

Defense Support of Civil Authorities (DSCA)

Session X Slide Deck

Session Objectives

- X.1 Provide a background overview and brief history of military assistance in international and domestic disaster response and recovery operations.
- X.2 Review the resources available for domestic emergency management, defining engagement types and the role of the United States Northern Command (NORTHCOM).
- X.3 Discuss DSCA limiting and authorizing provisions and the relationships and engagement opportunities that exist between them.
- X.4 Discuss the process of engagement (command, control, and coordination), and the role of the dual status commander
- X.5 Discuss DSCA Planning Requirements

Department of Defense (DoD)

- United States' oldest Federal entity
- Vast inventory of people, facilities, equipment, and more
 - 1.3 active duty personnel
 - 742,000 civilian personnel
 - 826,000 national guard / reserve personnel
 - Facilities in every time zone

DoD Mission

“[T]o provide a lethal Joint Force to defend the security of our country and sustain American influence abroad.”

DoD Branches

- US Army
- US Air Force
- US Navy
- US Marine Corps
- US Coast Guard

DoD Departments

- Department of The Army
- Department of The Navy
 - Includes the Marine Corps
- Department of The Air Force

Combatant Commands

- CENTCOM
- PACOM
- EUCOM
- NORTHCOM
- SOUTHCOM
- AFRICOM
- STRATCOM
- SOCOM
- TRANSCOM

Military Role

- Warfighting
- Homeland Security
- National Defense
- International and Domestic Humanitarian Disaster Relief
 - DSCA – Defense Support of Civil Authorities
 - HADR – Humanitarian Assistance and Disaster Relief

Types of Title 10 Assistance

- Foreign Disaster Assistance
- Denton Program
- Humanitarian Assistance Program
- Humanitarian and Civic Assistance Program
- Funded Transportation Program
- Excess Property Program

History of DSCA

- Whiskey Rebellion
- Insurrection Act
- Posse Comitatus Act
- Office of Civilian Defense
- Federal Civil Defense Act / Federal Civil Defense Administration
- Office of Civil Defense Mobilization
- Defense Civil Preparedness Agency
- FEMA
- HS Act of 2002
- HSPD-5

US Army

- Organized / equipped for large-scale operations (scalability difficulties)
- Manpower
- Aviation, Special Forces, Civil Affairs, and Chemical Corps
- USACE

US Navy

- Personnel, forces, equipment, supplies and facilities
- Fixed / rotary-winged aircraft
- Underwater rescue / recovery
- Medical support
- Seabees

U.S. Air Force

- Unit Type Code designations
- Air Mobility Command
- Contingency Response Groups

U.S. Marine Corps

- Smallest armed force
- Rescue and evacuation support
- Forces suited for terrorism, civil disturbance, or technological threat DSCA
- CBIRF

U.S. Coast Guard

- Under DHS
- Plays significant role in NRF
- Massive Katrina response

The National Guard

- State or Territorial Units
- Most common DSCA resource
- Wide array of resources to offer
- National Guard Bureau (NGB)
- Army National Guard (ARNG)
- Air National Guard (ANG)

NG Capabilities / Resources

- Heavy Equipment
- Aircraft
- Communications
- Public Health / Med
- CBRNE
- Incident Management
- Debris Management
- Emergency Power
- Temporary Housing
- Temporary Roofing
- Search and Rescue
- Logistics /
Commodities
- Others

Title 10 Forces

- Fall under the provision of Title 10 of the United States Code, “Armed Forces”
- Active Components of the Armed Forces (Army, Navy, Air Force and Marines)
- Includes reserve units
- Considered Federal Military Forces
- Fall under UCMJ

Title 32 Forces

- Fall under the provisions of Title 32 of the United States Code, “National Guard”
- Employed by the State / follow state laws and statutes
- Funded through the DoD
- States use NG personnel and equipment for state emergencies and disasters
- MAAs / EMAC

USNORTHCOM

- 2002 Unified Command Plan
- AOR – CONUS, Alaska, Canada, Mexico, surrounding waters out 500 miles
- Plans, organizes, executes homeland defense and civil support missions
- No permanently-assigned forces

NORTHCOM Components

- ARNORTH
- AFNORTH
- USFLTFORCOM
- MARFORNORTH
- SOCNORTH
- JTF-N / JTF-AK / JTF-CS
- JFHQ-NCR

Stafford Act

- November 23, 1998
- Statutory authority for most Federal disaster assistance to state/local government
- Typically requires a request AND a declaration
 - Emergency
 - Disaster
- Addresses reimbursement

Insurrection Act of 1807

- Governs the deployment of Federal military personnel by the US President to suppress insurrection, rebellion, domestic violence, unlawful combination or conspiracy, or to repel an invasion
- President's ability to enforce civil laws
- When no declaration is required

1878 Posse Comitatus Act (PCA)

- Prohibits Title 10 Forces from conducting domestic law enforcement activities
- Prevents military interference in domestic affairs
- Does not apply when law enforcement is not a factor (typically)

Economy Act of 1932

- Permits Federal Government agencies to purchase goods or services from other Federal Government agencies or other major organizational units within the same agency
- Stafford Act alternative

DoD Directive 3025.18

- Provides guidance for DSCA
- Applies to actions in the US/territories
- Authorizes IRA
- Evaluation criteria
 - Legality, Lethality, Risk, Cost, Appropriateness, Readiness

Title 10 USC 12304a

- Title 10 Reserve Forces
- Applies to Governor's resources and capabilities
- Allows SECDEF to call reservists to active duty for disaster declarations

Title 32 USC 902

- Funds to the Governor permitted
- Homeland defense activities
- Defines National Guard status where Federal funding supports State-directed troop missions

Avenues for Engagement

- Immediate Response Authority
- Stafford Act Declaration Mission Assignment (MA)
- Mutual Aid Agreements
- National Guard and State Defense Forces

Immediate Response Authority

- Request to local military commander by local, tribal, or state government
- No higher authorization required
- Costs are typically reimbursed
- 72-hour timeframe

Stafford Act Declaration

- Five ways:
 - Major Disaster Declaration
 - Emergency Declaration
 - DoD 10-Day Emergency Work Authorization
 - Federal Primary Responsibility Authority
 - Accelerated Federal Assistance
- Mission Assignment (MA) process

Mutual Aid Agreements

- Formalize support relationships
- Allows for fast or automatic dispatch
- DSCA aid authorized under MAAs
- Types:
 - Local Automatic
 - Local Mutual Aid
 - Regional, Intrastate, or Statewide
 - Interstate

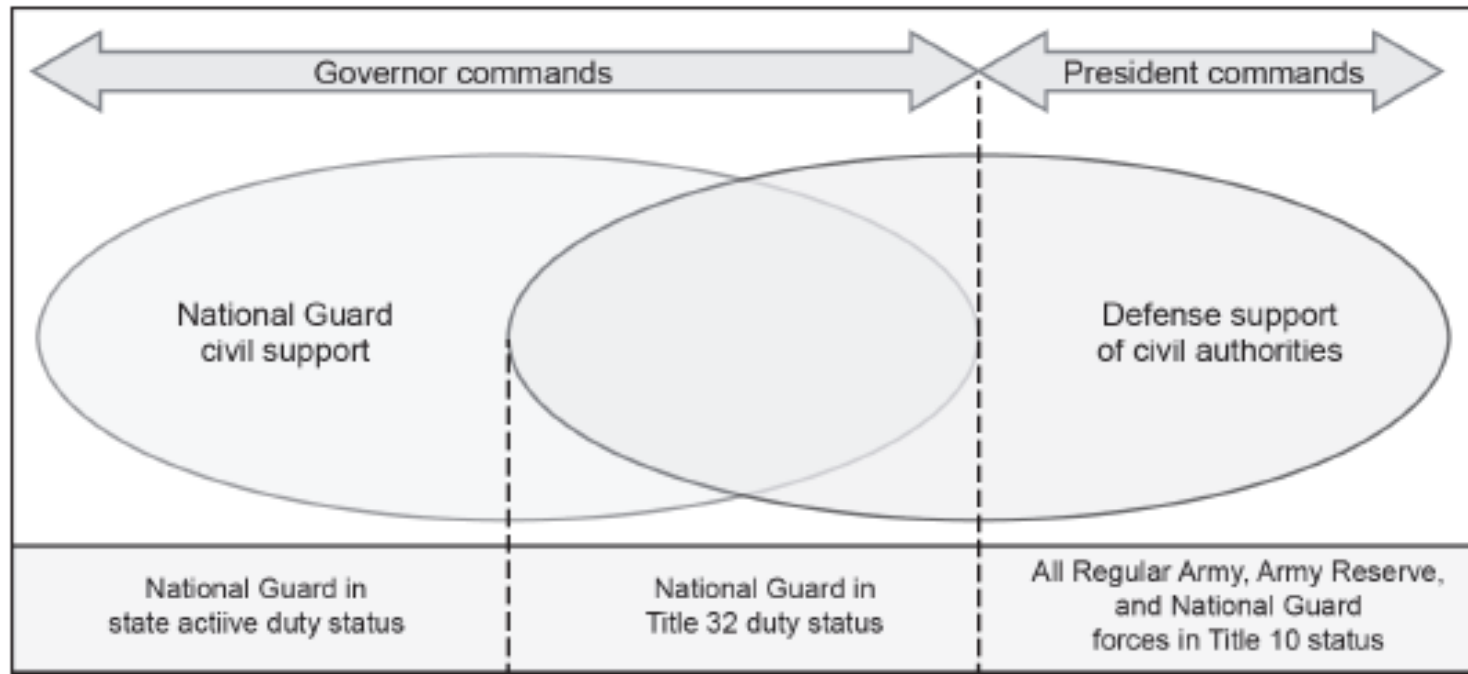
NG and State Defense Forces

- First line of DSCA
- State Active Duty
- Activation may require support in multiple communities
- Timeframe varies

Command, Control, and Coordination

- Sources of confusion exist
- NIMS and ICS critical
- Military forces support local/state counterparts
- Command always remains state or Federal
 - Title 10 = Federal
 - Title 32 / SAD = State

State and Federal Command Relationship



[Click for the alt text description of this image.](#)

Source: Department of the Army, 2013.

Coordination Mechanisms

- Under IRA
- Under Mutual Aid
- State-supported, non-declared disasters
- Stafford Act

Local Primacy

- Incidents begin / end locally
- DSCA required only when local resources are overwhelmed
- DSCA only supports, does not take over
- Military resources part of Whole Community

DSCA Within NRF

- Scalable, flexible, adaptable
- NIMS guides relationships and coordination
- DoD part of several ESFs

Effective Local Plans

- Plan for worst credible scenario
- All stakeholders involved in the process
 - Chief elected / appointed official
 - Emergency manager
 - State Homeland Security Advisor
 - Director, State EMA
 - Adjutant General
- CPG-101 addresses standardization needs

EOP Annex Options

- Functional Annex
- Emergency Support Function (ESF)
- Support Annex

Disengagement

- Disengagement planning begins at the earliest point in DSCA process
- DSCA terminates when capacities are sufficient
- FEMA dictates

State and Federal Command Relationship Image Description

The State and Federal Command Relationship. Two double headed arrows spanning across chart: Arrow 1: Governor command. Arrow 2: President commands. Two circles below the arrows: Circle 1: National Guard civil Support extends below the Governor commands. The second circle overlaps the first circle and extends into the President command. The text reads Defense support of civil authorities. At the bottom of the chart there are three divided boxes: Box 1: National Guard in state active duty status. Box 2: National Guard in Title 32 duty status. Box 3: All Regular Army, Army Reserve, and National Guard forces in Title 10 status.

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