements

To ensure that COG CONOP has a baseline of preparedness and are capable of execution across the full range of potential emergencies, there are certain elements which must be addressed. The elements of a viable and executable COG CONOP plan are similar in nature to the essential elements of a COOP program. The names and possible combinations of each element may vary by jurisdiction and level of government, but the principles of contents remain constant. The elements are:

- Orders of Succession
  - Governor
  - Legislature
  - Supreme Court
- Delegations of Authority
- Alternate Facilities
- Emergency Actions
- Safeguarding of Vital Records

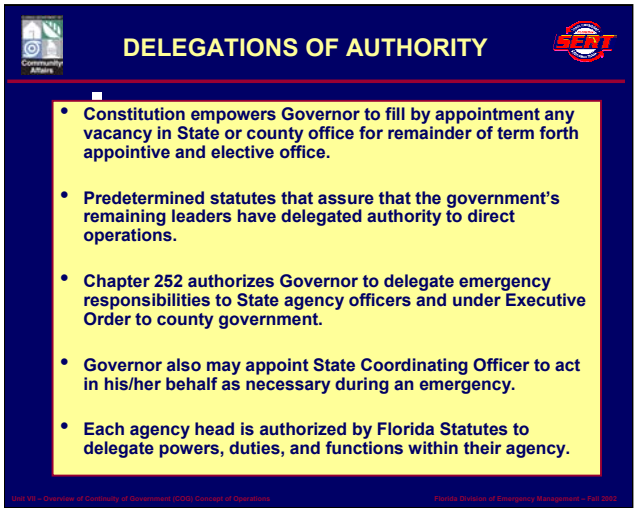


Orders of Succession

This element is similar to the respective element in COOP planning except that constitutional authorities direct the order of succession. This element assures a continuous chain of command to the leadership positions for the Office of Governor. As in the COOP plan, the orders of succession are a critical component. The order of succession in the State of Florida currently is:

- Governor
- Lieutenant Governor
- Secretary of State
- Attorney General
- Comptroller
- Treasurer
- Commissioner of Education
- Commissioner of Agriculture

If none of the above are available, the Speaker of the House and the President of the Senate convene the Legislature to elect successor by majority vote in a joint session.



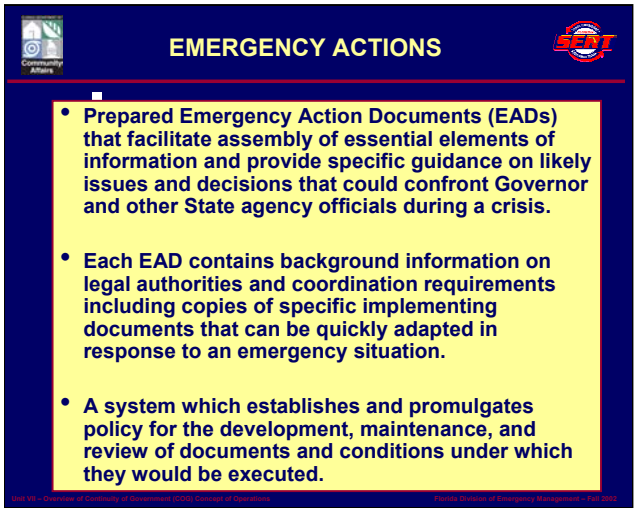
Delegations of Authority

Delegations of authority ensure the rapid response to any emergency requiring implementation of the COG CONOP. The plans should include the necessary authorities, delineate the limits of authority and accountability, and state explicitly the authority of designated successors.

Within the State of Florida, the Constitution empowers the Governor to fill by appointment any vacancy in State or county office for remainder of term for the appointive and elective office. There are predetermined statutes that assure that the government's remaining leaders have delegated authority to direct operations. Chapter 252 authorizes the Governor to delegate emergency responsibilities to State agency officers and under Executive Order to county government. The Governor may also appoint State Coordinating Officer to act in his/her behalf as necessary during an emergency. Finally, each agency head is authorized by Florida Statutes to delegate powers, duties, and functions within their agency.

Alternate Facilities

The alternate facility in the COG CONOP plan should have reliable logistical support, services, and infrastructure systems (water, electrical power, HVAC, etc.). In addition, the selection process should include deliberations on the appropriate physical security and personnel access control measures. The alternate facility should assure a safe location for operations if permanent offices are untenable provide capability to maintain mission essential functions, serve as communication nerve center for contact with all levels of government, public, and media.



Emergency Actions

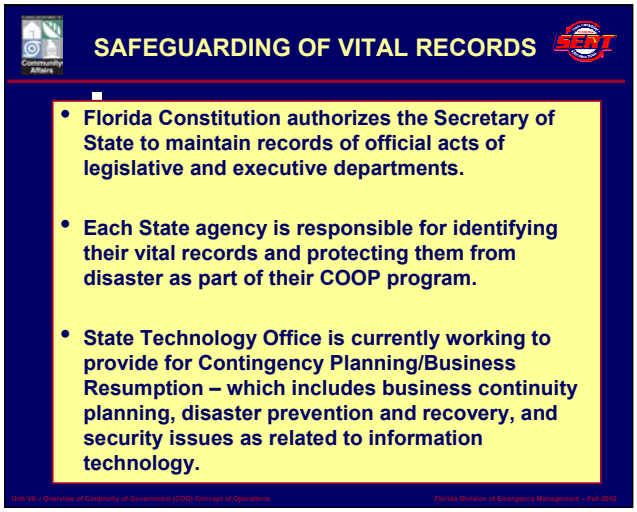
Prepared Emergency Action Documents (EADs) facilitate assembly of essential elements of information and provide specific guidance on likely issues and decisions that could confront the Governor and other State agency officials during a crisis. Each EAD should contain background information on legal authorities and coordination requirements including copies of specific implementing documents that can be quickly adapted in response to an emergency situation. These documents should be prepared in accordance with the State constitution and other governing authorities and coordinated with the organization's General counsel. A system which establishes and promulgates the policy for the development, maintenance, and review of documents and conditions under which they would be executed should be developed by appropriate organizations.

Interoperable Communications

As in all emergency operations, the success of the COG CONOP is dependent upon the identification, availability, and redundancy of critical communication systems to support connectivity to internal organizations, State agencies, critical customers – including Federal and local governments, and the public.

The COG plan should take maximum advantage of the advances in technology now available and consider the full spectrum of communications – landline, cellular, satellite, wireless, etc. The communications capability should be comprehensive and redundant. Attention should be taken to provide for access to other data and systems required to perform the mission essential functions. Redundancy of communications is vital and the capability should be developed to sufficient depth to assure availability. The COG CONOP should:

- Identify the data and communications systems to support mission essential functions
- Ensure availability at alternate facility at appropriate level
  - Voice and fax
  - Cellular
  - Satellite
  - Internet and email
  - Data systems
  - Emergency systems (NAWAS, EAS, etc), if necessary
  - Secure communications, if necessary
- Provide for both internal and external communications
- Consider mobile communications capabilities



Safeguarding of Vital Records

A Vital Records Protection Guidelines publication is available to assist agencies in establishing their own departmental program. The Bureau of Archives and Records Management presents Records Management Training Seminars to over 500 individuals each year. Other material available for vital records protection includes: Public Records Storage Guidelines (Revised), Magnetic Media Guidelines, Florida State Archives Collection Development Policy, and Basics of Records Management Handbook.

The Florida constitution authorizes the Secretary of State to maintain records of official acts of legislative and executive departments. Each State agency is responsible for identifying their vital records and protecting them from disaster as part of their COOP program. The State Technology Office is currently working to provide for Contingency Planning/Business Resumption – which includes business continuity planning, disaster prevention and recovery, and security issues as related to information technology.