

Review of Relevant Executive Orders

A review of the 14 EOs the author of this e-mail is concerned about reveals that all have been either rescinded, amended or superseded. However, that does not mean that these instructions are not still in place in one form or another.

Eight of these - EOs 10997, 10998, and 11000 through 11005 – were revoked by EO 11490, which was published by Nixon on 28 Oct 1969, "Assigning emergency preparedness functions to Federal departments and agencies" and calls for federal agencies to prepare plans for a state of emergency that would require "over-all civilian manpower mobilization programs" and related emergency measures.

EO 11490 was revoked by EO 12656 by Regan on 18 Nov 1988, "Assignment of emergency preparedness responsibilities."

This brings us to EO 12656 which seems to still be in effect and was amended by:

EO 13074, February 9, 1998 (Clinton)

EO 13228, October 8, 2001 (Bush), and

EO 13286, February 28, 2003 (Bush).

That leaves 6 remaining EOs referenced in this e-mail, and each is discussed below.

EO 10990 was drawn up by Kennedy in 1962 and according this e-mail "allows the government to take over all modes of transportation and control of highways and seaports."

Superseded by: EO 11612, July 26, 1971, which was

Superseded by: EO 11807, September 28, 1974, which was

Revoked by: EO 12196, February 26, 1980

EO 12196 seems to still be in effect and continued by EO 13446, September 28, 2007; EO 13511, September 29, 2009

EO 10995 was also drawn up by Kennedy in 1962, and the author alleges that this EO "allows the government to seize and control the communication media."

Revoked by: EO 11556, September 4, 1970, which was

Revoked by: EO 12046, March 27, 1978

EO 12046 seems to still be in effect, but was amended by EO 12148, July 20, 1979; EO 12472, April 3, 1984

EO 11049 is another 1962 Kennedy EO which allegedly “assigns emergency preparedness function to federal departments and agencies, consolidating 21 operative Executive Orders issued over a fifteen year period.”

Revoked by: EO 12553, February 25, 1986. EO 12553 was simply a revocation of a large number of previous EOs, and was the work of President Regan.

EO 11051 yet another 1962 Kennedy EO which “specifies the responsibility of the Office of Emergency Planning and gives authorization to put all Executive Orders into effect in times of increased international tensions and economic or financial crisis.”

Revoked by: EO 12148, July 20, 1979

EO 12148 was superseded or revoked in part by EO 12919, June 3, 1994

EO 12919 was itself

Amended by EO 13286, February 28, 2003

Revoked in part by EO 13456, January 23, 2008

EO 11310 was Johnson in 1966 and the author claims that this EO “grants authority to the Department of Justice to enforce the plans set out in Executive Orders, to institute industrial support, to establish judicial and legislative liaison, to control all aliens, to operate penal and correctional institutions, and to advise and assist the President.”

Revoked by EO 11490, October 28, 1969, which was

Revoked by EO 12656, November 18, 1988, which was amended by:

EO 13074, February 9, 1998

EO 13228, October 8, 2001

EO 13286, February 28, 2003

EO 11921 was issued by Fort in 1976 and “allows the Federal Emergency Preparedness Agency to develop plans to establish control over the mechanisms of production and distribution, of energy sources, wages, salaries, credit and the flow of money in U.S. financial institution in any undefined national emergency. It also provides that when a state of emergency is declared by the President, Congress cannot review the action for six months.”

Superseded or revoked in part by EO 12919, June 3, 1994, and was

Amended by EO 13286, February 28, 2003, which was

Amended by: EO 13442, August 13, 2007, which seems still in effect

Revoked in part by EO 13456, January 23, 2008, which seems still in effect

That leaves us with the following relevant EOs out of all of those listed by the author of this e-mail:

12656, as amended by 13074, 13228 and 13286

12196, as amended by 12223, 12399, 12489, 12534, 12610, 12692, 12774, 12869, 12974, 13062, 12608, 13138, 13225, 13316, 13385, and continued by 13446, and 13511

12046, as amended by 12148 and 12472

12919 and 13286, as amended by 13442 and 13456

That's at least 29 EOs, and I'm certain that I have missed several key documents.