

technological and intentional hazards.

- b) That said, emergency management in the United States is strictly regimented within the framework of the nation's Federal system of government and defined within the National Response Framework.
- c) As is true with Federal Support provided by other Federal departments and agencies, the Federal System serves as the most significant defining influence behind the systems and structures that guide domestic disaster management support provided by the U.S. Military.
- d) The U.S. Constitution established a Federal system by which the domestic activities of the national government were limited to just a distinct set of functions, including (but not limited to) the collection of taxes, providing for defense, borrowing money on credit, regulating commerce, creating a currency, establishing post offices, granting patents, creating lower courts, and declaring war.
- e) Over time, a broad array of laws, directives, and other statutory authorities were established subsequent to the Constitution but generally in line with the founding philosophies of local primacy.
- f) These laws have helped to define what domestic DoD disaster support is, how such support is requested by each level of government, and how requested resources may be incorporated into systems of command, control, and coordination.
- g) And just as in all aspects of Emergency Management, DSCA is always evolving and improving based upon the last major disaster.

B. The Instructor can explain that the discussion will now move to domestic operations, beginning with a brief look at the history of DoD involvement (Slide X-10)

C. Military support of civil authorities has been a part of the United States since the first days of the union. While this involvement has not always been about the response to natural disasters, it has always fallen within the bounds of its national security mission.

1. One of the earliest examples of such support occurred in 1794, when President Washington deployed military forces to assist local authorities in quelling violence associated with the Whiskey Rebellion that year. Wilson was careful to clarify that the military's presence was purely supportive and that command and control was retained by the civil authorities.
2. The Insurrection Act was written in 1807 in order to ensure the President possessed the power to deploy militias or Federal military resources to

quell rebellions and insurrections, and to enforce laws.

3. However, in 1878 the Posse Comitatus Act was signed into legislation, which prohibited Federal military forces from conducting law enforcement.
 - a) This act was in response to the widespread use of Federal troops after the Civil War during the Reconstruction.
 - b) Posse Comitatus is oftentimes cited as a limiting factor behind U.S. military involvement in domestic disaster operations.
4. The Office of Civilian Defense (OCD)
 - a) OCD was established in 1941 with responsibilities in civilian protection which included morale maintenance, promotion of volunteer involvement and nutrition and physical education.
 - b) The OCD also oversaw Federal involvement in attack preparation, the creation of corresponding defense councils at the local level and began the development of civil defense plans.
5. The Truman era brought about the Federal Civil Defense Act of 1950. This placed most of the civil defense burden on the States and created the Federal Civil Defense Administration (FCDA) to formulate policy to guide the States' efforts.
 - a) This was partially intended to guard against the "garrison state".
 - b) A "garrison state" concept refers to situations where nations are preserved by military power, and where military matters dominate social, economic and political matters.
 - c) A garrison state is one that primarily serves its own need for military security and is formed mainly for preventing violence as opposed to other purposes.
 - d) In this vein, the decision was made to assign civil defense responsibilities to local and state government.
 - e) Some of the civil defense activities led by the FCDA include the building of shelters, improvement of Federal and State coordination mechanisms, the creation of an attack warning system, the stockpiling of disaster-related supplies, and civil-defense related public education (the well-known "Bert the Turtle" civil-defense drills were a part of this effort).
6. Confusion and disagreement on what role this organization should take

resulted in the elimination of the FCDA during Eisenhower's administration.

- a) FCDA was replaced by the Office of Civil Defense Mobilization (OCDM).
- b) OCDM existed only for a short time during the Kennedy administration, and in 1961 President Kennedy divided this Office into two new offices, including:
 - (1) The Office of Emergency Planning (OEP), which answered directly to the President and which handled all nonmilitary emergency preparedness efforts.
 - (2) The Office of Civil Defense (OCD), which was created within DoD, which managed civil defense including such things as supporting the creation of fallout shelters.

7. In 1970 the Defense Civil Preparedness Agency (DCPA) was established under the umbrella of the DoD.

- a) For the first time Federal funds previously allocated for the exclusive purpose of preparing for military attacks could be shared with state and local governments for natural disaster preparedness.
- b) This dual use initiative subscribed to the philosophy that preparations for evacuation, communications, and survival are common to both natural disasters and enemy military strikes on the homeland.

8. FEMA was eventually established in 1979 as the lead agency for coordinating Federal disaster relief efforts. At the time it was the single largest consolidation of civil defense efforts in U.S. history.

- a) Civil defense responsibilities, which became FEMA's clear focus in its early days, were transferred to the new agency from the DOD DCPA.
- b) The Federal Response Plan (FRP) was released in 1992 and was used to coordinate the Federal government's response to natural or manmade disasters or emergencies.
 - (1) The FRP described the basic mechanisms and structures by which the Federal Government mobilized resources and conducted activities to augment State and local response efforts.
 - (2) The FRP also introduced 12 Emergency Support Functions

(ESF). As it is today, the DoD was featured prominently in the FRP through the ESFs:

- (a) ESF 1 – Transportation: Supporting Agency, provide transportation assets as required, including but not limited to airspace management.
- (b) ESF 2 – Communication: Supporting Agency
- (c) ESF 3 – Public Works and Engineering: Primary Agency. This ESF provided public works and engineering support to assist the State(s) in meeting goals related to life saving, life-protecting and recovery activities following a major disaster. Support included technical advice, evaluations, engineering services, construction management and inspection, emergency contracting, emergency repair of wastewater and solid waste facilities, and real estate support to assist State(s) in needs related to lifesaving or life protecting following a major or catastrophic disaster.
- (d) ESF 4 – Firefighting: Supporting Agency
- (e) ESF 5 – Information and Planning: Supporting Agency
- (f) ESF6 – Mass Care: Supporting Agency
- (g) ESF 7 – Resource Support: Supporting Agency
- (h) ESF 8 – Health and Medical Services: Supporting Agency
- (i) ESF 9 – Urban Search and Rescue: Supporting Agency. Provides for locating, extricating and providing for the immediate medical treatment of victims trapped in collapsed structures. The DoD was the Primary Agency from 1992-1994 when FEMA became the PA and DoD became a Supporting Agency.
- (j) ESF 10 – Hazardous Materials: Supporting Agency
- (k) ESF 11 – Food: Supporting Agency
- (l) ESF 12 – Energy: Supporting Agency

- c) The subsequent passing of the Stafford Act led to the repeal of the FCDA in 1994, and all remnants of civil defense authority were transferred to Title VI of the Stafford Act.
 - d) This completed the evolution of civil defense into an all hazards approach to preparedness.
9. After the events of September 11, 2001, the Homeland Security Act of 2002 was passed, establishing the Department of Homeland Security (DHS).
- a) The DHS developed a new National Response Plan (to replace the Federal Response Plan) and introduced the National Incident Management System (NIMS) to provide common framework for incident management. NIMS will be discussed in Objective 3.
 - b) The NRP was replaced by the National Response Framework (NRF) in 2004 in order to better align the document with its intent and to encourage the continued development and refinement of detailed, robust all-hazards emergency operations plans.
 - c) The main goal of the NRF is to ensure that government executives, private-sector and nongovernmental organization (NGO) leaders, and emergency management practitioners across the nation understand the domestic incident response roles, responsibilities and relationships in order to respond more effectively to any type of incident.
 - d) Like the NRP and FRP that preceded it, the NRF lists a number of Emergency Support Functions (ESF) that organize responsibility for several categories of disaster assistance.
 - (1) The Federal Government and many state governments organize their response resources and capabilities under the ESF construct
 - (2) ESFs have proven effective in bundling and likewise managing resources by which core capabilities are delivered.
 - (3) ESFs are the primary, but not exclusive, Federal coordinating structures for building, sustaining, and delivering core disaster response capabilities.
 - (4) Three ESFs were added at this time; Emergency Management, Long Term Community Recovery, and External Affairs.

- (5) Within this framework, DoD is a supporting agency to 14 of 15 of the ESFs.
 - (6) Furthermore, DoD was reinstated as the primary agency for ESF #9 (Search and Rescue), and along with the U.S. Army Corps of Engineers (U.S.ACE), the Coordinator and primary agency for ESF #3 (Public Works and Engineering). Specifics on the role of the U.S.ACE will be discussed later in the session.
 10. In February 2003, the White House issued Homeland Security Presidential Directive 5 (HSPD-5).
 - a) The purpose of HSPD-5 is to “enhance the ability of the United States to manage domestic incidents by establishing a single, comprehensive national incident management system.”
 - b) This directive establishes the Secretary of Homeland Security as the “principal Federal official for domestic incident management,” and defines the role of the Secretary of Defense regarding DSCA as follows:
 - (1) “The Secretary of Defense shall provide military support to civil authorities for domestic incidents as directed by the President or when consistent with military readiness and appropriate under the circumstances and the law.
 - (2) “The Secretary of Defense shall retain command of military forces providing civil support.
 - (3) “The Secretary of Defense and the Secretary [of Homeland Security] shall establish appropriate relationships and mechanisms for cooperation and coordination between their two departments.”
 11. In June 2005, the Department of Defense issued its *Strategy for Homeland Defense and Civil Support*, which reiterated the department’s role of providing support to civil authorities at the direction of the President or Secretary of Defense. This document stated that “the National Guard is particularly well suited for civil support missions” and that reserve forces “currently provide many key homeland defense and civil support capabilities, including intelligence, military police, medical expertise, and chemical decontamination.”
- IV. Within the context of the Federal doctrine on DoD assistance requested by State and local jurisdictions in keeping with formal disaster declarations, DSCA became a well-regimented Federal resource.

- A. However, DSCA was not the only means by which DoD assistance could be provided.
- B. Local, tribal, and state agencies could still request military resources to assist in disaster and emergency related efforts through what is called Immediate Response Authority (IRA).
 - 1. IRA differs from DSCA in that it can be enacted when time does not permit approval from higher headquarters.
 - 2. This empowers local Commanders to respond more quickly to requests from civil authorities, thereby enabling them to utilize their locally-based resources in a manner that is more effective given time constraints.
 - a) Use of this resource is contingent upon the availability of such resources and requests must be weighed against prevailing circumstances and concurrent military needs.
 - b) It must be used to save lives, prevent human suffering, and mitigate extraordinary levels of property damage.
 - 3. Unlike a formal DSCA request, a request for IRA may initially be made through verbal means, followed up in a formally documented manner at a later time.
 - 4. The mechanisms through which IRA and DSCA requests and provisions are made are discussed in greater detail throughout this session.

Supplemental Considerations

n/a

Objective X.2: Review the resources available for domestic emergency management, defining the types of engagement and the role of USNORTHCOM.

Requirements:

Lead a discussion on the resources that may be provided to requesting jurisdictions through DSCA. Describe the different types of engagement that may be established and provide an overview of USNORTHCOM's role in domestic emergency and disaster operations. Initiate class and group discussions.

Remarks:

- I. Each major component of the U.S. Armed Forces possesses a distinct suite of capabilities and resources that may be called upon when required to provide support in emergency

and disaster response operations (as long as provision of those resources would adversely affect national security or military readiness.)

- A. Differences between these capabilities and resources are heavily-influenced by variations in the culture, history, primary missions, organizational structure, and other defining characteristics of each component (e.g., location and type of resources likely to be available at any given time).
- B. The Instructor can initiate a group discussion about the differences in culture and capabilities of each component, and how this would affect emergency response.
 - 1. The Instructor can divide Participants into four or five groups, assigning each group one of the following (Army, Navy, Air Force, Marines, National Guard, and Coast Guard (recognizing the Coast Guard is not a part of the Department of Defense)).
 - 2. Using their existing knowledge or internet research, Participants should come up with a list of reasons their assigned military branch would be effective as a disaster management resource.
 - 3. Groups should consider a number of factors, including geography, size, mission, technical specialties, resources, and others.
 - 4. Each group can report out their findings to the class.
- C. The U.S. Army (Slide X.11)
 - 1. The U.S. Army is organized and equipped for large-scale operations and at times has difficulty with scalability to smaller units, but still remains the premier resource for DSCA.
 - 2. The U.S. Army's infantry, armor, and artillery units have almost no direct applicability in civil disaster response efforts. However, the manpower that is maintained in these units is significant and represents a formidable disaster management resource.
 - 3. That said, aviation, special forces, civil affairs, and the U.S. Army's Chemical Corps have more directly-relevant emergency management functions and are typically readily-available if needed in a domestic deployment.
 - 4. The U.S. Army Corps of Engineers (USACE) is perhaps the most comprehensive, and certainly the most visible, U.S. Army Command that maintains a supportive and almost constant role in domestic emergency management activities.
 - a) USACE regularly performs civil works functions in addition to Army-relevant engineering.

3. If an affected state requires National Guard forces from another state – typically through the Emergency Management Assistance Compact (EMAC) - those forces will be designated as on State Active Duty but will be under command of the supported governor.
 4. Given their active emergency management mission, National Guard forces can typically be ready to provide meaningful emergency management support at the direction of the Governor within 12-24 hours (depending on the size of the state, the location of units, transportation requirements and assets, and other factors).
- D. States may also maintain a separate State Defense Force, which is strictly a state entity and not part of the DoD.
1. These forces are described as “regulated state military forces established by state governments” under the authority of Title 32, Section 109, of the United States Code.
 2. These units are typically called state defense forces, state guards, or state military reserves and are regulated by state law and operational guidance provided by the U.S. Army’s National Guard Bureau.
 3. SDF are voluntary forces and may include subject matter experts in law, administration military police, communications, aviation support, search and rescue, logistics, public health and medical support, and transportation.
 4. SDF are considered the modern day “local militia.”
- E. During the 2012 response to Hurricane Sandy, National Guard assistance was requested in 7 of the states that were affected (including New York, Massachusetts, Virginia, New Jersey, Delaware, Connecticut, and Maryland).
1. Approximately 1500 National Guard forces were activated, and provided response assistance at shelters, by clearing debris, performing search and rescue, and delivering equipment and supplies.
 2. In this event, Defense Secretary Leon Panetta appointed “Dual Status” commanders to command both Federal and state National Guard forces that were operating in the impacted states, which represented a new mechanism of command for this resource.
 3. Dual Status commanders, which are appointed to maintain separate chains of command between troops reporting to the Federal and state levels, in hopes of reducing redundancies and confusion like occurred in Hurricane Katrina, are described in greater detail later in this session.

III. Capabilities and Resources (Slide X.17)

- A. Together, the military offers a significant catalog of resources from which local, state, and Federal responders may draw in instances where capacity is otherwise exceeded.
- B. An important factor in planning for such provisions is ensuring planners have an accurate understanding about what types of resources may be provided.
- C. These include:
 - 1. Heavy Equipment
 - a) Heavy equipment generally refers to heavy-duty vehicles that are specially designed to address construction needs.
 - (1) A common construction need that also exists in the post disaster setting is earthwork operations.
 - (2) In the disaster setting, this might present as debris clearance and/or removal following landslides, hurricanes, floods, or other hazards.
 - b) Other forms of heavy equipment include heavy trucks such as dump trucks or flatbed trailers, cranes and other heavy hydraulic vehicles, cement trucks and other construction equipment, and others.
 - c) The need for heavy equipment drastically evolves as the incident moves from response to recovery, with the most notable DSCA applicability occurring earlier in the event when other (non-military) resources are unavailable.
 - 2. Aircraft
 - a) The U.S. military maintains a massive fleet of rotary and fixed-wing aircraft that are geographically dispersed throughout the United States.
 - b) Aircraft can be used in disasters to address a number of response and recovery needs.
 - c) This includes airlift, which is used for evacuating victims out of the affected area, and transporting responders and resources into it.
 - d) Aircraft are also used in search and rescue operations, and to support various ongoing impacts of events (such as firefighting and control of agricultural epidemics (insecticide dispersal)).

- e) Helicopters are often used to support initial surveys and assessments of damage.

3. Communications Equipment and Capabilities

- a) There are a number of communications-related needs that may be supported by military involvement.
- b) Military units are oftentimes trained and equipped to repair damaged communication infrastructure
- c) The establishment and maintenance of secure crisis and disaster communications systems is another requirement. Whether or not National Guard and/or DoD forces are involved in other aspects of an operation, local responders will need to establish secure and reliable communications as early as possible in an emergency event.

4. Public Health and Medical Support

- a) There are many similarities between combat and disaster health and medical needs. As such, the military is able to and oftentimes does provide significant medical support in major disasters.
- b) For instance, an Army Combat Support Hospital may be delivered to and set up in an impacted area. These are commonly known as “field hospitals” and look like large tents.
- c) Military support includes hospitalization and outpatient services, triage, surgery preparation, and surgical facilities.
- d) The U.S. Navy maintains two hospital ships:
 - (1) The USNS Comfort, based on the east coast.
 - (2) The USNS Mercy, based on the west coast
 - (3) Each of these ships contains multiple operating rooms, approximately 1,000 beds, a medical laboratory, a pharmacy, CAT-scanning equipment, and a helicopter deck for military aircraft.
- e) The Air Force maintains Small Portable Expeditionary Aeromedical Rapid Response Teams (SPEARR)
- f) A SPEARR deployment consists of 10 people who are flown in with a tent hospital, including all the necessary supplies and equipment.

- (1) SPEARR teams can begin working in the impacted area very early in the incident.
5. Hazardous Materials and Chemical, Biological, Radiological, Nuclear and high yield Explosives (CBRNE) Response
- a) Each U.S. state, territory, and protectorate maintains at least one Weapons of Mass Destruction Civil Support Team (WMD-CST)
 - (1) These teams' mission is to identify CBRNE agents/substances, assess current or projected consequences, advise on response measures, and assist with appropriate requests for additional follow-on state and Federal military forces.
 - (2) Units can also provide immediate response for intentional and unintentional CBRN or hazardous material (HAZMAT) releases, including natural disasters.
 - (3) These units provide decontamination support for response personnel exposed to hazardous materials, such as often occurs during in flood events
 - (4) The 57 WMD-CSTs located in every U.S. state and territory and in Washington, DC, are on standby at all times, capable of deploying within 90 minutes of notice.
 - b) Seventeen states' National Guard units have a CBRNE Enhanced Response Force Package (CERFP), along with Civil Support Teams (CSTs) to provide a phased capability.
 - (1) CSTs detect and identify CBRNE agents/substances, assess their effects, advise the local authorities on managing response to attacks, and assist with requests for other forces.
 - (2) The CERFPs locate and extract victims from a contaminated environment, perform mass patient/casualty decontamination, and provide treatment as necessary to stabilize patients for evacuation, especially within the first 72 hours of an incident.
 - c) Working under the control of a State's Governor, the National Guard also sources 10 regional Homeland Response Forces (HRF) which correspond to the 10 FEMA regions.
 - (1) The HRF alerts and assembles within 6-12 hours to conduct command and control; casualty assistance; search and

extraction; decontamination; medical triage and stabilization, fatality search and recovery to save lives and mitigate human suffering. When ordered the HRF transitions operations to civil authorities.

- (2) The HRFs maintain substantial command and control and security capability, while working alongside other CRBNE Consequent Management forces.
- d) Joint Task Force – Civil Support (JTF-CS) is a standing joint task force and subordinate command of U.S. Army North (USARNORTH). It is charged with providing command and control of Department of Defense forces deployed to support a Primary Agency (PA) managing the consequences of a chemical, biological, radiological, nuclear, or high-yield explosive (CBRN) incident in the United States and its territories and possessions. the
- (1) When directed, JTF-CS deploys within 24 hours of notification to command and control DoD forces in support of civil authority response operations in order to save lives, prevent further injury, and provide temporary critical support to enable community recovery.
 - (2) JTF-CS is the nations' only standing CBRN joint task force. It is comprised of active and reserve component service members from the Army, Navy, Air Force and Marines.
 - (3) JTF-CS takes full advantage of DoD skills and structures. It mobilizes large numbers of people, moves large amounts of material and equipment, and provides logistical support. It can provide support in search and rescue—air and ground, mapping and modeling, transportation of critically injured or ill citizens, logistics, mortuary affairs, veterinarian services, communications, medical and public affairs.
 - (4) Within the JTF-CS is the Defense CBRN Response Force (DCRF). The DCRF consists of 5,200 personnel to include Soldiers, Sailors, Airmen, Marines and civilians from active-duty and reserve units. The DCRF is a scalable force that is part of a larger collaborative response capability between local, state, tribal and Federal agencies.
 - (a) Assets include, but are not limited to:
 - (i) Task Force Aviation: casualty evacuation/medical evacuation, Air Transport Personnel, Search and Rescue,

and a host of other critical missions.

- (ii) Task Force Logistics: maintenance and supply support to the other three task forces. TF Logistics can provide line haul transportation, processing of bulk fuel and water assets, and warehouse operations.
- (iii) Task Force Medical: casualty decontamination, casualty air/ground evacuation, temporary hospitalization support, medical augmentations, veterinary support, patient staging and evacuation, medical logistics, alternate medical facilities, and exposure monitoring.
- (iv) Task Force Operations: experts and resources for chemical detection, engineering, and search and rescue. The Task Force is equipped to conduct initial rapid response missions including casualty search and rescue, patient decontamination, incident site surveying, monitoring, and marking, and mortuary affairs, as well as air and ground transportation support, engineer support and logistics sustainment.

6. Incident Management Support

- a) The military may provide support to responding agencies at a military installation in vicinity of an emergency
- b) For instance, a military airfield may be offered as an aerial port of debarkation, a staging area, or even as a shelter location for displaced civilians
- c) USNORTHCOM has the ability to direct a base to serve as a Federal Operational Staging Area (FOSA), which FEMA is then able to use to push commodities to state staging areas and then points of distribution (PODs) in surrounding counties.

7. Debris Management

- a) In cases where the damage and debris are so extensive that it exceeds local and state capabilities, FEMA can assign the USACE to provide debris management assistance in support of the National Response Framework.

- b) There are generally three types of Debris Management that the USACE participates in during emergency operations:
 - (1) Direct Federal Assistance – The Corps undertakes the debris management mission, as assigned by FEMA, and may consist of one or more of the following tasks:
 - (a) Right of Way Debris Removal
 - (b) Emergency Clearance
 - (c) Private Property Debris Removal
 - (d) Demolition
 - (e) Debris Removal from Drainage Structures
 - (f) Waterway Debris
 - (2) Technical Assistance – The Corps provides assistance to local governments in developing debris removal contracts and assisting with environmental issues, as well as training and coordination of FEMA and local government debris monitors.
 - (3) Federal Operations Support – The Corps provides oversight for FEMA of state and local debris operations.

8. Emergency Power

- a) USACE has Emergency Power Planning and Response Teams throughout the country with the capability to deploy and provide support ranging from technical expertise to “turn key” installation of emergency generators at critical public facilities, such as hospitals and shelters.
- b) Emergency Power PRTs can provide many services during emergency situations, which include:
 - (1) Assessing the emergency power requirements needed at a facility
 - (2) Assessing the conditions and capabilities of existing emergency generation equipment
 - (3) Installation, operations, fueling and maintenance of emergency power generation equipment

- (4) Safety inspections and damage assessments of electrical distribution systems and equipment
 - (5) Preparation and installation of generators, along with their operation and maintenance
 - (6) De-installation and return of generators once the normal power grid is operational.
- c) During emergency power response activities, priorities are ultimately determined by state and/or local officials and fall into the following categories:
- (1) Life-saving (911 centers, police and fire stations and medical facilities)
 - (2) Life-sustaining (shelters, water and wastewater treatment and pumping facilities)
 - (3) Other municipal facilities to reinstitute local command and control and post-event recovery

9. Temporary Housing

- a) This can be wide ranging and may include technical assistance to FEMA and/or their contractors, placing pre-fabricated units on private property or existing mobile home parks, as well as design and construction of new group mobile home sites, to include the necessary infrastructure and placement of units.
- b) USACE has six Temporary Housing Planning and Response Teams (PRTs) at districts around the country that are ready to deploy in response to natural or manmade disasters. These teams are located in New York, Alabama, West Virginia, Florida, California and Minnesota.
- c) They also may be tasked to provide trailers for temporary government facilities such as police stations, fire stations and school classrooms under a separate mission.

10. Temporary Roofing

- a) The scope of the temporary roofing mission can be very broad and complex. The mission can range from providing technical assistance to FEMA, and state and local governments, to managing and contracting for the installation of blue plastic sheeting onto roofs of damaged homes or public structures (Operation Blue Roof).

- b) There are five Temporary Roofing PRTs located in USACE district offices in Nashville, St. Louis, Omaha, Jacksonville and Little Rock.

11. Search and Rescue

- a) The United States is divided into 3 Search and Rescue Regions (SRR) that are led by a SAR Coordinator
- b) The USAF is the U.S. inland SAR coordinator, with the Air Force Rescue Coordination Center (AFRCC) serves as the single agency responsible for coordinating on-land Federal SAR activities in the 48 contiguous United States, Mexico and Canada.
 - (1) When a distress call is received at the RCC in Florida, the center investigates the request, coordinates with Federal, state, and local officials, and determines the type and scope of response necessary. Once verified as an actual distress situation, the AFRCC requests support from the appropriate Federal SAR force. This may include Civil Air Patrol (flying as the USAF Auxiliary), U.S. Coast Guard, or other Department of Defense assets, as needed.
 - (2) USINDOPACOM is the SAR coordinator for Alaska
- c) USCG is the SAR coordinator for all other aeronautical and maritime areas including Hawaii and U.S. waters.
- d) Examples of possible DoD SAR support include:
 - (1) Distress monitoring
 - (2) Incident communications.
 - (3) Locating distressed personnel.
 - (4) Coordination.
 - (5) Execution of rescue operations, including extrication and evacuation.
 - (6) Medical assistance.

12. Logistics Support and Commodities Distribution

- a) Logistics is a critical response function, especially in terms of transporting commodities and equipment into the disaster area.
- b) Outside of the private sector, the military possesses the largest fleet

of transportation and logistics vehicles and equipment that are appropriate in the disaster setting.

- c) DoD forces are also well-suited to manage mass distribution of the critical life saving and life sustaining commodities once they are transported to where the impacted population is located.
- d) The Defense Logistics Agency (DLA) has been called the “backbone of FEMA logistics” in terms of the military’s ability to quickly transport response and relief commodities, including meals and fuel (for example) into the impacted area, and their ability to distribute them once there (Tussing, 2018).

13. Other areas of support include Mortuary Affairs, Public Affairs, Bulk Water Production and Distribution,

- D. An interesting influence on the range and availability of DoD resources appropriate for DSCA is a long-standing restriction on the purchase and acquisition of equipment and supplies that have only civilian (non-warfighting) purposes (Porter, 2010).
- E. The Instructor can initiate a group discussion that allows Participants to analyze these different military resources and capabilities within the context of emergency and disaster events.
 - 1. The Instructor can divide Participants into groups of two to five Participants per group.
 - 2. Each group may be assigned a specific hazard type.
 - a) Using this hazard type, Participants should consider the possible consequences in an event caused by this hazard, and the resulting response and short- and long-term recovery requirements.
 - b) Participants should draw from their own knowledge and experience to describe the possible areas of support.
 - c) The following are provided to allow the Instructor to enhance discussion and/or provide examples to the groups:
 - (1) Hurricanes and Tornadoes
 - (a) Debris clearance (the most frequently requested support)
 - (b) Transportation of first responders, evacuees, displaced personnel, injured, medically fragile, or special needs populations

- (c) Medical and public health support
 - (d) Air assets for search and rescue, personnel transport/recovery, Medical Evacuation (MEDEVAC), logistics transport, or aerial structural damage assessments
 - (e) Logistical support such as bedding, food, water, generators, and medical supplies
 - (f) Temporary shelter/staging base
 - (g) Key infrastructure assessment, repair, and reconstruction
 - (h) Provision of heavy equipment and operators
 - (i) Shoring of damaged structures and other structural reinforcement services
 - (j) Mortuary support to Disaster Mortuary Operational Response Teams (DMORTs)
 - (k) Security
 - (l) Search and rescue
- (2) Earthquakes
- (a) Transportation of first responders, evacuees, displaced personnel, injured, medically-fragile, or special needs populations
 - (b) Public health and medical support to replace or supplement damaged and/or overtaxed hospital and clinic facilities
 - (c) Air assets for search and rescue, personnel transport/recovery, Medical Evacuation (MEDEVAC), logistics transport, or aerial structural damage assessment
 - (d) Logistics support including the staging and distribution of critical commodities such as bedding, clothing food, and water, as well as generators, medical supplies, and other critical resources

- (e) Securing or setting up facilities for use as emergency shelters or staging of emergency operations
 - (f) Assessment of critical infrastructure and key assets
 - (g) Heavy equipment and operators for assistance with debris removal and clearance, demolition, infrastructure repair, and construction
 - (h) Environmental stabilization, such as may be required on slopes, near waterways, or along coastlines
- (3) Flood
- (a) Rapid assessment of transportation infrastructure, facilities, utilities, and other critical resources
 - (b) Search and rescue operations, especially where swift or high water is involved (including by boat, by rotary wing aircraft, and other means)
 - (c) Support for evacuation out of the affected area, especially for critically-ill and special needs populations
 - (d) Geospatial, topographic, and other methods of physical land surveys to assess the extent of flood damage and to enable risk-aware reconstruction planning
 - (e) Clearing and repairing roadways and constructing temporary bridges to ensure access for emergency management and medical staff, and to enable greater freedom of movement in the early stages of recovery
 - (f) Provision and use of heavy equipment to support debris clearance and removal including mud, trees, destroyed property, and other debris
 - (g) Restoration of critical facilities, services, and utilities
 - (h) Identification and demolition of unsafe structures

- (i) Provision of emergency power and/or restoration of power to critical facilities
 - (j) Mortuary support for Disaster Mortuary Operational Response Teams (DMORTs)
 - (k) Management of animal carcasses, including actions related to burning or burial
 - (l) Transportation of equipment, response personnel, and affected animals
- (4) Severe Winter Storms
- (a) Transportation support for responders (e.g., medical staff), civilians vulnerable to exposure (e.g., elderly or those dependent on medical services), whether by providing appropriate vehicles or assisting with snow and debris removal
 - (b) Evacuation support
 - (c) Assessment of clearance requirements and damage to roads, bridges, structures, utilities, etc.
 - (d) Search and rescue support
 - (e) Cartography products to support response planning
 - (f) Provision of emergency power and/or restoration of power to critical facilities
 - (g) Law enforcement and security operations in accordance with the Posse Comitatus Act
 - (h) Commodities (food, water, bedding, clothing) and relief supply transportation, staging, and distribution
 - (i) Rescue, transportation, and shelter of animals
 - (j) Providing food to snowbound livestock (often through airdrops)

IV. Classification of Military Forces for DSCA Purposes

- A. There exist important differences in the classifications that are given to military forces which play a defining role in how those forces are approached in a DSCA operation (including eligibility, command, and others).

- B. Different legal provisions, command authorities, and funding sources together determine the availability of military resources.
- C. These include the following:
 - 1. Title 10 Forces (Slide X.18)
 - a) Title 10 Forces are those that fall under the provision of Title 10 of the United States Code, “Armed Forces”. This includes all Active Components of the Armed Forces (Army, Navy, Air Force and Marines), as well as their Reserve units (except National Guard).
 - b) These forces are considered Federal Military Forces, and must follow the rules of Uniform Code of Military Justice (UCMJ)
 - 2. Title 32 Forces (Slide X.19)
 - a) Title 32 Forces are those that fall under the provisions of Title 32 of the United States Code, “National Guard”.
 - b) These forces are employed by the State, follow state laws and statutes, but are funded through the DoD.
 - c) States will always use National Guard personnel and equipment for state emergencies and disasters. If more personnel and equipment are needed then they will request assistance from other States through Mutual Aid Agreements (MAAs) or the Emergency Management Assistance Compact (EMAC). If this is still not sufficient then assistance will be requested from the Federal government.
- D. There are significant differences in the liability of these resources as a result of these differences in classification under the United States Code.
 - 1. Title 10 forces are always under Federal command authority, within the military command through the chain of command of their branch.
 - 2. They always remain within this system of operational and administrative control and are subject to redirection or recall at any time.
 - 3. As such, they do not operate under an Incident Commander or Unified Command Structure.
- E. Reservists cannot be involuntarily mobilized for an emergency response and the only reserve forces available are those that volunteer.
 - 1. Despite this challenge, there is an advantage to such arrangements in that reserve forces are oftentimes locally-based and likewise a part of the

affected community.

2. That said, excepting in situations where they are tasked under an IRA, they may be required to deploy anywhere in the United States and its territories.

F. Members of the National Guard, on the other hand, may be involuntarily mobilized for emergency response under SAD status.

G. Immediate Response Authority is another mechanism, which is described in further detail in the next Objective.

V. DSCA and the Role of USNORTHCOM (Slide X.20)

A. In 2002, President George W. Bush signed a new Unified Command Plan (UCP) which established United States Northern Command (USNORTHCOM).

1. The unified command structure needs to remain flexible, and able to change as required to accommodate evolving U.S. national security needs.

2. The Unified Command Plan (UCP) establishes the combatant commands, identifies geographic areas of responsibility, assigns primary tasks, defines authority of the commanders, establishes command relationships, and gives guidance on the exercise of combatant command.

3. USNORTHCOM was established in keeping with ongoing development of homeland security and homeland defense capabilities, notably in terms of coordinating military support to civil authorities.

4. As a geographical combatant command, USNORTHCOM maintains an area of responsibility that includes the continental United States (CONUS), Alaska, Canada, Mexico, and surrounding waters extending out approximately 500 nautical miles. This includes the Gulf of Mexico and the Straits of Florida.

5. USNORTHCOM plans, organizes and executes a variety of homeland defense and civil support missions.

a) Its DSCA mission includes domestic disaster relief operations for natural or manmade disasters, counter-drug operations and managing the consequences of a terrorist event that involves a WMD. The command provides assistance to a Primary Agency when tasked by DoD.

- (1) An emergency must exceed the capabilities of local, state and Federal agencies before USNORTHCOM becomes involved.

- (2) In most cases, support will be limited, localized and specific.
 - (3) When the scope of the disaster is reduced to the point that the Primary Agency (as designated by an ESF) can again assume full control and management without military assistance, USNORTHCOM will exit, leaving the on-scene experts to finish the job.
- b) The following summarizes direct-reporting USNORTHCOM components (Slide X.21):
- (1) Army North (USARNORTH)
 - (a) Assigns Defense Coordinating Officers (DCO) to all 10 FEMA regional offices to streamline DoD coordination.
 - (b) During crisis response DCOs are augmented by additional personnel to facilitate USNORTHCOM support.
 - (2) Air Force North (USAFNORTH)
 - (a) Also known as “First Air Force,” USAFNORTH has sole responsibility for ensuring the aerospace control and air defense of the continental United States, U.S. Virgin Islands and Puerto Rico
 - (b) Since September 11, 2001, First Air Force has been the lead agency for Operation Noble Eagle – the continuing mission to protect the United States from terrorist air attack.
 - (c) 10 ANG units report directly to USAFNORTH, as well as the AFRCC, 1400 Civil Air Patrol units, and numerous active air defense alert sites.
 - (d) USAFNORTH provided support for 97 continuous days in 2017 in support of Hurricanes Harvey, Irma, and Maria, that included: search and rescue, air mobility and airlift, medical, logistics and various other support forces.
 - (3) U.S. Fleet Forces Command (USFLTFORCOM)
 - (a) Provides maritime forces prepared to conduct homeland defense, civil support operations and

theater security cooperation activities when directed.

- (b) This command is the supporting Navy component commander to USNORTHCOM and USINDOPACOM, respectively, and is responsible for planning, coordinating, and executing Navy DSCA operations within their assigned geographic areas.
- (4) Marine Forces North (MARFORNORTH)
 - (a) To assist USNORTHCOM civil support planning, the command has 32 Marine Emergency Preparedness Liaison Officers focused on specific FEMA regions.
 - (b) During the aftermath of Hurricane Katrina, 20 of the 32 liaison officers worked in various FEMA, DoD, and state operations centers to coordinate Marine support.
 - (5) U.S. Special Operations Command North (SOCNORTH)
 - (a) SOCNORTH enhances the command and control of special operations forces throughout the USNORTHCOM AOR.
 - (b) SOCNORTH also works to improve USNORTHCOM's support to interagency activities.
 - (6) Joint Task Force North (JTF-N)
 - (a) JTF-N aids law enforcement agencies protecting U.S. borders through integrating military capabilities with Federal, state and local law enforcement.
 - (b) JTF-N also provides homeland security, counter drug and counter transnational organized crime.
 - (7) Joint Task Force Alaska (JTF-AK)
 - (a) JTF-AK is tasked with coordinating land defense and DoD support to civil authorities located in Alaska.

- (b) JTF-AK evaluates events and locations throughout the state of Alaska for their potential vulnerability as targets for aggression and terrorism.
 - (c) JTF-AK provides situational awareness to military commands and civilian agencies throughout the continental U.S. to aid in homeland security awareness and planning.
- (8) Joint Task Force Civil Support (JTF-CS)
 - (a) JTF-CS assists the lead federal agency managing the consequences of a chemical, biological, radiological, nuclear, or high-yield explosive incident in the United States or its territories and possessions.
 - (b) JTF-CS also works with state National Guard civil support teams as they become operational.
- (9) Joint Force Headquarters National Capital Region (JFHQ-NCR)
 - (a) JFHQ-NCR facilitates planning, training, and exercising among four local service components.
 - (b) This JTF also coordinates with Coast Guard District 5, the DHS Office of National Capitol Region, and other Federal, state, and local agencies to ensure unity of effort in the event of a disaster.
- c) USNORTHCOM participates in the Joint Interagency Coordination Group and maintains strong relationships with DHS and the National Guard.
 - (1) This includes active participation in the National Level Exercises (NLEs) and, along with the rest of DoD, the planning and execution of exercises that are fully synchronized with the National Exercise Program.
 - (2) DoD participation in NLEs include exercises that evaluate DoD linkages to homeland security through DSCA and homeland defense.
 - (3) As DoD's combatant command with primary responsibility for DSCA, USNORTHCOM conducts exercises to train and evaluate its DSCA capabilities at the direction of the Chairman of the Joint Chiefs of Staff (CJCS)

- (4) The National Exercise Program serves as the principal exercise mechanism for examining the preparedness and measuring the readiness of the United States across the entire homeland security enterprise by designing, coordinating, conducting, and evaluating a progressive cycle of exercises that rigorously tests the Nation’s ability to perform missions or functions that prevent, protect against, respond to, recover from, and mitigate all hazards.
 - (a) In 2007 Exercise Ardent Sentry consisted of scenarios that involved the detonation of a 10-kiloton improvised nuclear device, a hurricane, and several events in Alaska in conjunction with Exercise Northern Edge.
 - (b) In 2008 Ardent Sentry tested the DoD’s ability to provide DSCA in response to terrorist attacks in the Pacific Northwest and a hurricane striking the mid-Atlantic states.

Supplemental Considerations

n/a

Objective X.3: Discuss DSCA limiting and authorizing provisions and the relationships and engagement opportunities that exist between them.

Requirements:

Lead a discussion on the various limits, authorities, and agreements that shape DSCA.

Remarks:

- I. In accordance with Federal laws, and with few exceptions, the United States Armed Forces must not conduct operations within U.S. borders without authorization from the President or the Secretary of Defense.
 - A. The U.S. Constitution was deliberately written to ensure a balance of power across the three branches of government (Executive, Legislative, and Judicial) in order to prevent any of the three from wresting control from the others, and likewise the drafters sought to ensure the bulk of governing authority remained at the State level as stipulated in Article 10 which states, “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people”.
 - B. While there are many reasons why domestic military operations are restricted, the

principal basis is to limit the power of the Federal Government from using Federal military personnel to enforce domestic policies.

- C. The roots of these restrictions may be found in the post civil-war period of reconstruction in the mid-19th century when it was feared that the military would supersede civilian law enforcement agencies in the South.
 - D. Since that time, significant confusion has surrounded what the military can and cannot provide in support of domestic authorities.
 - E. Following the September 11th, 2001 attacks, and the subsequent organizational changes with respect to emergency management and homeland security, great efforts were made to reduce this confusion in hopes of better utilizing military resources when they are needed in major disaster events.
 - F. This section details the various limiting and guiding authorities in order to help clarify the legal environment and framework within which all military support operations must occur.
- II. There are several principal authorities that together govern the execution of DSCA in domestic emergency response operations.
- A. The Robert T. Stafford Relief and Emergency Assistance Act, as amended (Stafford Act) (Slide X.22)
 - 1. The Stafford Act (PL 100-707) was signed into law November 23, 1988, thereby amending the Disaster Relief Act of 1974 (PL 93-288).
 - 2. This Act constitutes the statutory authority for most Federal disaster response activities, especially as they pertain to FEMA and FEMA programs.
 - a) It was created to bring a systematic way for the Federal government to assist state and local governments during a natural disaster, directing them to use their statutory authorities and resources (including personnel, equipment, supplies, facilities, and managerial, technical, and advisory services) as required.
 - b) Subchapter IV of this law (“major disaster assistance programs”) provides that “Federal agencies may on the direction of the President, provide assistance essential to meeting immediate threats to life and property resulting from a major disaster.”
 - c) To access the funding and resources available through the Stafford Act, the President must make a major disaster declaration or emergency declaration for a geographic area.
 - (1) A Presidential Major Disaster Declaration triggers long-

term Federal recovery programs and response assets, some of which are matched by state programs and designed to help disaster survivors, businesses, and public entities.

(2) An Emergency Declaration is more limited in how it can help and does not include long-term Federal recovery programs of a Major Disaster Declaration.

d) Declarations can be accomplished through a formal request from a governor for assistance after a joint preliminary damage assessment is completed by FEMA and state representatives. FEMA will then make a recommendation to the President for a declaration and a Federal Coordinating Officer will be assigned

e) Financial assistance made available through the Stafford Act is only available for Presidentially-declared disasters, and only in the specific counties named in the declaration.

f) To ensure that States use local resources first, requests for assistance must originate from a Lead Federal Agency (LFA), which acts on requests from States in accordance with the provisions of the Act. The LFA then requests support from the DoD as established in the Emergency Support Function annexes to which DoD is a Coordinating, Lead, or Supporting Agency.

3. It is the Stafford Act provisions that enable the reimbursement for DoD expenditures that are made to respond to requests for emergency assistance. Without this act, reimbursement might not be clearly-understood or might not be possible.

B. The Insurrection Act of 1807 (Slide X.23)

1. The Insurrection Act of 1807 governs the deployment of Federal military personnel by the President of the United States to suppress insurrection, rebellion, domestic violence, unlawful combination or conspiracy, or to repel an invasion.

2. This law was created in order to circumscribe a President's ability to use the military to enforce civil laws.

3. This law is often cited as the authority by which a President is able to deploy military forces in a disaster event, event without a request for assistance from a state governor, in situations where the ability to uphold the nation's laws has broken down.

- C. The Posse Comitatus Act (PCA) (Slide X.24)
1. The Posse Comitatus Act prohibits Title 10 Forces from conducting law enforcement activities including directing vehicles, conducting search and seizures, making arrests or apprehensions, surveillance, investigation, or undercover work.
 2. The fundamental belief and principal behind this law is that in the United States, the Military must be prevented from interfering in civilian laws.
 - a) PCA has led to significant confusion about when and how the military may be used in disaster response given there exist criminal penalties for failing to operate within the confines of its provisions (though there have been no convictions under PCA).
 - b) The exact wording of the law is as follows: “Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or Air Force as a posse comitatus or otherwise to execute the laws shall be fined under this title or imprisoned not more than two years, or both.”
 - c) It is interesting to note that the law only mentions the Army and the Air Force, though it is assumed to include all Armed Forces other than the National Guard which operate under State authority while on State Active Duty.
 3. It is assumed, based on the definition of law enforcement and execution, that military resources may still be used in support of civil authorities in the performance on activities that do not constitute law enforcement or execution.
- D. The Economy Act of 1932, As Amended (Section 1525, Title 31) (The Economy Act) (Slide X.25)
1. The Economy Act permits Federal Government agencies to purchase goods or services from other Federal Government agencies or other major organizational units within the same agency.
 2. For example, if the DOT requests support from the DoD for incident response for a local incident to support local authorities, it is the DOT that reimburses the DoD and not the local authorities that do so.
 3. Federal agencies participating in the domestic disaster response, chiefly through the NRF, may request and provide Federal-to-Federal support by executing interagency or intra-agency reimbursable agreements, in accordance with this act.

4. The Economy Act is an alternative to the Stafford Act to address reimbursement of requested services when a Presidential Disaster or Emergency Declaration does not exist.

E. DoD Directive 3025.18 (Slide X.26)

1. The purpose of this directive is to provide DoD policy guidance for the execution and oversight of DSCA when requested by civil authorities (or qualifying entities) and approved by the appropriate DoD official, or as directed by the President.
2. It applies to actions within the United States, including the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any territory or possession of the United States or any political subdivision.
3. This directive also authorizes Immediate Response Authority, which is described later in this session.
4. This Directive states that all requests from civil authorities must be evaluated in light of the following assessment criteria:
 - a) Legality (compliance with laws)
 - b) Lethality (potential use of lethal force by or against DoD Forces)
 - c) Risk (safety of DoD Forces)
 - d) Cost (including the source of funding and the effect on the DoD budget)
 - e) Appropriateness (whether providing the requested support is in the interest of the Department)
 - f) Readiness (impact on the Department of Defense's ability to perform its other primary missions).

F. Title 10 U.S Code Section 12304a (Slide X.27)

1. This section of the U.S. Code is titled "Army Reserve, Navy Reserve, Marine Corps Reserve, and Air Force Reserve: order to active duty to provide assistance in response to a major disaster or emergency."
2. The language of this provision states the following with regards to military support in domestic emergencies and disasters:
 - a) "When a Governor requests Federal assistance in responding to a major disaster or emergency (as those terms are defined in section

102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)), the Secretary of Defense may, without the consent of the member affected, order any unit, and any member not assigned to a unit organized to serve as a unit, of the Army Reserve, Navy Reserve, Marine Corps Reserve, and Air Force Reserve to active duty for a continuous period of not more than 120 days to respond to the Governor's request."

- b) This effectively provides the Secretary of Defense with the ability to call reservists to active duty once a major disaster declaration (e.g., a Stafford Act Disaster Declaration) has been made.

G. Title 32 U.S Code Section 902 (Slide X.28)

1. Section 902 of 32 U.S. Code enables the Secretary of Defense to "provide funds to a Governor to employ National Guard units or members to conduct homeland defense activities that the Secretary determines to be necessary and appropriate for participation by the National Guard units or members, as the case may be."
2. Homeland defense activities are defined as activities "undertaken for the military protection of the territory or domestic population of the United States, or of infrastructure or other assets of the United States determined by the Secretary of Defense to be critical to national security, from a threat or aggression against the United States."
3. Through this provision, governors are authorized to request funding assistance from the Secretary of Defense for the homeland defense activities of the state's National Guard.
 - a) When given Title 32 status, National Guard assets operate under the direction of a state governor, which may be sourced to support Federal requirements under the Stafford and Economy Acts when approved by the Secretary of Defense.
 - b) In other words, this provision allows for Federal funding while these resources remain under state control.
 - c) If these forces are Federalized, they become Title 10 forces, and then are required to follow the restrictions of the Posse Comitatus Act.

H. The Instructor should validate comprehension by asking Participants to explain in their own words, using examples, the difference between Title 10 Forces and Title 32 Forces.

1. Participants should recognize that Title 10 Forces are those that fall under Federal authority, command, control, and funding.

- a) They are subject to the Uniform Code of Military Justice (UCMJ) and may not enforce civil law unless directed by the President or Congress. UCMJ is the military justice framework which defines criminal offences under military law. It is only applicable to Federal military forces and not those operating under the authority of a State Governor, unless Federalized.
 - b) Title 10 Forces are subject to the provisions of the Posse Comitatus Act.
2. Participants should likewise recognize that Title 32 Forces, which are drawn from the National Guard, are those that fall under the command and control of the State Governor (via the Adjutant General), but which are Federally funded.
 3. Once a member of the National Guard is Federalized for emergency response, they become a Title 10 Force.

III. Avenues for Engagement

- A. There are multiple avenues through which defense forces may be requested by or deployed to local and state jurisdictions to assist in disaster response and recovery operations.
 1. The most common of these include (Slide X.29):
 - a) Immediate Response Authority
 - b) Stafford Act Declaration Mission Assignment (MA)
 - c) Mutual Aid Agreements
 - d) National Guard and State Defense Forces
 2. Which of these engagement types is utilized depends on the following factors:
 - a) Existence of a Presidential Disaster Declaration
 - b) Type and nature of resources requested
 - c) Type of emergency situation
 - d) Local capacity
 - e) Location of the incident

B. Immediate Response Authority (IRA) (Slide X.30)

1. When an emergency or disaster event occurs, and local authorities determine that they lack the required resources to manage the event and that locally-available military resources may positively influence the outcome of a response operation if rapidly-resourced, requests under the Immediate Response Authority (IRA) is often the best option to consider.
 - a) IRA allows military commanders to respond to local government requests for assistance whenever conditions are “imminently serious” and may occur as a result of technological or natural disaster events.
 - b) The authority is a local response to a local incident, of an immediate need that the military may have the capability with which to respond.
 - c) The IRA process localizes the request and the process for providing assistance, in that it does not require approval to come from the President, the Secretary of Defense, combatant commands, or any other ‘higher’ headquarters.
 - d) These requests are primarily made to save lives, prevent human suffering, and mitigate great property damage.
 - e) It is important to note that the regulations that guide IRA do not stipulate any ‘allowable distance’ between the requesting jurisdiction and the requested military facility or installation.
2. Defense support to civil authorities under an IRA occurs at the municipal, county, or tribal level.
 - a) Requests must come from either the chief elected official (e.g., mayor), chief of police, fire chief, sheriff, chief of emergency management, or tribal authority.
 - b) The initial request can be made verbally, which further enables rapid response. However, such requests must be followed by a more formal, written request for tracking and funding purposes.
 - c) It is important to note that without a specific request initiated by a civil authority, no support is authorized under IRA.
 - d) Whether the DoD forces approve and act on the request will depend on the availability of resources and the nature of circumstances surrounding the event itself.

- e) Moreover, IRA does not permit actions that would subject civilians to the use of military power that is regulatory, prescriptive, proscriptive, or compulsory.
 - f) In keeping with Posse Comitatus, law enforcement is not permitted under IRA.
3. An IRA can be reimbursed by the requesting authority but it is not a prerequisite for the use of resources.
- a) Support provided under IRA is typically provided on a cost-reimbursable basis (wherever that is appropriate or required by law).
 - b) It is important that Participants understand that any request for DSCA will result in an attempt by DoD to recoup the costs of the mission.
 - c) However, the provision of support will not be delayed or denied based on the inability or unwillingness of a requesting jurisdiction to make a commitment to reimburse DoD.
4. 72 hours is the normal timeline for an IRA. After that time, the operation will be reclassified as “restoration and recovery”.
- a) The immediate response ends when the event is no longer considered an emergency, or when other local, state, and/or Federal resources exist at a sufficient level to manage the response without the assistance of the U.S. Military.
 - b) Beyond a 72-hour period, a special request will need to be made beyond (above) the local chain of command.
 - c) Beyond a ten-day period, an extension from the President or the Secretary of Defense is required.
5. The effective use of IRA is often contingent upon the existence of strong working relationships between local leaders/emergency managers and local DoD commanders and staff.
- a) Such relationships not only enable the local government officials to understand the resources that may be made available and how they apply in disaster scenarios (within the planning context), they also help to ensure that the process of engagement is smooth.
 - b) Relationship building also ensures that precious time during or in the immediate aftermath of a disaster is not wasted on making introductions, on learning and/or explaining the process, or on any

other such actions that can easily be settled in the time-abundant pre-disaster period.

- c) These relationships also enable coordination of exercises and training.

6. The Instructor can have Participants explore how each of the different military forces approaches IRA by browsing the following websites and articles:

- a) [Army Reserve Website: Immediate Response Authority](http://www.usar.army.mil/About-Us/Immediate-Response/)
(<http://www.usar.army.mil/About-Us/Immediate-Response/>)
- b) [U.S. Marine Corps Website: Marine Forces North Prepared for Immediate Response Authority for Hurricane Nate](http://www.marines.mil/News/Press-Releases/Press-Release-Display/Article/1337567/marine-forces-north-prepared-for-immediate-response-authority-for-hurricane-nate/)
(<http://www.marines.mil/News/Press-Releases/Press-Release-Display/Article/1337567/marine-forces-north-prepared-for-immediate-response-authority-for-hurricane-nate/>)
- c) [Army Reserve, Media Article: Army Aviation Rescues 183 Civilians From a Nursing Home in Texas](https://sofrep.com/88955/army-aviation-rescues-183-civilians-nursing-home-texas/)
(<https://sofrep.com/88955/army-aviation-rescues-183-civilians-nursing-home-texas/>)
- d) [Army Reserve, Media Article: Reservists delivery aid to storm-ravaged areas of Puerto Rico](https://www.stripes.com/news/reservists-deliver-aid-to-storm-ravaged-areas-of-puerto-rico-1.496813)
(<https://www.stripes.com/news/reservists-deliver-aid-to-storm-ravaged-areas-of-puerto-rico-1.496813>).

C. Stafford Act Declaration Mission Assignment (MA) (Slide X.31)

- 1. A much more comprehensive mechanism by which military support may be provided to civil authorities is through the provisions of the Stafford Act.
- 2. The Stafford Act, which was detailed earlier in this session, is the legal mechanisms through which Federal resources may be dedicated to support local civil authorities in a manner that is reimbursed from the U.S. Disaster Relief Fund.
- 3. Eligibility for military assistance under the Stafford Act typically becomes possible once the President has made a formal disaster declaration for an event.
 - a) This action frees up funding for a number of permitted uses to address public assistance and individual assistance emergency management needs, as outlined in the act.

- b) A declaration is specific to a state, and the eligible counties within that state are explicitly stated in the declaration. Stafford-supported activities and resources are generally permitted only within the named counties (exceptions exist for mitigation program funding tied to the declaration that are outside the scope of this session).
4. However, there are in fact 5 ways that Stafford may be used for DSCA.
- a) A Major Disaster Declaration
 - (1) The President declares a major disaster when a request has been made by a state government due to the severity of an incident necessitating Federal assistance.
 - (2) A Declaration can be made in advance of, during, or in the aftermath of a disaster event in order to save lives, protect property, or lessen or avert the threat of a catastrophe.
 - (3) The President acts through FEMA to authorize any appropriate Federal agency to support state and local authorities.
 - b) Emergency Declaration
 - (1) An Emergency Declaration may be made in lieu of a Disaster Declaration.
 - (2) Like Disaster Declarations, Emergency Declarations can be made prior to, during, or after an incident.
 - (3) Emergency Declarations are used when the level of damage, anticipated or actual, is less than what is expected in a major disaster.
 - (4) As is true with a Disaster Declaration, the governor of the affected state must make a request for Federal support before a declaration is made.
 - (5) The President, through FEMA, may authorize any Federal agency to use personnel, equipment, facilities, and technical and advisory services to support state and local authorities.
 - c) Department of Defense Ten-Day Emergency Work Authority
 - (1) The President has the authority under the Stafford Act to direct the Secretary of Defense to send Federal military forces on an emergency basis to preserve life and property

for a period not to exceed ten days.

- (2) This DOD ten-day emergency work authority includes removal of debris and wreckage and temporary restoration of essential public facilities and services.
- (3) While this form of assistance does typically require an assistance request from a governor, a Presidential disaster or emergency declaration is not required.
- (4) If after the ten-day period additional Federal resources are still required (and the impacted State is still asking for them), the President may issue a declaration.

d) Federal Primary Responsibility Authority

- (1) The President may, without a request for assistance from a governor, unilaterally issue an emergency declaration and send Federal assets, including Federal military forces, to an area or facility over which the Federal government exercises exclusive or primary responsibility by virtue of the Constitution or a Federal statute.
- (2) This may include Federal missions, personnel, equipment, and property.

e) Accelerated Federal Assistance

- (1) The 2006 Post-Katrina Emergency Management Reform Act (PKEMRA) amended sections of the Stafford Act such that the President is able to provide states with unrequested Federal assistance under limited critical circumstances.
- (2) Under the current provisions, if the President (1) has previously issued a major disaster or emergency declaration, and (2) later determines a situation is critical, but the state has not requested assistance, the President may rapidly deploy critical resources to help victims.
- (3) Under this arrangement, the Federal government covers the entire cost because the state did not request assistance.
- (4) President Obama was the first President to exercise this authority, when the Defense Logistics Agency transported fuel to New York after Hurricane Sandy, without a request from the state.

5. Mission Assignment (MA) Process

- a) Federal government assistance provided in the aftermath of a disaster is determined through assessment and response planning, which is led by FEMA through ESF#5, Information and Planning.
 - (1) Through the Mission Assignment process, FEMA tasks other Federal agencies (including DoD) with specific areas of support through the framework of Emergency Support Functions outlined in the National Response Framework.
 - (2) The Mission Assignment is essentially a work order that is issued by FEMA to another agency in a defined category and quantity of assistance, that assures reimbursement for eligible expenses that are incurred.
 - (3) There are two categories of Mission Assignments:
 - (a) Federal Operational Support (FOS)
 - (i) FOS enables Federal agencies to provide Federal to Federal support to allow FEMA to accomplish response and recovery missions.
 - (ii) FOS can be enacted before or after a Stafford Act Emergency or Disaster Declaration.
 - (iii) Costs associated with an FOS are internal to the Federal government and not shared with the benefiting State or Tribal authorities.
 - (b) Direct Federal Assistance (DFA).
 - (c) A Mission Assignment utilizing DFA tasks Federal agencies to provide eligible emergency work and/or debris removal services to State, local, tribal, and territorial governments.
 - (d) Mission Assignments utilizing DFA must be associated with a Presidentially-declared disaster or emergency.
 - (e) Additionally, DFA Mission Assignments may not be enacted prior to a declaration, and the benefiting authority is responsible for shared costs.

D. Mutual Aid Agreements (MAAs) (Slide X.32)

1. The Mutual Aid Agreement (MAA) is a common vehicle by which local and state governments may reduce uncertainty about and increase understanding of the response and recovery resources that may be made available through engagement with other emergency management stakeholders outside their own jurisdictional limits.
2. In addition to formalizing the relationship between the mutual aid partners, MAAs also help to clarify the following:
 - a) Expectations of support
 - b) Assignment and limits of liability
 - c) Expectations and processes of reimbursement
 - d) Conditions and limits of assistance
3. For DSCA, an MAA is incredibly useful because it enables the automatic dispatch and response of requested resources without incident-specific approvals or consideration of entity boundaries that are often required under other forms of engagement.
4. For DoD resources, mutual aid is specifically authorized by sections 5121-5206 of 42 U.S.C. which permits routine assistance to and from local jurisdictions as defined in a mutual aid agreement.
5. One of the most common foci of assistance for which MAAs are signed between DoD installations and the governments surrounding them or in close proximity are the shared use of firefighting and emergency medical resources.
 - a) MAAs like this are common between local jurisdictions, and when signed with DoD the objectives are the same, namely: *identifying firefighting capabilities that may be provided to the partners for firefighting support during incidents in which the agreeing parties' firefighting resources (or other emergency services) are overwhelmed.*
 - b) Most agreements allow for such support in large-scale events beyond structure and wildland fire, such as may occur in a major disaster event.
6. There are different types of MAAs that are formed at the local and state levels, which are described in the FEMA NIMS Guideline for Mutual Aid. Examples include:

- a) Local Automatic Mutual Aid
 - (1) Permit the automatic dispatch and response of requested resources without incident-specific approvals or consideration of entity boundaries.
 - (2) Are typically simple contracts between or among neighboring local entities and are used under conditions when time is of the essence to save lives, prevent human suffering, or mitigate property damage following an incident.
 - (3) The NIMS Guide provides the following example of how such an agreement might be utilized: “A fire department from a military installation may respond to an automobile accident outside of its gate because it is the closest appropriate emergency resource, even though the area where the accident occurred is outside the fire department’s area of responsibility.”
- b) Local Mutual Aid
 - (1) These are MAAs signed by neighboring jurisdictions.
 - (2) Such agreements require a formal request for assistance and generally cover a larger geographic area than local automatic MAAs.
 - (3) Under these agreements, local resources may be used to assist Federal departments and agencies in fulfilling their missions under special circumstances, and vice versa.
- c) Regional, Intrastate, or Statewide Mutual Aid
 - (1) Sub-state regional MAAs exist between multiple jurisdictions and may be sponsored by a council of governments (COG) or other regional body.
 - (2) These MAAs are often coordinated through the state.
 - (3) Such agreements may limit the need for local and jurisdiction-to-jurisdiction MAAs.
 - (4) Participation may be a requirement.
- d) Interstate Mutual Aid
 - (1) Interstate mutual aid can be established through various

types of vehicles, such as interstate compacts and agreements, Federal agreements, and sub-geographic plans. Many states have legislation to support these agreements.

- (2) Agreements may require a disaster declaration, such as with the Emergency Management Assistance Compact (EMAC), or without a declaration.
 - (a) The Emergency Management Assistance Compact or EMAC (Public Law 104-321) is a national mutual assistance agreement that encourages states to make almost any relevant emergency management capability available to other disaster-impacted states when requested.
 - (b) EMAC provides the structure and mechanism needed to ensure rapid movement of equipment, supplies, and personnel across state lines.
 - (c) EMAC also reduces or eliminates many of the pre-existing conflicts related to mechanical and professional licensing, legal liability, and worker's compensation insurance.
 - (i) Under EMAC, licenses, certifications, and permits recognized by the "assisting state" are recognized by the "receiving state", subject to limitations and conditions prescribed by the Governor's executive order or emergency declaration.
 - (ii) This includes National Guard forces supporting law enforcement agencies.
7. The rules and regulations surrounding MAAs formed between civil authorities and DoD typically fall under DoD Instruction 6055.06 (DoD Fire and Emergency Services Program).
 - a) This instruction limits aid to emergency fire, medical, hazardous material, and rescue services, which is provided on a reimbursable basis.
 - b) It is important to note that military assistance may still be provided to a local or state jurisdiction through IRA even if no MAA exists.
8. MAAs are established with the use of a Memorandum of Agreement (MOA) or Memorandum of Understanding (MOU).

9. By identifying potential shortfalls and capability gaps through planning and exercises, jurisdictions can work with partners to establish mutual aid agreements as part of their preparedness actions.

E. National Guard and State Defense Forces (Slide X.33)

1. The National Guard is the first line of military response to most incidents.
2. When the governor of a state mobilizes the National Guard, the forces are typically in State Active Duty (SAD) status under command and control of the governor.
 - a) SAD forces conduct all missions in accordance with the needs of the state and within the guidelines of state laws and statutes.
 - b) Like other DoD components, National Guard commanders may provide immediate response to a local community, but under state laws.
 - (1) However, as a state-level resources, soldiers committed locally in an immediate response may find they are needed for a larger call-up of National Guard forces by the Governor of that state.
 - (2) In such cases, the local commander may need to limit the scope of the immediate assistance provided in order to support the higher-priority mission.
 - c) Local emergency managers oftentimes establish contingency agreements with local armories or National Guard training installations that are located in close proximity.
 - d) National Guard forces are alerted to an activation need through the “alert roster.”
 - e) That said, the DSCA training provided to National Guard forces, and the experience many have in prior responses, gives them the intuition to gather at their units before an official alert order is ever made.
3. Activation in larger incidents may require support to multiple communities.
 - a) When a municipality or county activates its EOC, it may notify the state office of emergency management about the situation that is unfolding and that an EOC activation has occurred.
 - b) Once alerted, the state emergency management official delivers a

situation report to the Joint Force Headquarters (JFHQ)—State and then to the National Guard watch desk.

- c) The supporting commander assesses the situation within the larger context of the likely state response and considers the resources available given the mission.
4. The National Guard response timeframe depends on multiple factors, such as size of state, location of unit, and transportation requirements and assets.
- a) Typically, the National Guard responds within 12 to 24 hours, and Civil Support Teams, respond within 4 to 8 hours.
 - b) If the response requires military capabilities beyond those available to the National Guard within the affected state, additional resources can be requested from other supporting states (in most instances per EMAC).
 - (1) Supporting National Guard emergency forces fall under the command and control of their regular leaders.
 - (2) However, the supporting forces remain under the operational control of the supported state's emergency services authorities.
 - c) State to State MAAs through EMAC do not allow the use of armed National Guard forces from one state to perform civil disturbance or other law enforcement operations in another state.
 - (1) If this type of support is required, it must be approved between states in a separate MAA.
 - (2) Such an agreement will lay out a number of important factors including:
 - (a) The command relationship
 - (b) Immunity
 - (c) Carrying and loading of weapons
 - (d) Law enforcement authority
 - (e) Training on state Rules on the Use of Force (RUF) requirements

5. State Defense Forces, which are another option available to the governor that are not a DoD component, were described in Objective X.2.

Supplemental Considerations

Congress modified the Insurrection Act in 2006 as part of the 2007 Defense Authorization Bill. Section 1076 of the new law changed Section 333 of the original Insurrection Act in order to widen the President's ability to deploy troops within the United States to enforce laws. The changed wording stipulated that the President may also deploy troops as a police force during a natural disaster, epidemic, serious public health emergency, terrorist attack, or other condition, when the President determines that the authorities of the state are incapable of maintaining public order. The law changed the name of the chapter from "Insurrection" to "Enforcement of the Laws to Restore Public Order." However, just one year later, all of these changes were repealed.

Objective X.4: Describe Command, Control, and Coordination under DSCA, and explain the role of the Dual Status Commander

Requirements:

Lead a discussion on the process of command, control and coordination within the context of DSCA and the use of the Dual Status Commander

Remarks:

- I. One of the most important yet confounding aspects of DSCA, regardless of the avenue of engagement employed, is establishing coordination in light of the distinct military command and control structures (Slides X.34 and X.35).
 - A. Most of the confusion that exists stems from a handful of persistent factors, inclusive of the rarity to which local and military partners engage, the breadth and complexity of laws and regulations that guide domestic military support in any context, and the rigidity of the military chain of command (in terms of who can issue orders and what those orders may be issued for).
 - B. If local incident commanders do not fully understand or appreciate how military resources fit within the various command, control, and coordination frameworks that define incident management for events of varying size and scope, it will be difficult to effectively plan for and ultimately to benefit from this vast emergency management resource.

- II. In all emergencies and disasters, irrespective of their cause, scope, or size, it is critical that effective incident command and control is established and maintained in the impacted jurisdiction (or jurisdictions in the case of larger-scale incidents).
- A. A local point of command must exist in all incidents, and all other resources must be provided in support of the incident commander through established coordination structures.
 - B. The existence of multiple incident commanders that oversee the same geographic area, or when there exists a lack of adherence to the command system in place by response and recovery stakeholders, quickly results in confusion and conflict.
 - C. Command, control, and coordination systems and structures are detailed in the NIMS and ICS guidance.
 - D. The Military to local relationship is described as follows in the Army Guidance document ADRP 3-28 (pp. 2.5-2.6), *Defense Support of Civil Authorities*:
 - 1. “When performing DSCA tasks, military forces support a primary (or lead) civilian agency.
 - 2. The command of military forces remains within military channels, but missions begin as requests for assistance from the supported civil authorities.
 - 3. “One of the biggest mistakes tactical commanders can make is to assume they need to take charge upon arrival at the scene of an incident.
 - 4. “Military forces operating freely within civilian jurisdictions risk upsetting the constitutional balance between civil authority, the military, and the private sector.
 - 5. “Commanders should begin by viewing each domestic operational environment as an assortment of civil authorities, each with primacy in its jurisdiction.
 - 6. “The principle of tiered response means that the lowest level of government always maintains its authority and initiates requests for help.
 - 7. “While the mission may involve a specific military task, commanders need to realize achieving the military end state means that state, territorial, local, and tribal authorities become able to provide effective support to their citizens without further help from military forces.
 - 8. A primary (or lead) civilian agency establishes the priority of effort for military forces supporting an incident.
 - a) At the Federal level, this is typically FEMA.

- b) At the state level, it is the state emergency management agency (the formal names of these agencies vary by state).
 - 9. However, civilian agencies do not issue orders to military units. Military and civilian partners coordinate across all levels to ensure that military forces receive the correct priority of effort and avoid duplication.
- III. When military forces are mobilized to support an emergency or disaster incident, they will interface with the supported state and local jurisdictions through the NIMS and ICS constructs.
 - A. However, they will be taking orders through their own command structures.
 - B. Military command occurs in one of the two arrangements:
 - 1. From the President, through the Secretary of Defense, to the commander of the geographic combatant command, and ultimately to the Tactical Level Commander (in the case of Title 10 Forces)
 - 2. From the Governor, through the Adjutant General, to JFHQ-State and on the Tactical Level Commander (in the case of Title 32 Forces)
 - C. Participants should recognize that the local incident commander does not fall within this chain of command and is therefore never ‘in command’ of supporting troops.
 - D. In the 2017 hurricane season, the lead military component differed according to the location of the response, and even between phases or response.
 - 1. In Puerto Rico, for example, the lead component began with NAVNORTH, which served as the joint force maritime component, and shifted to ARNORTH, which served as the joint force land component.
 - 2. Both of these, however, fall within the organization of USNORTHCOM.
 - 3. It is the nature of the response that dictates how the command structure is determined, given that USNORTHCOM will consider the nature of response requirements and dictate command authority accordingly.
 - E. The Instructor can ask Participants to consider whether there are any potential challenges that might result from this arrangement, or whether they feel this is in relative close keeping with how coordination occurs with other Federal agencies as might result in a Presidential Declaration requiring ESF activation.

- IV. By Federal regulation, Title 10 military forces will always remain under DoD operational and administrative control, and they remain subject to redirection or recall at any time, regardless of needs on the ground.
 - A. As such, defense assets do not operate under the command of the Incident Commander, nor do they operate under the unified command structure.
 - B. This can cause significant confusion among planners who assume otherwise given their familiarity with ICS, NIMS, and the use of incident, unified, and area command, but lack an understanding of Federal Code pertaining to the command of military forces.
 - C. The relationship between military forces and the civilian incident commander is best explained in terms of “supporting and supported” with the civilian incident commander being the supported commander.

- V. Mechanisms for Coordination (Slide X.36)
 - A. In light of the unique nature of command and control associated with domestic military assignments, it is important that local incident commanders have a basic understanding of how coordination will occur if such assignments impact their own emergency or disaster operations.
 - B. There are different mechanisms by which coordination occurs, which differ by the four avenues of engagement that were described in Objective X.3.
 - C. Each of these avenues of engagement has a specific coordination mechanism and/or structure that accommodates the laws and regulations guiding DSCA.
 - D. Coordination Under Immediate Response Authority
 - 1. A request for assistance made by a civil authority (tribal council, mayor, chief of police, fire chief, sheriff, chief of emergency management, etc.) is required to initiate the Immediate Response Authority.
 - 2. DOD 3025.18 describes the authority of IRA as follows:
 - a) “A Federal military commander’s, Department of Defense component head’s, and/or responsible Department of Defense civilian official’s authority temporarily to employ resources under their control, subject to any supplemental direction provided by higher headquarters, and provide those resources to save lives, prevent human suffering, or mitigate great property damage in response to a request for assistance from a civil authority, under imminently serious conditions when time does not permit approval from a higher authority within the United States.”

- b) As was previously mentioned in this session, “Immediate response authority does not permit actions that would subject civilians to the use of military power that is regulatory, prescriptive, proscriptive, or compulsory.”
- 3. Upon request, Following the request, units within the affected area may respond immediately under imminently serious conditions to disasters and attacks as required by civil authorities and within limits established by law.
- 4. IRA assistance requests are typically communicated by the local civilian authorities to local military commanders but may also be made to DoD officials.
 - a) The installation commander is able to provide all assets under their command with the exception of those that have a potential for lethality.
 - b) Deployed forces remain under military command and function in direct support of the requesting local authority.
- 5. The DoD official directing a response under immediate response authority shall immediately notify the National Joint Operations and Intelligence Center (NJOIC), through the chain of command, of the details of the response. The NJOIC will inform appropriate DoD Components, including the geographic Combatant Command.
- 6. The authority of State officials is recognized to direct a State immediate response using National Guard personnel under State command and control (including personnel in a Title 32, U.S.C status) in accordance with State law, but National Guard personnel will not be placed in or extended in Title 32 status to conduct State immediate response activities.

E. Coordination Under Mutual Aid

- 1. When developing a MAA, agencies must agree on a protocol for integrating mutual aid resources into the management and coordination structure.
- 2. It is important to include specifics on who assumes operational control of mutual aid resources and how the sending party integrates mutual aid resources into the requesting party’s command and control structure.
- 3. The Instructor can use the EMAC process to describe coordination as it is a nationally used MAA and contains clearly defined procedures.
 - a) The state emergency management director is an appointed EMAC Authorized Representative and can designate both EMAC

Authorized Representatives and EMAC Designated Contacts in their agency.

(1) EMAC Authorized Representatives have the authority to obligate the state financially (make requests for resources to come into their state under an emergency declaration).

(a) EMAC Designated Contacts cannot financially obligate the state but can be contacted to get more information about EMAC coordination.

b) EMAC requests for resources can be accomplished three ways

(1) Direct contact with state (knows the resource and can go directly to the state that has it – often a recurring mission).

(2) Utilizing the EMAC Emergency Operations System (EOS) broadcast functionality. States may request broadcast by region (FEMA regions), two regions, or 3 regions, an individual state, or an individual EMAC Authorized Representative or EMAC Designated Contact within a state.

(3) Agencies within the states may refer request and suggested resources to the state emergency management agency for their follow-up.

F. Coordination Under State-Supported Non-Declared Disasters (National Guard and State Defense Forces)

1. National Guard forces in Title 32 status or SAD status remain under the command of their state's governor.

a) JFHQ-State provides command and control of all National Guard (NG) forces in the state or territory for the governor, or in the case of the District of Columbia, the Secretary of Defense. It also coordinates situational awareness and resource requirements with combatant commanders.

b) State forces often conduct National Guard civil support under the operational control of a JTF-State made up of Air and Army National Guard units.

2. In accordance with National Guard Regulation 500-1, each state maintains a headquarters (a JFHQ-State) to unify command of its Air and Army National Guard forces.

- a) The JFHQ–State functions as the joint staff for the Adjutant General.
 - b) The JFHQ–State is co-located with the state emergency operations center and allocates resources to National Guard forces.
 - c) The JFHQ– State coordinates requests for state National Guard assistance.
 - (1) The National Guard commander receives priorities directly from the incident commander but retains operational control over all Guardsmen in the company.
 - (2) As it processes requests, the JFHQ–State provides situation reports to the National Guard Bureau’s joint operations center in Washington D.C.
 - (3) During a disaster response, however, most states exercise operational control of their deployed forces through a JTF–State in the operational area.
3. When a local EOC is activated, the state Emergency Manager is notified and a situation report is passed to the Joint Forces Headquarters-State (JFHQ-State). Afterwards, the National Guard will monitor to determine if units are required.
4. The Adjutant General can designate a liaison from JFHQ-State to assess and monitor the situation. This happens if the situation is unclear or there is the potential for more resources.
- a) The Adjutant General (TAG) is the state senior military officer, de facto commander of a state’s military, and is subordinate to the governor.
 - b) States differ in their placement of the TAG in terms of chain of command. The TAG therefore may be subordinate to, equal to, or over the state’s emergency management director.
 - c) TAG commands the Army and Air National Guard (when not Federalized) and in many states has oversight of the state emergency management division and sometimes the state department of homeland security.
 - d) Two examples of differing ways in which states handle the position of TAG are South Carolina and California.
 - (1) South Carolina: TAG is head of the military department which includes the Army and Air National Guard,

Emergency Management Division, and the State Guard

- (2) California: TAG is head of state military department and state military reserve. CA has a separate Office of Emergency Services which oversees “coordination of overall state agency response to disasters”. This includes but is not limited to all aspects of emergency management, cybersecurity, and homeland security.
- e) Alert for NG begins with activation of the alert roster. The local commander assesses the situation within the large context of state response as those committed locally may be needed for larger response operations. The local commander may also limit initial activation in or to support higher priority missions.
- (1) The Adjutant General alerts state National Guard forces through emergency communications networks that tie together subordinate National Guard armories, installations, and commanders.
 - (2) Based on standing contingency plans, the Adjutant General organizes one or more task forces formed around one of the state’s battalions or large units. This may be a brigade headquarters that includes Air National Guard personnel and civilians working for the state government.
 - (3) The JTF–State exercises operational control of committed forces and works with the civilian incident command organization on-scene.
 - (4) If a National Guard response only involves Army National Guard, and the state may use a task force rather than a joint task force.

G. Coordination Under Stafford Act (Presidentially-Declared) Mobilizations

1. When the NRF is activated, a significant amount of coordination is required given the broad range of partners and stakeholders that become involved in response and recovery, and because of the geographic size of the incident that oftentimes involves multiple jurisdictions.
2. At the highest level, FEMA coordinates the Federal response process through its role as ESF #5 coordinating agency. DoD becomes involved when it becomes Mission Assigned through one of the ESFs to which it is a Coordinating, Primary, or Supporting Agency.
3. Coordination structures exist at each government level where operations are being conducted. Within each coordination structure there is a range of

actions and activities going on that enable decision makers to determine the appropriate course of action and to provide oversight for the emergency operations being conducted.

4. DoD resources are assigned to an incident through the ESF Mission Assignment process also described in Objective X.3.
 - a) Within the joint field office, ESF coordinators analyze the requirements and capabilities in coordination with the Federal coordinating officer and DCO.
 - b) Beginning with the DCO and continuing through the chain of command, each request for assistance receives an evaluation based on factors of legality, lethality, risk, cost, appropriateness, and impact on readiness.
 - c) The staff supporting the DCO (known as the defense coordinating element) translates the mission assignment into a mission tasking order for the joint task force.
 - d) Ideally, the Federal coordinating officer and DCO determine the capabilities needed, allowing flexibility for command and control arrangements.
 - e) The joint task force commander translates the mission tasking order into an operation order.
 - f) The Commander, USNORTHCOM, decides whether to commit a standing joint task force.
 - g) USARNORTH may employ a contingency command post as a joint task force or land component command. Conversely, USARNORTH may designate an incoming headquarters as the joint task force or land component command.
 - h) Federal military forces receive their missions when they arrive in the operational area.
5. For any Federal force operating in the USNORTHCOM AOR, the Joint Force Land Component Commander (JFLCC) determines the required capabilities and the appropriate command relationships, depending on the situation.
 - a) The JFLCC is defined as follows:
 - (1) “The commander within a unified command, subordinate unified command, or joint task force responsible to the establishing commander for making recommendations on

the proper employment of assigned, attached, and/or made available for tasking land forces; planning and coordinating land operations; or accomplishing such operational missions as may be assigned.

- (2) “The joint force land component commander is given the authority necessary to accomplish missions and tasks assigned by the establishing commander.”

b) The Commander, USNORTHCOM, identifies the base support installation. The following description of the process that follows is drawn from ADRP 3-28:

- (1) Usually, USNORTHCOM will direct USARNORTH, as the standing JFLCC, to deploy a contingency command post or joint task force to provide command and control for Federal forces conducting DSCA missions.
- (2) The JFLCC is designated as the main supported effort. In a large response, separate joint task forces could be employed simultaneously, under operational control of the JFLCC.
- (3) Both USNORTHCOM and USARNORTH routinely deploy situational assessment teams to disaster areas in advance of a decision to commit Federal military forces.
 - (a) These teams deploy to the incident area and come under the operational control of the Defense Coordinating Officer (DCO), which facilitates coordination and information sharing between the assessment teams and the various ESFs and which is described in more detail later in this section.
 - (b) If required, the DCO can coordinate for information sharing between the assessment team, the state emergency operations center, and the JFHQ– State.
 - (a) Once an assessment team provides its findings to its parent headquarters, it becomes part of the defense coordinating element. As part of the defense coordinating element, assessment teams continue to provide situation updates to their former headquarters through the DCO’s situation report.
 - (b) USNORTHCOM or USARNORTH also sends liaison teams to DOD installations nearby to assess the potential basing requirements.

- (c) If deployment of Federal forces is likely, USARNORTH deploys a contingency command post to the vicinity of the joint (multiagency) field office. From there, the contingency command post usually coordinates requirements between the DCO and USARNORTH, assists the defense coordinating element, and begins tying in command of Federal military forces with the joint field office.
- 2. Coordination between Federal, State, and Local response officials occurs within the Joint Field Office (JFO).
- 3. Participants are likely aware that the JFO is a temporary Federal facility established locally to coordinate operational Federal assistance activities to the affected jurisdiction(s) during declared disasters.
- 4. The JFO is a multiagency center that provides a central location for coordination of Federal, state, local, tribal, nongovernmental, and private sector organizations with primary responsibility for threat response and incident support.
- 5. The JFO enables the effective and efficient coordination of Federal actions. It utilizes the scalable organizational structure of the Incident Command System (ICS), and its organization adapts to the magnitude and complexity of the situation at hand.
- 6. Although the JFO uses an ICS structure, it does not manage on-scene operations. Instead, it focuses on providing support to on-scene efforts and conducting broader support operations that may extend beyond the incident site.
- 7. Within the JFO, there are a number of key positions that address military force engagement. There will be differences based on whether there are Title 10 forces, Title 32 forces, or both.
 - a) The State Coordinating Officer (SCO) is appointed by the governor to coordinate State response and recovery operations with the Federal government and will work closely with the FCO
 - b) The Federal Coordinating Officer (FCO) manages the Federal response support activities for Stafford Act disasters and emergencies. The FCO is also responsible for managing the finances of DSCA
 - c) There is a Defense Coordinating Officer (DCO) assigned to each of the 10 FEMA regions to manage Title 10 Active Duty forces. The DCO coordinates DoD support to the FCO and ESF Primary Agencies. They serve as a subject matter expert for state and

Federal emergency response plans, assign military liaison, and coordinate with military installations for Base Support Installation operations

- d) The Defense Coordinating Element (DCE) is the staff and military liaison office for DCO. This office coordinates and supports activated ESFs, as determined by the status of DoD as a Coordinating, Primary, or Support Agency. The DCE also represents DoD in the disaster area, acts as a liaison to state, local, and other Federal agencies, reviews and validates the RFAs/Mas, recommends the military resource that should be used to support the mission, and provides support to the DoD forces deployed.
- e) The Emergency Preparedness Liaison Officer (EPLO) is a reservist who helps coordinate DoD emergency resources and supports the DCO. The EPLO, a senior officer who can be Army, Air Force, Navy, or Marine Corps, also establishes communications between DoD and civil authorities at the regional, state, and local levels, helps DoD forces establish connections with appropriate civil authorities, conducts pre-emergency coordination with military and civilian leaders, and represents Federal forces in the coordination structure where engagement occurs with civil authorities at the State and regional levels.
- f) The Regional EPLO is the Title 10 service Reservist assigned to the FEMA regions.
- g) The State EPLO is the Title 10 service Reservists at State EOCs.
- h) The Dual Status Commander (DSC)
 - (1) The newest addition to the list of coordination roles is that of the Dual Status Commander (DSC).
 - (2) The National Defense Authorization Act (NDAA), signed in December 2011, facilitated the use of DSCs to provide unity of effort between State and Federal forces in achieving common objectives in a disaster response or in supporting a national event. (NGB, 2017)
 - (3) A DSC is an officer of the Army National Guard (ARNG), the Air National Guard (ANG), or a commissioned officer of the Regular Army or Regular Air Force, who has completed specialized training and certification to hold this position.
 - (4) They are jointly managed by the Commander, U.S. Northern Command, and the Chief, National Guard Bureau.

DSCs are capable of serving in two distinct command structures and therefore U.S. Code statuses: that of Title 10 (Federal) and Title 32 (State).

- (5) By establishing this role, the need to have parallel yet separate military engagements was thus eliminated (or at least reduced in its negative effects.)
- (6) The President and each declared State's governor must agree to the establishment of a DSC.
 - (a) Once appointed, the appointment can be terminated by the Secretary of Defense or the governor at any time.
 - (b) In the event of a multi-state disaster or national event requiring a DSC, separate DSCs would be appointed to command in each of the affected states due to state law prohibitions (where appropriate/where required). Consistent with current laws and procedures, the governor of a state does not use the DSC to request DoD forces or equipment.
 - (c) The DSC will exercise command on behalf of, and receive separate orders from, a Federal chain of command and exercise command on behalf of, and receive separate orders from, a State chain of command.
 - (d) This important separation allows for the DSC to ensure unity of effort from Federal and State forces without duplication.
 - (e) The Instructor should emphasize that Federal orders cannot be passed to State forces and vice versa.
- (7) The Governors of 53 states/territories have established standing Memoranda of Agreement with the Secretary of Defense for status command appointments of a DSC.
- (8) 32 U.S. code § 315 and 325 outline the specifics of allowing for dual commissions in the regular Army or Air Force and the Army and Air National Guards.
- (9) In some instances, DoD may elect to utilize Parallel Command in lieu of Dual Status Command.

- (a) Under parallel command, Federal forces take orders from the DOD chain of command, and state National Guard forces take orders from the state's chain of command.
- (b) State National Guard and Federal military forces may operate in overlapping operational areas under separate chains of command in large-scale DSCA operations.
- (c) A parallel command structure can enhance unity of effort, but its success depends on continuous coordination between all of its components.
- (d) Within a parallel command structure, there is no single force commander and therefore no unity of command in the military sense. Both the Federal and state commanders retain control of their respective forces.
 - (i) Decisions regarding the operation require the collective effort of all participating leaders: state and Federal civil authorities, and state and Federal military leaders.
 - (ii) Leaders collaborate as partners, based on NIMS and the NRF, to develop common goals, unify their efforts, and accomplish the mission.
- (e) The challenge in using a parallel command structure for DSCA is achieving effective use of forces by the state and Federal chains of command. Effectiveness depends on a close working relationship between commanders.
- (f) Physically co-locating command posts or exchanging liaison officers at the command posts facilitates this coordination.

Supplemental Considerations

n/a

Objective X.5: Discuss DSCA Planning Requirements

Requirements:

Lead a discussion on the planning process for DSCA. Facilitate class and group activities.

Remarks:

- I. Unlike support from civilian Federal agencies and departments, Federal military assistance – and even state Military assistance (Title 32) - is comparatively rare.
 - A. Few communities have required or have otherwise encountered Federal military emergency support resources in the past, and there is no guarantee any community will encounter them in the future even if they are impacted by a major disaster.
 1. However, that does not mean there is no value in actively planning for the request and acceptance of military support by local communities.
 2. Like all planning efforts, the planning process itself is an educational one, in that it helps to bring together and form relationships among the relevant stakeholders, it permits problem identification and solving, and streamlines response processes that would otherwise be inefficient, disjointed, or even counterproductive if developed in the time constraint of actual response.
 - B. Community planners with a knowledge and appreciation of the broad range of DSCA resources available will likely recognize that dedicated planning focused on the request for and coordination with military support (through DSCA) will be better able to act if such a need arises.
 1. Planning will equip them with the background knowledge, structures, processes, and procedures if and when an emergency or disaster overwhelms their capacity, and the solution offered is one that has a military component.
 2. The Instructor can explain to Participants that the National Preparedness System and its supporting documents can be used by community-level planners, and other stakeholders in that process (including State-level planners), to develop a comprehensive DSCA strategy.
 - C. The Instructor can remind Participants that there exist standard planning resources provided at the Federal level, as well as State-specific planning resources, that together dictate what an ideal Emergency Operations Plan looks like and how State and Federal military units are best incorporated.
 1. Most communities follow the standard planning methodology, and local EOPs contain similar structures inclusive of the use of Emergency Support

Functions (documented in the format of an ESF Annex).

2. Through this section, the Instructor will explain how planning for Military Support fits within the standard planning cycle, and how a military support ESF may be developed and added to the existing EOP as required.

II. Planning for any support, Military or otherwise, must recognize that the system of emergency and disaster management in the United States is based on the principle of local primacy (Slide X.37).

A. Incidents begin and end locally and are managed on a daily basis at the lowest possible geographical, organizational, and jurisdictional level.

1. The National Preparedness System outlines an organized process by which the Whole Community pursues preparedness activities in order to achieve the National Preparedness Goal.
2. The National Preparedness Goal is, “a secure and resilient nation with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risk.” (FEMA, 2018)
3. Within this context, local communities are expected to recognize and address emergency events and to first and foremost use their capabilities to address them on their own if possible.
4. And in fact, the military views their own planning with regards to DSCA as being an effort “to develop plans for Federal forces to key upon in the event that a disaster is exceeding the capabilities or capacities that a single state might normally find sufficient in meeting the needs of its people.”
5. Military Participants in the 2018 after-action review of DSCA in the 2017 hurricane season stressed the military stance that, “we are not in charge”, but rather are operating in support of the lead Federal agency, which is most often FEMA (within the Department of Homeland Security) (Tussing, 2018).

B. Perhaps the most important factor in ensuring plans are appropriate for the introduction of military resources is that they are compatible with the NRF and utilize NIMS. Ideally, they are also compatible with DoD policy and doctrine.

1. Local emergency managers, and the governments within which they serve, should recognize that the provision of assistance by Federal agencies and departments—civilian or military—will not result in the ‘taking over’ of the response but rather will lead to offers of support tied specifically to those areas where capabilities are exceeded.
2. Within this context, it is important that local planning efforts, notably

procedures for situation assessment, requests for assistance, communication, and coordination, among others, fully consider the possibility of military involvement through some form of DSCA in the event of large-scale events or events that exceed local capacity and/or resources.

3. Deliberative planning efforts to gauge the possibility for military involvement needs to include the full range of possible disaster causes, including natural hazards, public health threats (e.g., disease epidemics), technological events like chemical spills and infrastructure failures, terrorist attacks and civil disturbances, and cyber-attacks, to name a few.
4. And in keeping with this strategy, plans for military support are focused most on the establishment of relationships, on coordination, on communication and the sharing of information, and finally on the agreed-upon provisions to enable military and civilian partners to work together to address needs.

C. The Military, like local government, is part of the FEMA “Whole Community” concept.

1. The Whole Community includes:
 - a) Individuals and families, including those with access and functional needs.
 - b) Businesses
 - c) Faith-based and community organizations
 - d) Nonprofit groups
 - e) Schools and academia
 - f) Media outlets
 - g) All levels of government, including state, local, tribal, territorial, and Federal partners
2. The military is quite unique as a Federal partner in the Whole Community context because it is so widely dispersed throughout the country that almost every community is within a short driving distance of a base or other facility.

D. To aid in achieving the National Preparedness Goal, and to ensure there exists a high-degree of standardization and complementarity between plans at all levels, DHS and FEMA have developed the National Planning Frameworks (NPF).

1. The NPFs set the strategy and doctrine for building, sustaining, and delivering the core capabilities identified in the National Preparedness Goal.
2. The Frameworks include:
 - a) Prevention
 - b) Protection
 - c) Mitigation
 - d) Response
 - e) Recovery
3. These Frameworks describe the coordinating structures and alignment of key roles and responsibilities of each Whole Community component to ensure interoperability across all mission areas.

III. Understanding DSCA Within a Broad Planning Context (Slide X.38)

- A. The National Response Framework (NRF) is built on scalable, flexible, and adaptable concepts identified in the National Incident Management System (NIMS).
 1. The NRF aligns the key roles and responsibilities of all emergency management stakeholders, including both local government and military resources.
 2. As such, the NRF is a good source of information on the specific authorities and best practices that may be employed when planning for engagement during incidents from the most local to large-scale terrorist attacks or catastrophic natural disasters.
 3. The NRF describes the principles, roles and responsibilities, and coordinating structures for delivering the core capabilities required to respond to an incident and further describes how response efforts integrate with those of the other mission areas.
- B. DoD plays a significant supportive role through the NRF.
 1. The NRF applies to all incidents requiring a coordinated Federal response as part of an appropriate combination of Federal, state, local, tribal, private sector, and nongovernmental entities.

2. DSCA operations may occur in response to, or in anticipation of, a presidential declaration of a major disaster or an emergency, in coordination with the primary agency. (JP 3-28, 2013)

C. The National Incident Management System (NIMS)

1. NIMS guides all levels of government, nongovernmental organizations (NGO), and the private sector to work together to prevent, protect against, mitigate, respond to, and recover from incidents.
2. NIMS provides all Whole Community stakeholders with a shared vocabulary and common systems and processes to successfully deliver the capabilities described in the National Preparedness System.
 - a) NIMS defines operational systems, including the Incident Command System (ICS), Emergency Operations Center (EOC) structures, and Multiagency Coordination Groups (MAC Groups) that guide how personnel work together during incidents.
 - b) NIMS, which applies to all incidents (from traffic accidents to major disasters), is designed so that local jurisdictional authorities retain command, control, and authority over the response.
3. Adhering to NIMS allows local agencies to better use incoming resources, including those provided as a component of DSCA.
4. By using NIMS, local jurisdictions ensure that their interactions with military coordination structures will be relatively seamless despite the complexity of those structures that have been described throughout this session.

IV. Drafting Effective Local-Level Plans (Slide X.39)

- A. Outside of automatic assistance, as may be provided for or by the local government to or by a nearby military installation for a wide range of event sizes and scopes including minor incidents, planning for DSCA focuses on more large-scale capacity exceeding incidents.
 1. The rule of thumb is to plan not for the worst case scenario, but rather the maximum credible disaster.
 2. Through deliberative planning, communities can better understand their resources and capabilities, and begin to identify what support may be needed, what of those needs is likely to come in the form of DSCA, and what mechanisms must be in place to coordinate it.

- B. Planning is most effective when all stakeholders are involved in the process.
1. A 2018 review of DSCA in the 2017 hurricane season found that the most effective coordination structures are those that come out of joint planning between military and civil authorities, especially if those plans had been validated and practiced through joint exercises.
 2. Given the complexity of DSCA rules and regulations, and the lack of direct experience most local emergency managers will have with DSCA, local emergency planning committees should contact and establish a working relationship with DSCA officials at the state and Federal levels.
 3. Commander, United States Northern Command (CDRUSNORTHCOM) and Commander, United States Pacific Command (CDRUSPACOM), the supported geographic combatant commanders (GCCs), are DoD's principal planning agents for DSCA, and have the responsibility to provide joint planning and execution directives for peacetime assistance rendered by DoD within their assigned areas of responsibility (AOR).
 4. Unlike most positions in local, State, and even Federal civilian government, where officials may serve in the same position for decades, DoD-based planning counterparts may change every two to three years, and as such these relationships require ongoing maintenance.
- C. To ensure DoD planning supports the needs of those requiring DSCA, DoD coordinates with interagency partners through the Chief, National Guard Bureau (CNGB) to states/territories on all matters pertaining to the NG. Coordination will align with NRF and NIMS.
1. The Instructor can use the NRF to explain how these planning relationships are delineated in the wider Whole Community context.
 2. The Instructor can explain that it helps to understand that these relationships are well-established in terms of the response process
 3. The NRF response guidance describes coordinating resources within jurisdictions, among adjacent jurisdictions and with the private sector and NGOs such as the American Red Cross. All of this applies to the DSCA context. For instance:
 - a) The Chief Elected or Appointed Official
 - (1) A mayor, city manager, or county manager, as a jurisdiction's chief executive officer, is responsible for ensuring the public safety and welfare of the people of that jurisdiction.

- (2) Specifically, this official provides strategic guidance and resources during preparedness, response, and recovery efforts.
 - (3) The chief elected or appointed official provides policy direction and supports the incident commander and emergency manager, as needed, to include unified objectives related to incident planning and incident management.
- b) Emergency Manager
- (1) The local emergency manager has the day-to-day authority and responsibility for overseeing emergency management programs and activities.
 - (2) The emergency manager establishes and/or directs functions of the emergency operations center (EOC), where multi-agency coordination occurs.
 - (3) The emergency manager ensures the EOC is staffed to support the incident command and arranges needed resources.
 - (4) The emergency manager coordinates all components of the local emergency management program, to include assessing the availability and readiness of local resources most likely required during an incident and identifying and correcting any shortfalls.
- c) State Homeland Security Advisor
- (1) The state HS advisor serves as counsel to the governor on HS issues and may serve as a liaison between the governor's office, the state homeland security structure, DHS, and other organizations both inside and outside of the state.
 - (2) The advisor often chairs a committee composed of representatives of relevant state agencies, including public safety, the National Guard, emergency management, public health, and others charged with developing prevention, protection, response, and recovery strategies.
- d) Director, State Emergency Management Agency

- (1) All states have laws mandating establishment of a state emergency management agency and the emergency plans coordinated by that state.
 - (2) The director of the state emergency management agency is responsible for coordinating the state response in any incident, including supporting local governments as requested and coordinating assistance with other states and the Federal government.
- e) The Adjutant General (TAG)
- (1) The Adjutant General (TAG) advises their governor on military affairs and commands the Army National Guard (ARNG) and the Air National Guard (ANG) forces in the state.
 - (2) State department and agency heads and their staffs develop, plan, and train to internal policies and procedures to meet response and recovery needs safely.
 - (3) This official also participates in interagency training and exercises to develop and maintain necessary capabilities.
 - (4) Depending on the state, the Adjutant General (TAG) and the state HS advisor may be the same individual.
4. While the sharing of information to support planning is critical, perhaps the most important benefit of multi-stakeholder planning on DSCA is the relationship building that occurs.
- a) Local government officials need to establish relationships with any local and regional military installations if they hope to utilize those resources effectively and efficiently in an actual disaster response.
- (1) As discussed throughout this session, DoD maintains a trove of documents that guide and otherwise dictate DSCA operations from the military perspective.
 - (2) However, much less exists from the local perspective because there is no single ‘template’ or standard that exists given there are so many differences not only between the communities themselves, but also between different states.
 - (3) In fact, so different are the capacities, regulations, operating procedures, and other distinguishing characteristics between state and local jurisdictions, that a DoD official adapted the adage, “If you’ve seen one,

you've seen them all" as follows to described the difficulty in understanding jurisdictional peculiarities: "If you have seen one state, then you have seen one state." (Tussing, 2018).

- b) Local emergency managers need only contact a military installation to begin the process of incorporating base resources and capabilities into their own response plans.
 - (1) Each military installation has a dedicated emergency management department that handles planning, inclusive of liaising with local government officials.
 - (2) Contact information can almost always be found on the website for the installation, or by calling the main telephone number for the base and requesting the office of emergency management.
 - (3) The Instructor can display the following [example of a military base emergency management department](https://www.mcieast.marines.mil/Staff-Offices/Emergency-Management/MCAS-Beaufort/) (https://www.mcieast.marines.mil/Staff-Offices/Emergency-Management/MCAS-Beaufort/).
 - (a) This website includes full contact information for the installation emergency manager.
 - (b) Participants may note that the mission of this office includes the following language: "Coordinate with Federal, state and local resources for mitigation, preparedness, response and recovery operations."
- c) With a relationship established, planning benefits extend beyond simply the sharing of information.
 - (1) In fact, many communities have found that military installations that are next to or near them are willing to include local government in their exercises and will participate in exercises that local governments facilitate within their jurisdictions.
 - (2) Military partners have also participated in mitigation planning, assessments of school safety and security, disaster preparedness educational programs, and more.

V. Formalizing a DSCA Coordination Capacity

- A. The true value in planning is not the plans themselves, but rather the planning process.
- B. That said, it is important that there exists documentation to ensure the capture of important data and information, the ability to communicate assumptions, procedures, and other relevant information to all planning stakeholders, and agreements to and processes by which the planning process and associated relationships will remain active.
- C. While jurisdictions retain full discretion on how their emergency plans and procedures are organized, most have adopted the planning structures espoused in the Federal Guidance “Comprehensive Preparedness Guide 101: Developing and Maintaining Emergency Operations Plans (CPG-101).”
 - 1. In keeping with this guidance, and in order to best prepare for a future need to establish coordination with supporting military troops, emergency managers can consider developing for their existing plan an ESF, a “support Annex, or a “functional annex.”
 - 2. Participants should be familiar with ESFs, support annexes, and functional annexes, including their purpose and their format.
 - 3. Emergency managers develop such annexes when a credible disaster scenario exists in which local resources will likely be exceeded and likewise overwhelmed.
 - a) Planning allows for enhanced coordination, command and control in light of the influx of response and recovery partners, which may include Title 10 and/or Title 32 military forces.
 - b) Through planning, the local planning committee considers what personnel and resources are involved in prevention, preparedness, response, recovery and mitigation efforts, and where there are unique factors or needs, they should be laid out in the plan through an annex.
 - c) The unique nature of military support certainly qualifies such support for consideration in a dedicated annex.
 - 4. Planners work with their partner state and/or Federal military planners and liaison officers with which they have established relationships in order to develop the annex.
 - a) Because the FEMA Region is where jurisdictional needs in a disaster incident are initially formulated into Federal support missions (until a JFO is established), the FEMA Regional Office

needs to be addressed in such an annex. It is through the FEMA Region that planning for Federal operations is integrated and synchronized with planning for operations shaped by the hazards and risks faced by state, territorial, tribal, and local communities.

- b) DoD emergency managers, planners, and liaison officers are also equipped to assist local emergency managers in developing an ESF or other EOP annex.
5. The type of annex chosen will most likely be dictated by the EOP format that already exists in the community. CPG-101 describes three possible choices (Slide X.40):
- a) CPG-101 describes functional annexes as follows:
 - (1) “Functional annexes are individual chapters that focus on missions (e.g., communications, damage assessment.)
 - (2) “These annexes describe the actions, roles, and responsibilities of participating organizations.
 - (3) Functional annexes discuss how the jurisdiction manages the function before, during, and after the emergency, and they identify the agencies that implement that function.
 - (4) “Each functional annex addresses only general strategies used for any emergency.”
 - b) CPG-101 describes ESFs as follows:
 - (1) “ESF annexes identify the ESF coordinator and the primary and support agencies for each function.
 - (2) “ESFs with multiple primary agencies should designate an ESF coordinator to coordinate pre-incident planning.
 - (3) “An ESF annex describes expected mission execution for each emergency phase and identifies tasks assigned to members of the ESF, including nongovernmental and private sector partners.
 - c) And finally, CPG-101 describes a support annex as follows:
 - (1) Support annexes describe the framework through which a jurisdiction’s departments and agencies, the private sector, not-for-profit and voluntary organizations, and other nongovernmental organizations coordinate and execute the common emergency management strategies.

- (2) The actions described in the support annexes apply to nearly every type of emergency.
 - (3) Each support annex identifies a coordinating agency, as well as assisting and cooperating agencies.
 - (4) In some instances, two departments or agencies share coordinating agency responsibilities.”
- d) Regardless of the format chosen, the annex should provide the following:
- (1) What are the critical operations?
 - (2) What stakeholders have responsibilities outlined in the annex?
 - (3) What are the policies, processes, roles, and responsibilities required before, during, and after any emergency?
 - (4) Are there any preparedness requirements, such as training, exercises, or equipment?
- e) The annex structure should facilitates the orderly flow of local requests for governmental support to the state and Federal levels and the provision of resources back down to local government during an emergency.
- f) Many state and local governments have begun developing military support annexes or already have them in place.
- g) The Instructor can ask Participants to decide which of these would work best in their own jurisdiction, and to explain why.
- (1) Participants should have a copy of the jurisdiction’s EOP for this discussion.
 - (2) Alternatively, the Instructor can provide another community’s EOP and ask Participants to make an assessment about what type of annex would best suit that plan.

VI. Planning for Disengagement (Slide X.41)

- A. Recognizing that DSCA is a secondary mission to the DoD primary mission of national defense, it is important that civilian emergency management personnel understand that DoD DSCA operational planning will ensure that support is provided no longer than it is deemed necessary.

- B. For this reason, response planning seeks to understand what success means in terms of military support so that civilian partner expectations (in terms of what will be provided) are realistic.
1. In this manner, the U.S. Military takes a similar ‘exit strategy’ approach to both warfighting and DSCA operations.
 2. In a DoD instructional document regarding the transition of Federal forces from DSCA response, this concept is introduced as follows:
 - a) “During DSCA operations, DoD support to the Lead Federal Agency (LFA) should terminate as soon as appropriate Federal, state, or local authorities are able to assume responsibility without Federal military support.
 - b) “The JTF/JFLCC Commander, Dual Status Commander (DSC), Defense Coordinating Officer (DCO), Federal Coordinating Officer (FCO), and State Coordinating Officer (SCO) should agree on transition criteria as early as possible during the operation and consult regularly on progress towards meeting desired conditions.”
 3. However, it is FEMA that ultimately makes the decision about when DSCA is no longer needed, at least in the case of a Stafford Act deployment.
 4. When released, Federal forces under Title 10 U.S.C transition mission responsibility in one of several ways:
 - a) Mission completion: end mission.
 - b) Hand-over to State / Territorial Government and National Guard.
 - c) Hand-over to a FEMA ESF or other non-DoD Federal agency.
 - d) Hand-over to a contracted or commercial solution (normally under a FEMA / ESF contract).

VII. The Instructor can conclude the discussion on local planning for military support by conducting a class exercise wherein Participants compare and contrast three existing military support ESFs.

- A. The Instructor can begin by providing the class with several copies of (or URLs to) the following Military Support Emergency Support Function (ESF) annexes:
1. [Clackamas County](https://dochub.clackamas.us/documents/drupal/e91cec3d-9de6-4fbc-bff5-81a136c7767f)
(<https://dochub.clackamas.us/documents/drupal/e91cec3d-9de6-4fbc-bff5-81a136c7767f>)

2. [Battlefield, MO](https://battlefieldmo.gov/wp-content/uploads/2014/12/city-of-battlefield-emergency-operations-plan-13-esf-21-military-support.pdf) (https://battlefieldmo.gov/wp-content/uploads/2014/12/city-of-battlefield-emergency-operations-plan-13-esf-21-military-support.pdf)
3. [Pierce County](https://www.co.pierce.wa.us/DocumentCenter/View/35783/CEMP_ESF-20_Appendix-_AB_2014?bidId=) (https://www.co.pierce.wa.us/DocumentCenter/View/35783/CEMP_ESF-20_Appendix-_AB_2014?bidId=)

B. The following notes are provided to assist the Instructor in facilitating the discussion. However, there are many more assessments that the Instructor and Participants may add to these based upon the session lecture content and on personal knowledge, opinion, and experience.

1. Clackamas County, Oregon: ESF #13 Military Support
 - a) The purpose of this ESF is to give the end user a general understanding of the National Guard role during an emergency or disaster.
 - b) From the outset this ESF directs the user to reference the [State ESF](https://dochub.clackamas.us/documents/drupal/e91cec3d-9de6-4fbc-bff5-81a136c7767f) (https://dochub.clackamas.us/documents/drupal/e91cec3d-9de6-4fbc-bff5-81a136c7767f) for additional information, thereby ensuring they are closely linked.
 - c) The ESF provides few details about resource or capability availability.
 - d) The ESF directs the County's Primary (Clackamas County Department of Disaster Management) and Supporting (Sheriff's Office) Agencies to develop plans to support assigned tasks, however it does not stipulate what those tasks are in the ESF itself. Participants may wish to investigate further whether or not those tasks are outlined in the County Basic EOP, or perhaps in the State's.
 - e) Participants should consider whether or not they would consider this ESF to be "user friendly", or whether it would help them to request and/or coordinate with DSCA in a disaster event.
2. Battlefield Missouri: ESF #21 Military Support
 - a) This ESF begins with a stated purpose of guiding local officials in coordinating military resources in assisting with disaster response
 - b) Detailed sections contain information on the Concept of Operations (CONOPS), actions that will be taken (according to Operational Time Frames), as well as the organizational and assignment of responsibilities.

- c) The ESF lists assets and capabilities (and their locations) in an appendix to the annex.
3. Pierce County, Washington: ESF #20 Defense Support for Civil Authorities
- a) This ESF states its purpose as providing guidelines and procedures for requesting Washington National Guard support, as well as the use of local military through MOUs
 - b) It also exists to assist in the coordination of or with DoD assets.
 - c) Participants may find that this community's ESF sits somewhere between the two other approaches assessed (Battlefield and Clackamas) with regards to the amount of detail provided.
 - d) It is interesting that this ESF lists the current MOUs that exist between the county and the regional military units.
 - e) It also contains a list of local NG capabilities and possible DoD support missions.
4. In looking at these three ESFs, Participants should consider:
- a) Is the information in this ESF sufficient for emergency managers to quickly initiate a request for support in time sensitive situations?
 - b) Does the level of detail support end users' abilities to make accurate requests?
 - c) What are the strengths and weaknesses (if any) of each annex?

Supplemental Considerations

n/a

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