

The overall classification: UNCLASSIFIED




***Coordination of
Military Assets During
An
Emergency, Disaster,
and or Crisis***

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Topics




- **USNORTHCOM Overview**
- **Coordination with the National Guard and other Agencies**
- **Legal Considerations/Issues**

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Interagency Coordination




- **Large numbers of coordinating parties (federal, state and local)—DoD not LFA**
- **“Before event” introductions and discussion between agencies**
- **Coordination requires understanding terminology and cultural differences between parties**

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Coordination of Military Assets

- Coordinating DoD and NG assets can be a challenge
- Different chains of command for active component and National Guard – NG under command of Governor when not federalized
- Possible mechanisms to facilitate coordination
 - Liaison Officers
 - Use of doctrine of “Coordinating Authority”
 - Use of “dual status” commanders
 - 32 USC 315 & 32 USC 325

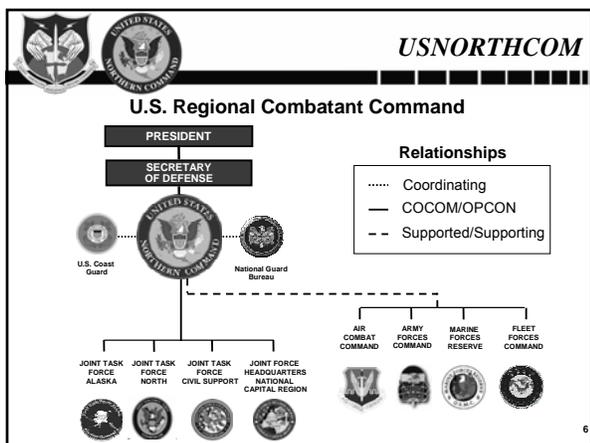
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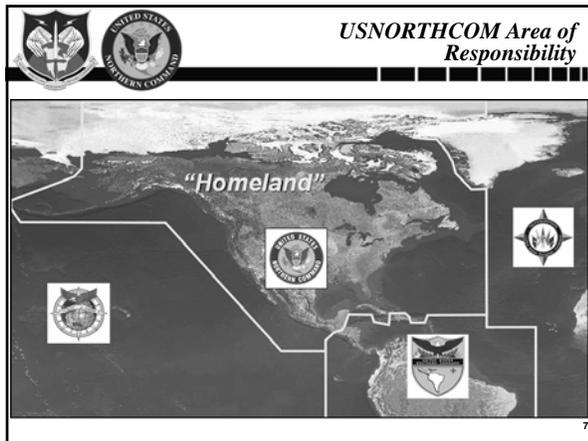
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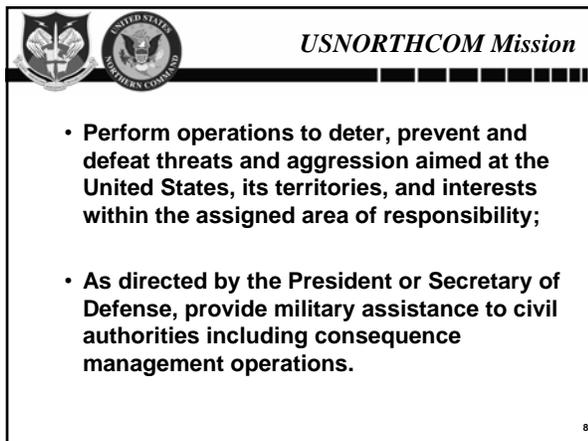
Issues

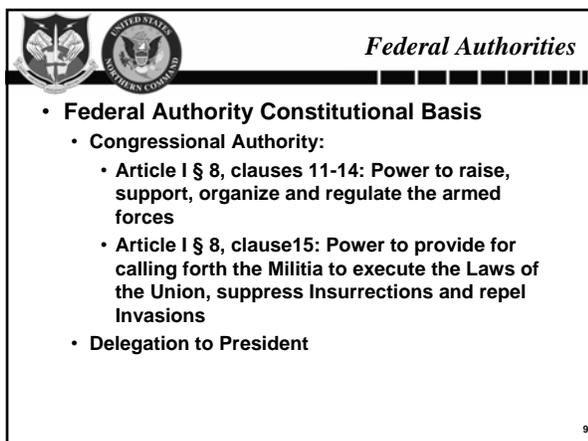
- Pre-scripted Mission Assignments
- What legal authorities allow DoD to provide security or law enforcement support? Quarantine support?
- Immediate Response – Emergency Response Authority ?
 - Will they even be necessary with pre-planning?
- Medical licensing/credentialing
- Force Health Protection – CONUS – Services or USNC?
- How will DoD and the NG achieve unity of effort?
- Will DoD be in lead? If so, for what? Part? All?

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Federal Authorities

- **Federal Authority Constitutional Basis**
 - **Presidential Authority:**
 - Article II § 2, clause 1, Once the army is raised or the militia called forth, the President serves as their Commander-in-Chief
 - Article II § 2, clause 3, “take Care that the Laws be faithfully executed”
- **Federal Authority-Statutory Basis**
 - Stafford Act 42 U.S.C. § 5121 et seq
 - Insurrection Act 10 U.S.C. § 331

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State Authorities

- **State Authority Derived From Constitution**
 - **Tenth Amendment:**

“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.”
 - Inherent “police power” given to State and local governments--authority to respond to disasters and emergencies, and enforce laws
 - Article 1 § 10, clause 3, States may not keep their own standing armies, but have authority to call forth militias to suppress insurrections or quell civil disturbances

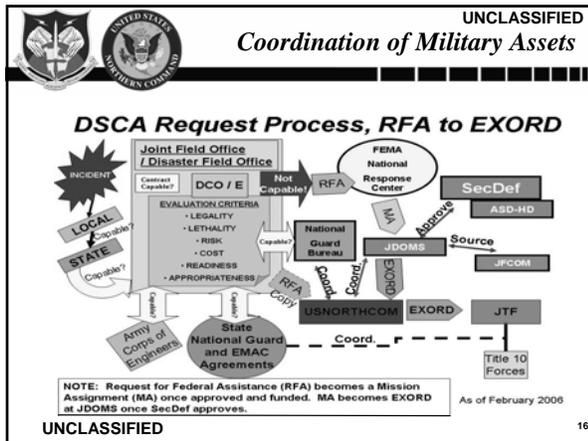
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Defense Support of Civil Authorities USNORTHCOM's Role

- **Support to Civil Authorities**
- **DoD not Lead Federal Agency (LFA)**
- **Interagency and intergovernmental coordination paramount**
 - **Coordination with LFA and other federal agencies**
 - **Coordination with State and Local Gov**
 - Coordination with National Guard units
 - Coordination with local fire, police, and rescue units

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- ### Key Players in the Military Support Process
-
- **Secretary of Defense**
 - Upon authorization from President, directs Homeland Defense and Civil Support Operations
 - **Assistant Secretary of Defense for Homeland Security [ASD(HD)]**
 - Established by NDAA 2003
 - Supervision and oversight of Homeland Defense and Civil Support Operations
 - **Joint Director of Military Support (JDOMS)**
 - Assumed responsibilities from Army
 - Translates guidance from ASD(HD) into operational orders
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- ### Types of Defense Support of Civil Authorities
-
1. Public Health and Medical Service
 2. Logistical/Distribution Support for Quarantined/Isolated Persons
 - Food, Water, Fuel, Meds, Hygiene Supplies, and other Essentials
 3. Security at Points of Distribution and Ports of Entry
 4. Mortuary Affairs (SMEs and Technical Assistance)
 5. Transportation Support
 6. Continuity of Government (COG)
 7. Augment Communications for Fed, State, Local, Tribal Interoperability
 8. Installation Support for Federal, State & Local Agencies
 9. Protect Critical Infrastructure and the Defense Industrial Base
 10. Assist in Civil Disturbances
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Some of the Statutory Authorities

- **The Robert T. Stafford Disaster Assistance and Emergency Relief Act of 1974 (42 USC 5121 et seq)**
- **Economy Act (31 USC 1535)**
- **Insurrection Act (10 USC 331-334)**
- **Posse Comitatus Act (18 USC 1385)**

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Immediate Response Authority

- **Imminently serious conditions resulting from any civil emergency or attack may require immediate action by military commanders, or by responsible officials of other DoD Agencies**
- **To save lives, prevent human suffering, or mitigate great property damage.**
- **When such conditions exist and time does not permit prior approval from higher headquarters, local military commanders and responsible officials of other DoD Components are authorized ... to take necessary action to respond to requests of civil authorities.**

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HSC National Implementation Plan

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- ▶ Assigns "Lead" and "Support" Roles by Agency
- ▶ DoD currently IDed with Lead and Supporting Roles
- ▶ Examples:
 - Support Development of Plans and Exercises
 - Expand Medical and Veterinary Scientific Capacity
 - Coord with Gov & Private Sector on Critical Infrastructure Protection
 - Coord with Gov & Private Sector on Trans. & Movement of Goods
 - Stockpile Personal Protective Equipment, Antibiotics & Other Supplies
 - Vaccinate Front-line, Military and Other At Risk Personnel
 - Develop Distribution Mechanisms for Medical & Other Goods
 - Share Scientific and Epidemiological Information
 - Support Development of Laboratory Capacity & Diagnostics
 - Coordinate on Clinical Surveillance, Travelers, Tracing Outbreaks
 - Infection Control, Containment, Social Distancing, Quarantine...
 - Sustain Infrastructure Activities (During Worker Absenteeism)

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Coordination of Military Assets

National Response Plan

| | |
|---|---|
| ESF-1 - Transportation | ESF-9 - Urban Search and Rescue |
| ESF-2 - Communications | ESF-10 - Oil and Hazardous Materials Response |
| ESF-3 - Public Works/Engineering | ESF-11 - Agriculture & Natural Resources (Animal and Plant Disease and Pest Response) |
| ESF-4 - Firefighting | ESF-12 - Energy |
| ESF-5 - Emergency Management | ESF-13 - Public Safety and Security |
| ESF-6 - Mass Care, Housing and Human Services | ESF-14 - Long-Term Community Recovery and Mitigation |
| ESF-7 - Resource Support | ESF-15 - External Affairs |
| ESF-8 - Public Health and Medical Services | |



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Order of Plans

- National Strategy
- National Implementation Plan
- Agency/Department Plans
 - DoD Implementation Plan – draft April 2006
 - COCOM – all turned in on 9 April 2006
 - Services
 - Installation plans
- Question: What is the benefit of having differing plans within a certain area? E.g. Army post within 60 miles of Air Force base?

Don't FORGET STATE and LOCALS will provide PRIMARY RESPONSE!

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Questions?

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