



## DoD MANUAL 3025.01, VOLUME 2

# DEFENSE SUPPORT OF CIVIL AUTHORITIES: DoD INCIDENT RESPONSE

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**Originating Component:** Office of the Under Secretary of Defense for Policy

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**Approved by:** Brian P. McKeon, Acting Under Secretary of Defense for Policy  
**Change 1 Approved by:** Peter Verga, Performing the Duties of the Assistant Secretary of Defense for Homeland Defense and Global Security

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**Purpose:** This issuance is composed of several volumes, each containing its own purpose. In accordance with the authority in DoD Directives (DoDDs) 5111.13 and 3025.18:

- This manual:
  - Assigns responsibilities and establishes procedures for Defense Support of Civil Authorities (DSCA).
  - Identifies authorities for DoD Components to provide support of civil authorities and non-DoD entities. For DoD support described in this manual that is **not** under the oversight of the Assistant Secretary of Defense for Homeland Defense and Global Security (ASD(HD&GS)), this manual identifies the offices of responsibility and oversight.
- This volume provides general information and references for incidents, disasters, and emergencies that may require DoD support.

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## **SECTION 1: GENERAL ISSUANCE INFORMATION**

**1.1. APPLICABILITY.** This issuance applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the National Guard Bureau, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within DoD (referred to collectively in this issuance as the “DoD Components”).

**1.2. SUMMARY OF CHANGE 1.** The changes to this issuance are administrative and update organizational titles and references for accuracy.

## **SECTION 2: RESPONSIBILITIES**

**2.1. ASD(HD&GS).** Under the authority, direction, and control of the Under Secretary of Defense for Policy, the ASD(HD&GS):

- a. Acts on behalf of the Secretary of Defense in accordance with DoD Instruction (DoDI) 5111.13 and DoDD 3025.18.
- b. Coordinates DSCA policy matters to obtain Secretary of Defense and Under Secretary of Defense for Policy approval, when appropriate.
- c. Participates in and provides oversight for coordinating or facilitating planning activities within DoD, or with other federal departments and agencies, as needed.
- d. Oversees and monitors compliance with this volume.

**2.2. DOD AND OSD COMPONENT HEADS.** DoD and OSD Component heads:

- a. Ensure that development of DoD issuances, concept plans, interagency agreements, and memorandums of understanding or agreement with external agencies are consistent with this volume.
- b. Ensure Component compliance with financial management guidance related to support provided for DSCA operations, including guidance related to tracking costs and seeking reimbursement.

## **SECTION 3: INCIDENT RESPONSE**

**3.1.** DoD has a long history of supporting civil authorities in response to disasters and emergencies. Defense support is primarily drawn from the existing warfighting capabilities of DoD.

**3.2.** The majority of natural and man-made disasters are handled at the local and State levels; DoD support as portrayed in the media is mostly in response to large-scale natural disasters, such as hurricanes and severe weather. Following a Presidential declaration in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Section 5121, et. seq., of Title 42, United States Code (U.S.C.), referred to in this volume as the “Stafford Act”), the Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) acts as the lead federal agency for coordinating the federal response. See Section 4 of this volume for information about DoD support during natural and man-made disasters.

**3.3.** In accordance with DoDD 3025.18, DoD officials have immediate response authority to respond temporarily to a request from civil authorities facing imminently serious conditions in order to save lives, prevent human suffering, or mitigate great property damage. Immediate response authority may be used in incidents where limited time does not permit approval from higher authority through the normal request for DoD assistance processes. See Section 5 of this volume for detailed information about immediate response authority.

**3.4.** FEMA uses pre-scripted mission assignments (PSMAs) to facilitate writing mission assignments (MAs) to request DoD support. See Section 6 of this volume for information concerning PSMAs.

**3.5.** FEMA does not manage all disaster and emergency response activities. For example:

a. The Federal Bureau of Investigation is the lead for terrorism incidents. Presidential policy directives, Section 831 of Title 18, U.S.C., Section 282 of Title 10 U.S.C., and other applicable laws govern DoD domestic counter-terrorism operational response and countering weapons of mass destruction (WMD) support.

b. The Department of the Interior (DOI) and the United States Department of Agriculture (USDA) may be responsible for wildland fire management. See Section 7 of this volume for more information.

c. Incidents involving oil and hazardous substance spills may be managed by a federal on-scene coordinator (FOSC). See Section 8 of this volume for more information.

d. Nuclear and radiological incidents; animal and plant disease response; biological events requiring medical countermeasures (MCM) distribution; pandemic influenza and infectious



disease; and mass migrations also may have other lead federal departments or agencies. See Sections 9 – 13 of this volume for information on these types of disasters and emergencies.

**3.6.** In the event of a domestic civil disturbance, State and local law enforcement agencies are the primary response agencies. Governors may use National Guard forces in State active duty status or, if approved by DoD, Title 32, U.S.C., status to aid State and local law enforcement agencies. In extreme situations, the President may order federal military forces to engage in domestic civil disturbance operations. Section 14 of this volume describes the conditions for such DoD involvement. In extraordinary emergency circumstances, federal military commanders have authority to engage temporarily in necessary activities in order to quell a large-scale, unexpected, domestic civil disturbance in accordance with DoDD 3025.18. See Appendix 14A of this volume for information on emergency authority.

**3.7.** The National Response Framework and the National Incident Management System describe the roles and responsibilities of federal, State, territorial, tribal, and local governments during a response to a disaster or emergency. Joint Publication 3-28 describes DoD planning considerations for inter-organizational coordination during a response.

## **SECTION 4: NATURAL AND MAN-MADE DISASTERS AND EMERGENCIES**

### **4.1. GENERAL.**

**a. Local and State Responsibilities.** Primary responsibility for responding to disasters and emergencies (both natural and man-made) rests with State and local authorities. When a disaster threatens or occurs, local authorities take immediate steps to warn and evacuate citizens, protect life and property, and alleviate suffering. If additional help is needed, the Governor may direct execution of the State's emergency plan, use State law enforcement and public safety agencies, activate State National Guard forces, or commit other State resources as the situation demands. Governors may also request aid from other States through the Emergency Management Assistance Compact.

**b. Federal Support.** When the response or recovery requirements are beyond, or anticipated to be beyond, the capabilities of State and local governments, the Governor may request federal assistance. As the lead federal agency, FEMA submits MAs to federal departments and agencies to provide capabilities for the federal response. See Paragraph 4.4. of this volume for the DoD request for assistance process procedures and Figure 1 for an example of a FEMA MA.

Figure 1. Sample FEMA Mission Assignment

DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY MISSION ASSIGNMENT (MA)		See Reverse for Paperwork Burden Disclosure Notice	O.M.B. NO. 1660-0047 Expires March 31, 2014
<b>I. TRACKING INFORMATION (FEMA Use Only)</b>			
State MA (Massachusetts) Incident:2012102506-Region 1 10-27-2012 TS-Sandy		NEMIS Number 1509-157351	
Program Code/Event Number 7220SU-Pre-Declaration Disaster Surge Account		Date/Time Received 10/26/2012 14:22	
<b>II. ASSISTANCE REQUIRED</b> <input type="checkbox"/> See Attached			
Assistance Requested Provide Westover Air Base as a FEMA Incident Support Base (ISB) in support of disaster operations in response to Tropical Storm Sandy. All local, State, and non-DoD national assets are exhausted or do not have the capacity to meet this requirement.			
Delivery Location Various Locations, MA 01754	Internal Control Number	Date/Time Required 10/26/2012	
Initiator/Requestor Name [REDACTED]	24 Hour Phone Number [REDACTED]	Email Address [REDACTED]	Date 10/26/2012
Site POC Name [REDACTED]	24 Hour Phone Number [REDACTED]	Email Address [REDACTED]	Date 10/26/2012
* State Approving Official (Required for DFA and TA)			Date
<b>III. INITIAL FEDERAL COORDINATION (Operations Section)</b>			
Action to:	<input type="checkbox"/> ESF #: _____ <input checked="" type="checkbox"/> Other: _____	Date/Time 10/26/2012 14:05	Priority <input type="checkbox"/> 1. Lifesaving <input type="checkbox"/> 3. High <input checked="" type="checkbox"/> 2. Life sustaining <input checked="" type="checkbox"/> 4. Medium
<b>IV. DESCRIPTION (Assigned Agency Action Officer)</b> <input checked="" type="checkbox"/> See Attached			
<u>Statement of Work</u> As requested by and in coordination with FEMA and, the DoD will provide Westover Air Base as a FEMA Incident Support Base (ISB) to support forward distribution of supplies or equipment to affected area(s) in FEMA Region 1 or other locations as required.  Your agency must validate the unliquidated MA balance at least annually as stipulated by FEMA to maintain reimbursable authority. Accrual data must also be provided to FEMA no later than the third business day after fiscal quarter end close. Information can be submitted FEMA-Disaster-MA-ULO@DHS.gov			
Assigned Agency DOD (DEPARTMENT OF DEFENSE)	Projected Start Date 10/26/2012	Projected End Date 11/05/2012	
<input checked="" type="checkbox"/> New or <input type="checkbox"/> Amendment to MA #:	Total Cost Estimate \$50,000.00		
ESF/OFA Action Officer [REDACTED]	Phone No. [REDACTED]	Email	
<b>V. COORDINATION (FEMA Use Only)</b>			
Type of MA:	<input type="checkbox"/> Direct Federal Assistance State Cost Share (0%, 10%, 25%)	<input type="checkbox"/> Technical Assistance State Share (0%)	<input checked="" type="checkbox"/> Federal Operations Support State Share (0%)
State Cost Share Percent	0.0 %	State Cost Share Amount: \$ 0.00	
Fund Citation:	2013-06-7220SU-9014-XXXX-2501-D	Appropriation code: 70X0702	
Mission Assignment Manager (Preparer)	[REDACTED]	Date 10/26/2012	
** FEMA Project Manager/Branch Director (Program Approval)	[REDACTED]	Date 10/26/2012	
** Comptroller/Funds Control (Funds Review)	[REDACTED]	Date 10/26/2012	
<b>VI. APPROVAL</b>			
*State Approving Official (required for DFA and TA):			Date
**Federal Approving Official (required for all):			Date 10/26/2012
<b>VII. OBLIGATION (FEMA Use Only)</b>			
Mission Assignment Number MA-12102506-DOD-03	Amount This Action \$ 50,000.00	Date/Time Obligated 10/26/2012	
Amendment Number 00	Cumulative Amount \$ 50,000.00	Initials IFMIS	
* Signature required for Direct Federal Assistance and Technical Assistance MAs. ** Signature required for all MAs.			

FEMA Form 010-0-8, (3/2011) PREVIOUSLY FF 90-129  
Region 1, State MA, 7220SU, MA#1509-157351 (IFMIS Closed) as of 10/26/2012

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**c. PSMAs.** FEMA, in close coordination with the appropriate federal department or agency, develops PSMAs to expedite the development of formal MAs during disasters and emergencies. Although these PSMAs are designed to reduce the time it takes to staff a request, they do not pre-approve support. The ASD(HD&GS) is the lead for all new or revised PSMAs for DoD support, excluding those concerning support from the National Geospatial-Intelligence Agency (NGA), the Defense Logistics Agency (DLA), and the U.S. Army Corps of Engineers (USACE). See Section 6 of this volume for additional information on PSMAs.

**d. DoD Support.** DoD has various capabilities and capacity to provide a significant amount of support when requested by FEMA in accordance with the Stafford Act. In accordance with the standing DSCA Execute Order (EXORD), the Commander, U.S. Northern Command (CDRUSNORTHCOM) and Commander, U.S. Pacific Command (CDRUSPACOM) are supported Combatant Commanders (CCDRs). Other Combatant Commands, the Military Departments, and the Defense Agencies support CDRUSNORTHCOM and CDRUSPACOM in the DSCA response. Some DoD organizations have specific authorities to provide direct support of FEMA in coordination with the supported CCDRs. All DSCA requests for assistance are evaluated using the criteria in DoDD 3025.18.

(1) **USACE.** Under the National Response Framework, DoD, through the USACE, is the emergency support function (ESF) coordinator for ESF #3, Public Works and Engineering. The USACE coordinates ESF #3 activities throughout the preparedness, response, and recovery phases of incident management, and the USACE and other DoD entities may provide support following appropriate approval. The USACE may, in limited circumstances when other federal funding is available, accept reimbursable orders from State and local entities in accordance with Section 3036 of Title 10, U.S.C. See Appendix 11A of Volume 1 of this manual for additional information on the USACE.

(2) **DLA.** As prescribed in DoDD 5105.22, the Director, DLA, may enter into support and service agreements and performance-based agreements with other federal departments and agencies. See Appendix 11B of Volume 1 of this manual for additional information on DLA.

(3) **NGA.** NGA has various authorities, including statutes, executive orders, and DoD and Intelligence Community policy to support the geospatial intelligence requirements of the Department of State (DOS) and other federal departments and agencies, including FEMA. See Appendix 11C of Volume 1 of this manual for additional information on NGA.

(4) **Defense Threat Reduction Agency (DTRA).** DTRA provides support of other federal departments and agencies for incidents involving WMD, as prescribed in DoDD 5105.62. See Appendix 11D of Volume 1 of this manual for additional information on DTRA.

**e. Interagency Partner Guide.** The Office of the Assistant Secretary of Defense for Homeland Defense and Global Security (OASD(HD&GS)) maintains a DSCA Interagency Partner Guide. The purpose of this guide is to enable non-DoD entities to understand more fully the role of DSCA, how to request support, and under what conditions that support is appropriate. The latest version of the guide can be found at:  
<http://policy.defense.gov/OUSDPOffices/ASDforHomelandDefenseGlobalSecurity/HomelandDefenseIntegrationDSCA.aspx>.

**f. Complex Catastrophes.** Though disasters and emergencies can become complex catastrophes, none has yet met the requisite criteria to be called a complex catastrophe. During complex catastrophes, the Secretary of Defense (SecDef) and senior DoD officials may consider additional actions. See Appendix 4A of this volume for the SecDef decision matrix used during a complex catastrophe. To aid in planning for a complex catastrophe, Appendix 4B of this volume lists considerations DoD Components can use for developing plans based on FEMA ESFs. Appendix 4C of this volume discusses potential missions for DoD general purpose forces.

**4.2. KEY AUTHORITIES AND REFERENCES.** Table 1 lists key authorities and references for natural and man-made disasters and emergencies.

**Table 1. Key Authorities and References for Natural and Man-made Disasters and Emergencies**

<b>Key Authority/Reference</b>	<b>Description</b>
Stafford Act	Establishes the President’s ability to declare an emergency or major disaster, thereby permitting mobilization of federal assistance. FEMA reimburses DoD pursuant to this authority.
Section 1535 of Title 31, U.S.C., also known and referred to in this volume as “The Economy Act”	Provides authority for the provision of support and reimbursement from one federal department or agency to another for goods or services. This authority is rarely used when there is a Stafford Act declaration for major disasters and emergencies.
Part 206 of Title 44, Code of Federal Regulations (CFR)	FEMA regulations that implement the Stafford Act and provide that FEMA reimburses DoD for incremental costs.
Homeland Security Presidential Directive-5	Directs the Secretary of Homeland Security to develop and administer the National Incident Management System and the National Response Framework.
Presidential Policy Directive-8	Guidance that seeks to strengthen the security and resilience of the United States through systematic preparation for the threats that pose the greatest risk to U.S. security, including acts of terrorism, cyber-attacks, pandemics, and catastrophic natural disasters.
Executive Order 12656	Assigns national security emergency preparedness responsibilities to federal departments and agencies.
Executive Order 13618	Directs SecDef to oversee the development, testing, implementation, and sustainment of national security and emergency preparedness communications that are directly responsive to the national security needs of the President, Vice President, and senior national leadership.
National Response Framework	Presents the guiding principles that enable all response partners to prepare for and provide a unified national response to disasters and emergencies, from the smallest incident to the largest catastrophe.

**Table 1. Key Authorities and References for Natural and Man-made Disasters and Emergencies, Continued**

<b>Key Authority/Reference</b>	<b>Description</b>
DoDD 3025.18	Establishes DoD policy and assigns responsibilities for DSCA, including for incidents involving natural and man-made disasters; provides guidance for the execution of DSCA; authorizes immediate response authority.
DoDI 3001.02	Specifies accounting and reporting of DoD-affiliated personnel following a natural or man-made disaster.
DoDI 6055.17	Provides guidance for installation emergency management programs at DoD installations for “all hazards.”
Chapters 1, 3, and 4 of Volume 11A of DoD Financial Management Regulation 7000.14-R	Provides procedures for reimbursement for support provided pursuant to the Economy Act, including if used during major disasters and emergencies. Provides policy and procedures for establishing appropriate fees for authorized services that DoD organizations supply.
Chapter 23 of Volume 12 of DoD Financial Management Regulation 7000.14-R	Specifies incremental costs that are eligible for reimbursement, including for DoD support in response to major disasters and emergencies.
DSCA EXORD	Delegates limited approval authority to combatant commanders with DSCA responsibilities, normally CDRUSNORTHCOM or CDRUSPACOM, for routine and historical requests for assistance to provide a rapid and flexible DoD response to other federal departments and agencies for potential or actual disasters or emergencies within the United States and its territories, possessions, and protectorates.
Domestic Chemical, Biological, Radiological, Nuclear (CBRN) Response EXORD	Directs DoD to maintain and be prepared to provide a domestic CBRN response capability. Delegates limited approval authority to CDRUSNORTHCOM and CDRUSPACOM to provide a rapid and flexible federal response for domestic CBRN emergencies and disasters.
Joint Publication 3-28	Provides guidelines and principles for DSCA, including in response to incidents such as major disasters and emergencies.

**4.3. EXAMPLES OF POSSIBLE DOD SUPPORT.** DoD possesses capabilities and capacity to support another federal department or agency coordinating support to fulfill a State or local request for assistance. Examples of DoD support include:

- a. Defense coordinating officers (DCOs), Defense coordinating elements (DCEs), emergency preparedness liaison officers (EPLOs), planners, and liaison officers (LNOs).
- b. Incident support bases.

- c. Aerial assets for imagery and damage assessments.
- d. Rotary-wing aircraft for search and rescue (SAR).
- e. Transportation (ground and air).
- f. Communications.
- g. Temporary medical treatment facilities.
- h. Aero-medical patient movement and definitive care in National Disaster Medical System (NDMS) hospitals.
- i. Manpower and equipment.

**4.4. REQUEST FOR ASSISTANCE PROCEDURES.** DoD provides its disaster and emergency support of FEMA in response to approved FEMA MAs. Most FEMA MAs are generated at the FEMA regional offices or joint field offices based upon requests from State and local officials. Some FEMA MAs are generated at the national level and normally are employed when FEMA is attempting to pre-position capabilities in advance of State and local needs. As much as possible, PSMAs are used to develop FEMA MAs. See Section 6 of this volume for additional information on PSMAs.

**a. FEMA MAs From a Federal Coordinating Officer (FCO) (FEMA Regions or Joint Field Office (JFO)).**

- (1) The FCO presents a FEMA MA to the DCO.
- (2) The DCO validates the MA using criteria in DoDD 3025.18, including:
  - (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 DoD).
  - (f) Readiness (impact on DoD's ability to perform its other primary missions).
- (3) The CCDR (USNORTHCOM or USPACOM) may approve MAs within the CCDR's existing authorities (e.g., standing SecDef-approved EXORD).
- (4) If the CCDR does not have the authority to approve the MA, the CCDR forwards the MA to Joint Staff/Homeland Defense Division, DSCA Branch (J33). Joint Staff/J33 forwards

the request to OASD(HD&GS) and the DoD Executive Secretariat for staffing (OSD-level) and SecDef decision. The ASD(HD&GS) has been delegated the authority to approve requests for certain forms of assistance in accordance with DoDD 5111.13. The Joint Staff/J33 prepares an EXORD for SecDef approval, if appropriate. If approved, DoD provides support. For life-saving and time-sensitive MAs, the approval may be made verbally with confirmatory documents to follow.

**b. FEMA MAs From the FEMA Administrator (National Level).** There are occasions where the FEMA Administrator may request that federal partners provide capabilities without a FEMA region request.

(1) The FEMA Administrator may present a FEMA MA to the DoD liaison element at the National Response Coordination Center (NRCC).

(2) The DoD liaison element at the NRCC conducts the necessary coordination to ensure that the DCOs in the affected FEMA regions understand the purpose of the Administrator's MA. DoD may deploy the requested capability to a DoD installation and be prepared to employ when the affected FEMA region requests the capability.

(3) The DCO in the affected region processes employment of the FEMA MA, as described in Paragraph 4.4.a. of this volume.

(4) If the FEMA region JFO in which the requested capability will be employed is not activated, the DoD LNO element at the NRCC will forward the MA to the geographical CCDR (CDRUSNORTHCOM or CDRUSPACOM). The CCDR may approve MAs within the CCDR's existing authorities (normally pursuant to a standing SecDef-approved EXORD).

(5) If a CCDR does not have the authority to approve the MA, the CCDR forwards the MA to Joint Staff/J33 for staffing and SecDef decision. SecDef has delegated the authority to approve requests for certain forms of assistance, in accordance with DoDD 5111.13.

#### **4.5. FUNDING AND REIMBURSEMENT.**

a. Pursuant to the Stafford Act, the President may direct any federal department or agency, with or without reimbursement, to utilize its authorities and resources in support of FEMA for responding to disasters and emergencies. DSCA is provided on a cost-reimbursable basis, unless otherwise directed by the President or SecDef. DoD Components may be required to fund the costs of DSCA initially within existing resources, with the understanding that the requesting agencies may provide reimbursement.

b. FEMA provides DoD reimbursement pursuant to the provisions of the Stafford Act.

c. The Economy Act also provides authority and a reimbursement mechanism for federal departments and agencies to support one another.



Appendices

- 4A. SecDef Complex Catastrophe Decision Matrix
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## **APPENDIX 4A: SECDEF COMPLEX CATASTROPHE DECISION MATRIX**

**4A1.** The matrix at Table 2 describes decisions that may be required before or during a complex catastrophe and the effects and risks of those decisions. Decisions that SecDef has delegated to others or made through DoD issuances, EXORDs, or other authoritative guidance documents are not included. This matrix does not prescribe new policy, but rather provides senior DoD leaders and their staffs with a shared understanding of likely and known decision points.

**4A2.** The decision matrix is also a useful tool during other domestic incidents that do not rise to the level of complex catastrophe. SecDef may make various decisions as requirements and stresses on DoD change over time and the scope of the incident becomes more apparent.

**4A3.** The decision matrix is colored orange for geo-political considerations of an incident, yellow for legal authorities associated with employing DoD capabilities, blue for forces and command relationships, and green for funding considerations.

**Table 2. SecDef Complex Catastrophe Decision Matrix**

Category	Key Decisions	Considerations	Non-DoD Involvement	Risk to DoD	Required Actions
<b>1. Nature of Incident</b>	1(a) Identify incident as a “complex catastrophe”	<p>State government capabilities are overwhelmed and unable to respond to event effectively. This will eventually lead to a State request for federal assistance and a Presidential declaration of a major disaster or emergency.</p> <p>The affected area is experiencing critical life-sustaining infrastructure failures that could cause cascading failures of interconnected critical infrastructure or that are due to a cascading and unforeseen effect of a previous infrastructure failure.</p> <p>During any major disaster (as defined in the Stafford Act), after issuing either a major disaster or emergency declaration, the President may direct DoD to provide accelerated federal assistance and support in the absence of specific requests for assistance where necessary to save lives, prevent human suffering, or mitigate severe damage.</p> <p>There are an extraordinarily</p>	FEMA/DHS and other federal partners may request DoD assistance on an unprecedented scale and scope, including non-traditional response roles that may require exceptions to policy or waivers of restrictions, as appropriate.	<p>Overuse of the “complex catastrophe” designation may increase expectations for other disasters and dilute the meaning of the term and preparedness for a true complex catastrophe.</p> <p>Meeting the unprecedented resource demands of a complex catastrophe may require DoD to assume significant risk to other DoD missions and affect readiness across the Department.</p>	<p>Using the CJCS Emergency Action Plan process, convene a consultative assessment process among SecDef, CJCS, relevant CCDRs, and other senior DoD leadership.</p> <p>SecDef determines whether DoD should treat an incident as a complex catastrophe based upon the magnitude of the catastrophe.</p> <p>SecDef approves and orders the level of support to the response, including forces and exceptions to policy, as necessary.</p> <p>SecDef notifies the President of worldwide risk and readiness issues in order to provide the level of support required.</p>

**Table 2. SecDef Complex Catastrophe Decision Matrix, Continued**

Category	Key Decisions	Considerations	Non-DoD Involvement	Risk to DoD	Required Actions
		<p>high number of injuries, fatalities, and displaced persons across the affected area, which may span multiple States and FEMA regions.</p> <p>The magnitude of public and private infrastructure failure (e.g., power, water, transportation, DoD facilities, telecommunications) will severely affect public health and safety on a large scale and over an extended period of time.</p> <p>A deliberate SecDef decision clearly defines the anticipated scope of DoD’s involvement and the need to expedite the deployment and employment of responding DoD forces. Identifying the incident as a complex catastrophe does not necessarily authorize deployment or employment of federal forces. This decision is internal to DoD, and does not affect, nor is it reliant upon, decisions outside DoD (e.g., major disaster or emergency declaration).</p>			

**Table 2. SecDef Complex Catastrophe Decision Matrix, Continued**

Category	Key Decisions	Considerations	Non-DoD Involvement	Risk to DoD	Required Actions
<b>2. Legal Authorities</b>	2(a) Authorize Title 32, U.S.C., Section 502(f) status for the use of State-directed National Guard forces for DSCA	May be appropriate when State-directed National Guard units are the best sourcing solution to satisfy reimbursable requests for DoD assistance from federal departments or agencies.	Governors must agree to the use of their National Guard forces in Title 32 status, and will provide command and control and oversight via the Adjutant General for the duration of the mission.	FEMA, by regulation, does not reimburse DoD for Title 32 status costs unless agreed upon in advance, which could result in unfunded requirements later in the fiscal year.  Does not provide SecDef command and control of National Guard forces used as part of DoD support.	SecDef and the Governors concerned must approve.
	2(b) Order non-National Guard Reserve forces to active duty pursuant to Section 12304a of Title 10, U.S.C.	Section 515 of Public Law 110-181 (the National Defense Authorization Act for Fiscal Year 2008), requires that Reserve Component members who will be called or ordered to active duty for a period of more than 30 days in support of a contingency operation receive notice in advance of the mobilization date. In so far as is practicable, the notice must be provided not less than 30 days before the mobilization date, but with a goal of 90 days before the mobilization date.  SecDef may waive the advance-notice requirement, or authorize shorter notice than the minimum specified above, during a war or	Section 515 requires that SecDef submit a report to Congress explaining the rationale for the waiver.	Congress may see this waiver as excessive in use of Reserve personnel.	SecDef approves.  OSD notifies DoD stakeholders.  OSD submits a report to Congress.

**Table 2. SecDef Complex Catastrophe Decision Matrix, Continued**

Category	Key Decisions	Considerations	Non-DoD Involvement	Risk to DoD	Required Actions
		<p>national emergency declared by the President or Congress or to meet mission requirements. If the waiver or reduction is made on account of mission requirements, SecDef must submit to Congress a report detailing the reasons for the waiver or reduction and the mission requirements at issue.</p> <p>Activation for less than 30 days does not require a waiver.</p>			
<p><b>3. Forces and Command Relationships</b></p>	<p>3(a) Emergency transfer of specific available forces to CDRUSNORTHCOM or CDRUSPACOM, and authorization of the exercise of operational control (OPCON) by CDRUSNORTHCOM or CDRUSPACOM</p>	<p>In a major emergency, it may be necessary for SecDef to issue voice orders to transfer selected Title 10 status forces in the United States to CDRUSNORTHCOM or CDRUSPACOM, and authorize that Commander to exercise OPCON over such forces.</p> <p>CDRUSNORTHCOM or CDRUSPACOM may not assume OPCON of forces in the United States for a major emergency if such use would interfere with those forces scheduled for or actually engaged in the execution of specific operational missions</p>	<p>None required.</p>	<p>This may affect Military Department authorities and responsibilities as the force providers to determine the best sourcing solution.</p> <p>Assuming OPCON, rapidly establishing Command and Control, and integrating large numbers of units may create headquarters staffing problems for USNORTHCOM or USPACOM.</p> <p>Costs associated with the activities of forces not supporting a specific MA from the lead federal agency may not be reimbursed.</p>	<p>CDRUSNORTHCOM or CDRUSPACOM requests that SecDef transfer forces and authorize the exercise of OPCON of specific available DoD forces in the United States if such use would not interfere with those forces scheduled for or engaged in the execution of specific operational missions approved by the President or SecDef.</p> <p>SecDef, with advice from the CJCS and the Secretaries of the Military Departments, approves the emergency transfer of forces OPCON to CDRUSNORTHCOM or</p>

**Table 2. SecDef Complex Catastrophe Decision Matrix, Continued**

Category	Key Decisions	Considerations	Non-DoD Involvement	Risk to DoD	Required Actions
		<p>approved by the President or SecDef.</p> <p>Does not apply to National Guard personnel in State active duty or Title 32 status. These National Guard personnel will remain under the command and control of their respective Governors.</p>		<p>Large commitments of capabilities and forces may have a significant impact on other DoD missions, including existing commitments to other theaters and overseas contingency operations.</p> <p>Not adhering to established processes or a lack of understanding of how existing processes are being “streamlined” may result in inappropriate capabilities or forces being delivered and not achieving Presidential objectives.</p>	CDRUSPACOM through voice or written orders.
	3(b) Approve Dual-Status Commander (DSC)	<p>The President has delegated to SecDef his authority to approve either a Regular Army or Regular Air Force officer or an officer of the Army National Guard or the Air National Guard to serve simultaneously in both federal and State statuses.</p> <p>Title 10 and National Guard forces employed in the same State may need a single commander separately exercising federal and State authority to facilitate unity of effort.</p>	<p>States request the appointment of a trained National Guard officer as DSC.</p> <p>Governor must approve any DSC.</p>	DoD lacks official policy concerning the use of a DSC for multi-state disaster response.	<p>SecDef approves the appointment of the DSC.</p> <p>CCDRs must clearly define the Title 10 command and control and associated procedures.</p>

**Table 2. SecDef Complex Catastrophe Decision Matrix, Continued**

Category	Key Decisions	Considerations	Non-DoD Involvement	Risk to DoD	Required Actions
		The CDRUSNORTHCOM and CDRUSPACOM, in coordination with the CJCS and the Chief, National Guard Bureau, may concur in the State’s nomination of a trained National Guard officer, or may request the appointment of a trained Regular Army or Regular Air Force officer to serve as DSC.			
	3(c) Increase sourcing priority	Urgency of response requires that DoD source disaster response needs ahead of requirements for other missions.	None required.	Response to the incident may affect the allocation of forces for other missions.	The CJCS provides a recommendation, and SecDef approves.
	3(d) Increase transportation priority	Urgency of response requires that DoD transport resources for the incident before transporting resources for other missions.	None required.	Capabilities used to transport resources for the domestic incident may disrupt the flow of resources to other theaters.	The CJCS provides a recommendation on, and SecDef approves, any necessary changes to the movement priority of certain resources.
<b>4. Funding</b>	4(a) Accept non-reimbursable costs	FEMA will reimburse DoD from the Disaster Relief Fund (DRF) for incremental costs generally associated with supporting a FEMA MA, unless the President directs DoD to provide support without reimbursement pursuant to the Stafford Act.  Although DRF funding is not available for activities undertaken requiring a	None required.	Total costs will vary based on the situation and support provided.  Without reimbursement or a source of supplemental funding, DoD may have to reallocate funding internally.  Accepting non-reimbursable costs during a complex catastrophe could create	Varies based on the additional costs. Unless specific SecDef direction is provided, DoD Component heads decide whether to accept additional costs and risks.  DoD may utilize reprogramming and realignment authorities to cover costs, if needed and where available.



**Table 2. SecDef Complex Catastrophe Decision Matrix, Continued**

Category	Key Decisions	Considerations	Non-DoD Involvement	Risk to DoD	Required Actions
		<p>coordinated DoD response before declaration of the disaster or emergency, FEMA requests for DoD prepositioning of resources before declaration of the disaster or emergency are reimbursed to DoD from the DRF on the basis of actual costs.</p> <p>FEMA will reimburse DoD for costs such as travel, lodging, and operations and maintenance. However, FEMA, by regulation, does not reimburse DoD for the pay and allowance costs of Reserve Component personnel ordered to duty in a Title 10 status or National Guard personnel in Title 32 status, unless agreed upon in advance.</p> <p>The severity of conditions and competing requirements.</p>		<p>additional expectations during normal DSCA operations.</p> <p>Unless Congress appropriates supplemental funds or DoD decides to use other funding mechanisms, the Secretaries of the Military Departments can expect to bear any pay and allowance costs for those Reserve Component members serving under the authority of Section 12304a of Title 10, U.S.C., or Section 502(f) of Title 32, U.S.C.</p> <p>Without reimbursement or a source of supplemental funding, DoD may have to reallocate funding internally, which may have an impact on readiness, ongoing operations, and future operations or crises.</p>	<p>DoD may be authorized to request supplemental funding from Congress.</p> <p>Pre-coordination with FEMA is necessary for DoD to obtain reimbursement of pay and allowances of Reserve Component personnel ordered to duty to fulfill FEMA's MA.</p> <p>Request that FEMA reimburse DoD for the pay and allowances of the non-National Guard Reserve personnel called to active duty under Section 12304a of Title 10, U.S.C., for the sole purpose of providing disaster relief as temporary federal employees as permitted in Part 206.8(c)(2) of Title 44, CFR.</p>

## **APPENDIX 4B: DEFENSE SUPPORT REQUIREMENTS**

**4B1.** Under the National Response Framework, DoD is an ESF coordinator or support agency for the 14 ESFs that build, sustain, and deliver response capabilities.

**4B2.** Table 3 outlines the potential civil support requirements, organized by ESF, that could be requested of DoD when a complex catastrophe occurs. Each of the requirements listed will likely be compounded when the catastrophe persists for a prolonged period; when multiple conditions and cascading effects are present; or if any CBRN conditions are introduced. Table 3 helps form planning considerations in DoD complex catastrophe planning efforts.

**Table 3. Potential Civil Support Requirements for DoD During a Complex Catastrophe**

<b>ESF #/ Title</b>	<b>ESF Coordinator</b>	<b>Effects of a Complex Catastrophe</b>	<b>Potential Civil Support Requirements for DoD</b>
ESF #1/ Transportation	Department of Transportation	<p>Transportation infrastructure (mass transit, tunnels, bridges, roads, rail, maritime, pipeline, air) is degraded or rendered inoperable. Transportation systems may be shut down regionally or nationally for traffic management or to mitigate damage from further attacks. Mass transit may fail due to an inability to replenish fuel supplies. Access to fuel may be limited due to prolonged power failure and an inability to pump or acquire fuel for generators. Infrastructure failures will create difficulty in moving responders and supplies into the affected area, and moving evacuees and patients out. A large-scale population movement out of the affected area will create additional capabilities requirements as congestion builds and the need for evacuation and temporary shelter increases.</p> <p>Pipelines provide the majority of our national capability to move refined petroleum products and other critical resources between regions of the country. Disruption of major raw material pipelines from production fields to the refinery areas, and finished product lines from refineries to end users in the mid-continent and both coasts, would quickly result in severe shortages of required energy resources. There may not be sufficient capacity in truck, rail, or maritime assets to meet the demand in the event of major pipeline disruptions.</p>	<ul style="list-style-type: none"> <li>- Civil engineering assessment teams</li> <li>- Air traffic and airspace management teams</li> <li>- Air navigation services capabilities</li> <li>- Airfield reconstitution teams</li> <li>- Strategic transportation support</li> <li>- Ground transportation support</li> <li>- Maritime and riverine transportation</li> <li>- Expeditionary bridging or ferrying capabilities</li> <li>- Restoration of inland waterways, ports, and harbors, including dredging and debris removal</li> <li>- Assistance in restoring transportation infrastructure</li> <li>- Route clearance</li> <li>- Capabilities to move, store, and distribute fuels</li> <li>- Weather support</li> </ul>

**Table 3. Potential Civil Support Requirements for DoD During a Complex Catastrophe, Continued**

ESF #/ Title	ESF Coordinator	Effects of a Complex Catastrophe	Potential Civil Support Requirements for DoD
ESF #2/ Communications	DHS	<p>Communications (e.g., satellite, GPS, internet, television, radio) systems may be degraded or rendered inoperable. Mechanisms routinely used to identify, position, and source requirements may be inoperable. Situational awareness of DoD leaders may be impaired.</p> <p>Increased difficulty in providing follow-on instructions to affected populations, the degradation or loss of cellular and data networks, and the loss of the ability to charge mobile devices may complicate efforts to provide life-saving or life-sustaining support such as sheltering, evacuation, or distribution of food and water. These losses may also lower the morale of the affected population and exacerbate negative attitudes and perceptions towards civil authorities.</p>	<ul style="list-style-type: none"> <li>- Communications support to the JFO and associated field teams</li> <li>- Communications capabilities support to restore public safety and first responder networks</li> <li>- Capability to broadcast public messages and provide support for local, State, and federal emergency responders</li> <li>- Satellite communications capabilities, land mobile radios (very high frequency and ultra high frequency)</li> <li>- Very high frequency and ultra high frequency radio capabilities</li> </ul>
ESF #3/ Public Works and Engineering	DoD/USACE	<p>Public works may be damaged in the affected areas. Of chief concern will be hospitals and public services (e.g., water and wastewater systems; energy supplies, including electricity, petroleum, and natural gas; waterways, including ports, channels, dams, and navigation locks).</p>	<ul style="list-style-type: none"> <li>- The USACE is the ESF #3 Coordinator. The USACE coordinates ESF #3 activities throughout the preparedness, response, and recovery phases of incident management, and the USACE and other DoD</li> </ul>

**Table 3. Potential Civil Support Requirements for DoD During a Complex Catastrophe, Continued**

ESF #/ Title	ESF Coordinator	Effects of a Complex Catastrophe	Potential Civil Support Requirements for DoD
			entities may provide support following appropriate approval. - Pre-incident and post-incident assessments and triage of public works and infrastructure - Emergency contracting support for life-saving and life-sustaining services - Technical assistance - Engineering and construction expertise - Emergency route clearance - Debris removal and disposal - Infrastructure stabilization or demolition - Construction of temporary critical public facilities - Unwatering tunnels - Power restoration and generation
ESF #4/ Firefighting	USDA/Forest Service	Large-scale fires may overwhelm local and State capabilities. Access to water and fuel may affect firefighting operations.	- Provide personnel, equipment, and supplies

**Table 3. Potential Civil Support Requirements for DoD During a Complex Catastrophe, Continued**

ESF #/ Title	ESF Coordinator	Effects of a Complex Catastrophe	Potential Civil Support Requirements for DoD
		Potential complications include natural gas fires caused by ruptured pipelines.	<ul style="list-style-type: none"> <li>- Airborne firefighting services</li> </ul>
ESF #5/ Information and Planning	DHS/FEMA	State and local command, control, and coordination capabilities may be overwhelmed for large-scale events. Additional assistance will be requested by State and local authorities for specific and tailored capabilities from DHS/FEMA. Degraded communications will impair situational awareness and the ability to address changes in the operational environment as they arise.	<ul style="list-style-type: none"> <li>- Incident Support Base</li> <li>- Operations coordination and direction</li> <li>- Logistics management</li> <li>- Coordination personnel</li> <li>- Environmental and geospatial remote sensing data and information</li> <li>- Planning</li> <li>- Information and warning</li> <li>- Incident awareness and assessment</li> </ul>
ESF #6/ Mass Care, Emergency Assistance, Housing, and Human Services	DHS/FEMA	The affected population may become displaced while in search of shelter, sustenance, and safety. In areas where there is large-scale disruption or destruction of physical transportation infrastructure, there may be large pockets of people who cannot displace and are in need of mass care (e.g., sheltering). A high number of people in the general population displaced as a result of WMDs or pandemic disease may overwhelm civilian capabilities, especially if the loss of key infrastructure (power, public works and sanitation, supply chain) makes it difficult to provide mass care or emergency assistance or to maintain a sanitary environment. Areas adjacent to the affected areas will become overwhelmed with the displaced populace.	<ul style="list-style-type: none"> <li>- Construction, engineering, and project management for temporary housing and shelter</li> <li>- Inspect mass care shelters</li> <li>- Food and water storage and distribution</li> <li>- Mass embarkation site</li> <li>- Sheltering, feeding, and clothing</li> <li>- Infant care (e.g. baby formula)</li> </ul>

**Table 3. Potential Civil Support Requirements for DoD During a Complex Catastrophe, Continued**

ESF #/ Title	ESF Coordinator	Effects of a Complex Catastrophe	Potential Civil Support Requirements for DoD
		Displaced personnel may show up without appropriate clothing, baby formula, and diapers, and with pets.	<ul style="list-style-type: none"> <li>- Pet shelter and veterinarian support</li> </ul>
ESF #7/ Logistics Management and Resource Support	General Services Administration (GSA)	The supply chain will be disrupted. GSA and the logistics sections in the JFOs may become overwhelmed.	<ul style="list-style-type: none"> <li>- Emergency relief supplies, including subsistence, water, medical materials, administrative supplies, petroleum products, engineering and construction supplies</li> <li>- Incident support base or federal team staging area</li> <li>- Contracting services</li> <li>- Support fuel and commodity distribution points</li> <li>- Temporary housing on DoD installations</li> <li>- Grounds to house FEMA-procured temporary housing</li> <li>- Logistics planning support</li> <li>- Cots and blankets</li> <li>- Tarps or plastic sheeting</li> </ul>
ESF #8/ Public Health and Medical Services	Department of Health and Human	Medical services (e.g., hospitals, nursing homes, patient care) may be unable to be provided at fixed sites. Although many hospitals and other care facilities critical to disaster response efforts have backup diesel-powered generators, few are likely	<ul style="list-style-type: none"> <li>- Public health and medical services</li> <li>- Health surveillance</li> <li>- Patient evacuation</li> </ul>

**Table 3. Potential Civil Support Requirements for DoD During a Complex Catastrophe, Continued**

ESF #/ Title	ESF Coordinator	Effects of a Complex Catastrophe	Potential Civil Support Requirements for DoD
	Services (HHS)	to have sufficient fuel on hand to offset a power outage lasting weeks to months, and companies responsible for resupplying them could face a radical mismatch between supply and demand. For disasters with extensive physical effects, not only will disruption and destruction of physical supply lines have an impact, but structural damage to the buildings themselves may render care sites unusable, and create a rescue and extraction situation for patients and staff. Casualties may overwhelm civilian medical capabilities, especially if the loss of key infrastructure (e.g., power, public works and sanitation, supply chain) makes it difficult to administer care that requires a sanitary environment. Additionally, patient evacuation from islands is more difficult.	<ul style="list-style-type: none"> <li>- Evacuation of seriously ill or injured patients</li> <li>- Inpatient medical care (definitive care) through NDMS civilian hospitals</li> <li>- Preventive medicine and public health assistance</li> <li>- Safety, security, and distribution of MCM and vaccines</li> <li>- Food safety and security</li> <li>- Potable water support</li> <li>- Fatality management assistance (e.g., remains recovery, storage, transport, identification, mortuary affairs)</li> <li>- Mass vaccination or MCM distribution</li> <li>- Veterinary medical support</li> <li>- Behavioral health care</li> <li>- Vector control</li> <li>- Durable and consumable medical equipment</li> <li>- Casualty clearing and staging</li> <li>- Patient treatment</li> </ul>



**Table 3. Potential Civil Support Requirements for DoD During a Complex Catastrophe, Continued**

ESF #/ Title	ESF Coordinator	Effects of a Complex Catastrophe	Potential Civil Support Requirements for DoD
			<ul style="list-style-type: none"> <li>- Health surveillance and laboratory diagnostics</li> <li>- Medical equipment and supplies (including for patient quarantine)</li> </ul>
ESF #9/ SAR	DHS/U.S. Coast Guard (USCG)	<p>State and local SAR capabilities may be overwhelmed, and adjacent States will be unable or reluctant to provide SAR due to their own SAR requirements or their perceived future need. Significant DoD resources will be coordinated through the Joint Personnel Recovery Center/Personnel Recovery Coordination Center. Infrastructure loss in areas such as transportation (physical infrastructure, availability of land routes and landing sites), energy (fuel), supply chain (short-term maintenance requirements for high-operational tempo), power, communications, and oil and hazardous material (HAZMAT) or CBRN environments may affect provision of SAR. Significant numbers of general purpose forces may be required for large-scale urban SAR.</p>	<ul style="list-style-type: none"> <li>- Urban SAR teams</li> <li>- Waterborne, coastal, or maritime SAR</li> <li>- Inland and wilderness SAR</li> <li>- Aeronautical SAR</li> <li>- Satellite imagery or imagery-derived products and analysis</li> <li>- Structural engineers</li> <li>- Technical rescue and general purpose forces</li> </ul>
ESF #10/ Oil and Hazardous Materials Response	DHS/USCG	<p>The Environmental Protection Agency (EPA) may be overwhelmed by multiple chemical fires and spills, and access to contracted response capabilities may be limited. The EPA will seek DoD capabilities to detect, monitor, or mitigate the effects of chemical fires or spills. Cascading effects include significant population emergency evacuation. The interconnection between large-scale oil and HAZMAT failures and CBRN on other infrastructure and ESFs is important and will stress any contracting and mitigation support.</p>	<ul style="list-style-type: none"> <li>- Airborne assessment</li> <li>- CBRN detection, packaging, transportation, treatment, demolition, decontamination, and disposal</li> <li>- Ocean engineering technical support, including marine salvage and diving services</li> </ul>

**Table 3. Potential Civil Support Requirements for DoD During a Complex Catastrophe, Continued**

ESF #/ Title	ESF Coordinator	Effects of a Complex Catastrophe	Potential Civil Support Requirements for DoD
			<ul style="list-style-type: none"> <li>- Pollution abatement resources and equipment for land and water</li> </ul>
ESF #11/ Agriculture and Natural Resources	USDA	<p>Disruptions of public works and supply chains may lead to food and water insecurity. The affected population may move in search of sustenance. Even short-term disruptions could lead to civil unrest. Wide-scale disruption or destruction of agricultural infrastructure likely will have longer-lasting effects on the ability to produce and distribute food on a national scale. From a public safety perspective, the most immediate concern will be the impact on municipal water systems that depend on commercial electric power. With water sources less secure, food and water contamination could lead to water borne diseases. Longer-term, regional power failure could lead to failure of backup power supplies, resulting in food contamination.</p>	<ul style="list-style-type: none"> <li>- Storage facilities for dry, chilled, and frozen food</li> <li>- Transportation, handling equipment, and support personnel to move and distribute food</li> <li>- Assistance in the identification, control, and eradication of animal and zoonotic disease, or plant pest and disease</li> <li>- Laboratory and diagnostic support</li> <li>- Assistance with the safety and well-being of household pets and service animals</li> <li>- Removal and disposal of contaminated and non-contaminated debris, including animal carcasses</li> <li>- Emergency repair of water systems, including navigation, flood control,</li> </ul>

**Table 3. Potential Civil Support Requirements for DoD During a Complex Catastrophe, Continued**

ESF #/ Title	ESF Coordinator	Effects of a Complex Catastrophe	Potential Civil Support Requirements for DoD
			drinking water, and wastewater collection
ESF #12/ Energy	Department of Energy (DOE)	<p>The electrical power grid is perhaps the best recognized component of critical infrastructure. The interdependency between the electrical grid and other critical infrastructure is demonstrated. Risks to the electrical grid include excessive power demand, outdated equipment, improper maintenance, accidents, natural disasters (e.g., hurricanes, earthquakes, wildfires, geomagnetic storms), and disruptive or deliberate attacks on unsecure automated control systems.</p> <p>Most people have experienced the cascading (second and third order) effects of short-duration or localized electrical power failures (e.g., food spoilage, heating and cooling, cell phone failure). Longer-term or regional power failures have the potential to cause significant cascading effects on the United States.</p> <p>The vast majority of this infrastructure and the electric grid that supports its function reside in the civilian or private sector and outside DoD’s control. Disruption of the commercial electric power grid, triggering cascading, region-wide failures of critical infrastructure, may result in a complex catastrophe.</p> <p>The net effect of physical damage to high-voltage transformers, pipelines, refinery operations, and other hard-to-replace components could be lengthy power outages across numerous States, with the potential for rolling blackouts across the United States. The availability of key components for</p>	<ul style="list-style-type: none"> <li>- Spot power generation</li> <li>- Damage assessment and technical support for power generation and distribution</li> <li>- Fuel transportation, storage and distribution (gasoline, diesel, JP-5, propane)</li> </ul>

**Table 3. Potential Civil Support Requirements for DoD During a Complex Catastrophe, Continued**

ESF #/ Title	ESF Coordinator	Effects of a Complex Catastrophe	Potential Civil Support Requirements for DoD
		<p>power generation and transmission may be limited, resulting in protracted interruption of fuel supplies for electricity-generating plants. These risks are magnified by the highly interconnected nature of information and infrastructure systems.</p> <p>As the largest consumer of energy in the United States, DoD is dependent on commercial electricity sources outside its ownership and control for secure, uninterrupted power to support critical missions. Approximately 99 percent of the electricity consumed by DoD facilities originates offsite, while approximately 85 percent of critical electricity infrastructure itself is commercially owned.</p> <p>Second-order effects resulting from loss of the electric grid include loss of critical infrastructure such as communications, water, transportation, and medical services. The degradation or failure of these services will further expose the affected population to third- and fourth-order effects, many of which will be further complicated by weather.</p>	
ESF #13/ Public Safety and Security	Department of Justice (DOJ)	Governance and the rule of law can break down if conditions deteriorate for reasons that may or may not be related to the failure of infrastructure, and the level of failure may not be the main contributor. The capabilities of State and local law enforcement may require augmentation, depending upon the severity of breakdown. Security of certain sites and commodities may need to be maintained or restored at domestic key terrain, such as food stockpiles and financial deposit locations.	<ul style="list-style-type: none"> <li>- Security assessment</li> <li>- General law enforcement assistance</li> <li>- Critical infrastructure security</li> <li>- Security escorts</li> <li>- Access control</li> <li>- Site security</li> <li>- Wellness checks</li> </ul>

**Table 3. Potential Civil Support Requirements for DoD During a Complex Catastrophe, Continued**

ESF #/ Title	ESF Coordinator	Effects of a Complex Catastrophe	Potential Civil Support Requirements for DoD
		<p>Unless specifically authorized by statute and directed by the President, no DoD personnel will become involved in direct civilian law enforcement activities, including, but not limited to, search, seizure, arrest, apprehension, stop and frisk, surveillance, pursuit, interrogation, investigation, and evidence collection.</p>	<ul style="list-style-type: none"> <li>- Explosive ordnance disposal</li> </ul>
<p>ESF #14/ N/A</p> <p>Superseded by the National Disaster Recovery Framework</p>	<p>DHS/FEMA</p>	<p>Although DoD may be called upon during the response phase of a catastrophe, it will be difficult to withdraw DoD support before civil authorities have reconstituted their capabilities. DoD's goal will be to stabilize the incident and return to normalcy as soon as possible, in line with the restoration of the capabilities of civil authorities. USACE will continue to maintain its ESF #3 responsibilities throughout the recovery phase.</p>	<ul style="list-style-type: none"> <li>- Post-disaster planning and technical assistance for local, State, and federal agencies</li> <li>- Transition (withdrawal of DoD support) planning with civilian authorities</li> </ul>
<p>ESF #15/ External Affairs</p>	<p>DHS</p>	<p>DHS will be challenged to ensure the coordination, timeliness, and accessibility of accurate information provided to the public, media, and private sector, and could look to DoD to provide assistance.</p>	<ul style="list-style-type: none"> <li>- Dissemination of pre-scripted messages and synchronized regional public messaging</li> <li>- Contingency radio communications support</li> <li>- Combat Camera</li> <li>- Common operating picture</li> </ul>

## **APPENDIX 4C: POTENTIAL GENERAL PURPOSE FORCE CONTRIBUTIONS DURING A COMPLEX CATASTROPHE**

**4C1.** As part of its responsibility for national preparedness efforts, DoD conducts specific planning in accordance with Presidential Policy Directive-8. Presidential Policy Directive-8 establishes the National Preparedness Goal and a National Preparedness System of interagency frameworks (including the National Response Framework) and plans to prevent, protect against, respond to, recover from, and mitigate the effects of those threats that pose the greatest risk to the United States. The National Preparedness Goal identifies cross-cutting and core capabilities within five mission areas that are necessary to achieve national preparedness: Prevention; Protection; Mitigation; Response; and Recovery.

**4C2.** DHS established 15 core capabilities for response mission area in the National Preparedness Goal. These core capabilities serve as a guide for the activities that generally must be accomplished in incident response, regardless of which levels of government are involved. Core capabilities are distinct from, but complementary to, FEMA's ESF construct, with the ESFs acting as the mechanism through which core capabilities are accomplished. See the National Response Framework for additional information concerning the relationships between the mission area, core capabilities, and ESFs.

**4C3.** In complex catastrophes, the demand on DoD for DSCA will be unprecedented. General-purpose forces (GPF) could help meet the requirements from FEMA. Although GPF may lack the technical expertise of specialized units, they can provide significant, less technical support to subject matter experts. Even core capabilities requiring substantial technical expertise (e.g., Public Health, Healthcare, and Emergency Medical Services and Environmental Response/Health and Safety) could benefit from GPF's additional support during a complex catastrophe. Understanding GPF's role in achieving the response core capabilities will improve DoD's ability to plan for and respond to federal requests for assistance.

**4C4.** The following paragraphs identify examples of potential DoD GPF's support to the response mission area core capabilities (as described in the National Preparedness Goal) during a complex catastrophe:

### **a. Planning.**

(1) Because the operational demands of an incident are often more than can be handled by a single entity, planning must be integrated across all levels of government and between departments and agencies to ensure effective delivery of core capabilities.

(2) Consistent with Presidential Policy Directive-8, federal pre-incident planning begins with the Response Federal Interagency Operational Plan (FIOP), which describes how federal departments and agencies support response efforts, outlines objectives and critical tasks, provides specific provisions for the integration of resources, and provides a basis for regional,

State, and local plans. FEMA regional planners will develop plans that describe how to integrate the federal capabilities described in the Response FIOP into a regional response. Interagency planning also occurs through the ESF structures, in order to describe how each ESF is able to support the delivery of core capabilities.

(3) During an incident, the Response FIOP, regional plans, and departmental plans form the foundation for response activities. Implementation of these plans will vary based on available information regarding the incident. As the incident progresses, response planners are expected to coordinate with recovery planners to facilitate a seamless transition between mission areas. After response activities are complete, “hot washes” and after-action reports are the primary mechanisms for discussing observations and lessons. Observations and lessons learned are captured in the Joint Lessons Learned Information System for validation and resolution.

(4) In support of FEMA, DoD can integrate planning efforts with other federal departments and agencies, FEMA region planners, and State and local governments. DoD could support federal partners for planning efforts during all phases of an incident. DoD may also be asked to help with other functional, strategic, or operational planning, as necessary.

#### **b. Public Information and Warning.**

(1) Pre-incident messaging should focus on informing the public of preparedness information and activities, such as what should be done before, during, and following an incident. Public information and warnings will be disseminated through a wide variety of mechanisms and formats, and may require the reestablishment of communications infrastructure. Pre-scripting information releases in multiple languages and populations will speed the delivery of essential information when needed.

(2) DoD could support requests for public affairs assistance. If asked to provide this support, DoD should always coordinate messaging with the primary federal agency to ensure that DoD messaging is consistent with the overall federal message. GPF with technical expertise and information on certain issues, such as public health or CBRN incidents, and with public affairs backgrounds may be useful in public messaging and providing public affairs guidance to DoD personnel in the area of operations.

#### **c. Operational Coordination.**

(1) The Operational Coordination core capability requires the establishment of command, control, and coordination structures that are consistent with the National Incident Management System, as well as the timely mobilization of resources. The primary federal agency will focus on establishing shared situational awareness to facilitate the coordination, prioritization, and deconfliction of response operations by the federal, State, and local governments, non-governmental organizations (NGOs), and the private sector.

(2) Federal efforts will be heavily dependent upon headquarters structures and coordination and liaison personnel. DoD command centers, such as the National Joint Operations and Intelligence Center (NJOIC), should be prepared to integrate their processes with those of the supported federal department or agency, as required. Federal partners also may

request significant support from DoD coordination and liaison personnel. Although DoD does maintain a cadre of coordination and liaison personnel for domestic response, the scope and scale of a complex catastrophe could increase the demand and require a surge of coordination and liaison personnel from GPF. DoD personnel (military and civilian) or DoD contractor personnel with knowledge of DoD Component responsibilities and capabilities will be essential in identifying DoD resources that might support requirements.

#### **d. Critical Transportation.**

(1) DoD may be asked to make major resource commitments to Critical Transportation missions during a complex catastrophe. Basic assessments of transportation infrastructure will be necessary immediately to identify needs across the affected area. The primary federal agency may issue MAs specifically for this task, or may ask that responders identify these needs as they conduct other missions. GPF could provide basic assessment information to higher headquarters to support this core capability.

(2) DoD also may assist in reconstituting or bypassing transportation routes. In a disaster that creates significant physical damage, there will be a need for route clearance and debris removal. When the infrastructure is too damaged for rapid reconstitution, DoD GPF could be used to bypass the damaged portions of the infrastructure. For example, aviation or maritime assets could be used to deliver goods or personnel across damaged bridges or over debris-clogged roadways.

(3) Although requests for transportation assets are common in normal DSCA operations, the demand will be greater for a complex catastrophe. DoD may be asked for large amounts of land, maritime, and air transportation assets for both the evacuation of personnel from and the delivery of resources and personnel to an incident. GPF transportation units are well suited to support most federal transportation requirements.

#### **e. Environmental Response/Health and Safety.**

(1) During any incident, responders and the public may face a wide range of hazards, including heat stress, hypothermia, electrical hazards, fall hazards, and toxic industrial chemicals and materials, including chemical, biological, and radiological hazards. Federal partners may request support in conducting health and safety hazard assessments and wellness checks of the public in their homes, performing cleanup, and disseminating guidance and resources to support environmental health and safety actions for response personnel and the affected population.

(2) Some GPF may require additional “just-in-time” training because of the technical nature of assessing and mitigating certain hazards. However, GPF may be able to support the dissemination of hazard information, transportation to bypass hazardous areas, cleanup of general hazards (e.g., uncontaminated debris), and other basic tasks without additional training.

#### **f. Fatality Management Services.**

(1) The timely, safe, and respectful disposition of the deceased is essential to an effective national response. Recovering, identifying, and determining the cause of fatalities is a lengthy



process that is often complicated by the desires of families and the needs of investigative agencies. A complex catastrophe with the potential for thousands of fatalities could prove exceptionally challenging.

(2) DoD participation in fatality management is typically limited, though expectations and demands during a complex catastrophe may force DoD to play a larger role. Since there will be a need for skilled and non-skilled DoD forces, the civilian sector may need to provide “just-in-time” training in the recovery of human remains. DoD personnel must act in concert with civilian medical examiners or coroner personnel when performing certain tasks, and DoD personnel must obtain appropriate authorization to perform certain fatality management tasks.

(3) A mass fatality incident could generate significant demand for temporary storage, human remains pouches, and possibly even the decontamination of remains. GPF may be able to provide simple support, such as providing transportation, generators, and fuel to power temporary morgues, refrigeration trucks for the temporary storage of human remains, and human remains pouches.

#### **g. Infrastructure Systems.**

(1) Restoring critical infrastructure following an incident is essential to the transition from response to recovery. Federal partners will work to decrease the threats associated with infrastructure failure while stabilizing and restoring infrastructure systems.

(2) Although the reconstitution of infrastructure systems may require technical expertise, GPF could provide other types of support. Specifically, GPF can assist with the identification of damaged infrastructure facilities and the transportation of repair equipment, personnel, and other resources. When appropriate, GPF also may be able to assist with debris clearance in and around infrastructure facilities to expedite access during emergencies.

#### **h. Mass Care Services.**

(1) During a complex catastrophe, requirements for Mass Care Services may be substantial and likely will last much longer than the immediate, life-saving response.

(2) Federal partners may request DoD help with a variety of mass care tasks. GPF could support mass care efforts by transporting response personnel, survivors, and commodities, such as food and water. Additionally, GPF may work in support of the American Red Cross, FEMA, and HHS in their efforts to support family reunification and other needs related to unaccompanied minors.

#### **i. Mass SAR Operations.**

(1) The Federal Government will leverage personnel, services, animals, and other SAR assets to save the greatest number of endangered lives possible.

(2) Federal partners could request significant support from DoD for SAR operations during a complex catastrophe. Although some types of SAR support (e.g., SAR in collapsed buildings or CBRN environments) require specialized training, GPF may be able to provide

significant support of SAR operations. Specifically, GPF may play a large role in transporting SAR equipment and personnel into an area and transporting survivors out of an area. GPF also could support SAR operations by locating survivors and requesting medical support or extraction, as necessary. Finally, GPF could support the coordination of federal, State, local, private, and NGO SAR support.

**j. On-scene Security, Protection, and Law Enforcement.**

(1) Policing and security are the responsibility of State and local law enforcement entities and the National Guard under State control. In the aftermath of particularly complex catastrophic incidents, it may be necessary to provide federal military personnel. The President may direct DoD forces to restore order pursuant to Sections 251-255 of Title 10, U.S.C., also known and referred to in this volume as “The Insurrection Act,” which is a statutory exception to Section 1385 of Title 18, U.S.C., also known and referred to in this volume as “The Posse Comitatus Act.”

(2) In only extreme circumstances, the primary federal agency might request DoD support for security and other law enforcement-related activities. Only the President or the SecDef may approve such support, when authorized by law. On-scene Security and Protection activities for which federal departments or agencies might request GPF support could include the transportation of law enforcement personnel and equipment, area security, and force protection.

**k. Operational Communications.**

(1) Federal response efforts focus on improving the affected communities’ ability to communicate and ensuring that responders at all levels have reliable communications equipment. As the response develops, federal efforts will shift to the reestablishment of communications infrastructure in the affected areas.

(2) GPF could support federal partners through the transportation of communications gear. Additionally, GPF with organic communications equipment could augment responders to facilitate their communications needs. FEMA also may ask DoD to establish communications facilities for responders and the affected population, and GPF may be able to provide this support.

**l. Public Health, Healthcare, and Emergency Medical Services.** Federal efforts may focus heavily on the delivery of additional health professionals, medical equipment, and medical supplies to the affected area. GPF may be able to provide basic care, including resuscitation and first aid, to survivors. Other GPF may support this core capability by transporting response resources and personnel to the affected area and evacuating ambulatory injured or ill survivors who do not require medical oversight or management. Federal partners may ask DoD GPF to support civilian medical facilities with non-medical tasks (e.g., administration, logistics) and help with the establishment and equipping of medical treatment facilities. GPF also could communicate public health and medical information to the affected population.

**m. Situational Awareness.** DoD may be heavily involved in developing situational awareness and producing situational assessments. GPF could support this core capability by

collecting information on federal priorities (e.g., status of roads, location of survivors, extent of damage) and transmitting it to a higher headquarters for analysis and dissemination. GPF also could assist with the headquarters-level analysis and dissemination of information.

## **SECTION 5: IMMEDIATE RESPONSE AUTHORITY**

**5.1. GENERAL.** There are two specific authorizations provided to DoD officials in DoDD 3025.18: immediate response authority and emergency authority. The procedures for the provisions of emergency authority and their comparison with immediate response authority are found in Appendix 14A of this volume.

a. DoDD 3025.18 prescribes policy regarding responding to the request of a civil authority pursuant to immediate response authority, which may be used to save lives, prevent human suffering, or mitigate great property damage. Immediate response authority does not permit actions that would subject civilians to the use of military power that is regulatory, prescriptive, proscriptive, or compulsory.

b. Support provided under immediate response authority should be provided on a cost-reimbursable basis, where appropriate or legally required, but will not be delayed or denied based on the inability or unwillingness of the requester to make a commitment to reimburse DoD.

c. States use different authorities for State immediate response activities using State National Guard forces. DoDD 3025.18 recognizes the authority of State officials to direct a State immediate response using National Guard personnel under State command and control (including personnel in a Title 32 status), in accordance with State law. However, National Guard personnel will not be placed in or extended in Title 32 status to conduct State immediate response activities.

d. Immediate response authority may be used whether the incident is a small, local emergency or a complex catastrophe.

e. DoDD 3025.18 does not specify limitations on the maximum allowable distance from the installation or facility where DoD immediate response activities may take place. This allows DoD officials to exercise judgment based on the information and resources at hand.

f. The DoD official directing a response under immediate response authority must immediately notify the NJOIC, through the chain of command, of the details of the response.

g. An immediate response must end when the necessity giving rise to the response is no longer present (e.g., when there are sufficient resources available from State, local, and other federal agencies to respond adequately and that agency or department has initiated response activities) or when the initiating DoD official or a higher authority directs an end to the response.

**5.2. KEY AUTHORITIES AND REFERENCES.** Table 4 lists the key authorities and references for immediate response authority.

**Table 4. Key Authorities and References for Immediate Response Authority**

<b>Key Authority/Reference</b>	<b>Description</b>
Economy Act	Provides authority for the provision of support and reimbursement for goods or services from one federal department or agency to another, including immediate response activities.
Section 3302 of Title 31, U.S.C.	Requires user fee collections to be credited to the general fund of the Treasury as miscellaneous receipts.
Section 9701 of Title 31, U.S.C.	Requires reimbursement for user fees and charges for government services and things of value.
DoDD 3025.18	Establishes DoD policy and assigns responsibilities for DSCA. Provides immediate response authority to federal military commanders, DoD Component heads, and responsible DoD civilian officials.
Chapters 1, 3, and 4 of Volume 11A of DoD Financial Management Regulation 7000.14-R	Provides procedures for reimbursement for support provided pursuant to the Economy Act. Provides policy and procedures for establishing appropriate fees for authorized services that DoD organizations supply and can be used for immediate response activities.
Deputy Secretary of Defense Memorandum, “Utilization of Immediate Response Authority for Defense Support of Civil Authorities in Complex Catastrophes”	Provides additional guidance on the use of immediate response authority during a complex catastrophe.
Joint Publication 3-28	Provides guidance and principles for DSCA, including immediate response authority.
DSCA EXORD	Provides direction and guidance for conducting and reporting immediate response authority activities.

**5.3. EXAMPLES OF POSSIBLE DOD SUPPORT USING IMMEDIATE RESPONSE AUTHORITY.** Some examples of possible DoD support using immediate response authority include:

- a. Rescue, evacuation, and emergency medical treatment of casualties, maintenance or restoration of emergency medical capabilities, and safeguarding the public health.
- b. Emergency restoration of essential public services (including firefighting, water, communications, transportation, power, and fuel).
- c. Emergency clearance of debris, rubble, and explosive ordnance from public facilities and other areas to permit rescue or movement of people and restoration of essential services.

- d. Monitoring and decontaminating radiological and chemical effects, and controlling contaminated areas.
- e. Management of biological effects and reporting through national warning and hazard control systems.
- f. Roadway movement planning.
- g. Collecting, and distributing water, food, essential supplies, and materiel on the basis of critical priorities.
- i. Damage assessment.
- j. Interim emergency communications.
- k. MCM distribution support.
- l. Explosive ordnance disposal.

(1) DoD explosive ordnance disposal personnel may provide immediate response for explosive ordnance disposal support of civil authorities, when requested, in accordance with DoDD 3025.18 and DoDI 3025.21, and may provide disposition of military munitions in accordance with Parts 260-270 of Title 40, CFR.

(2) Domestic explosive ordnance disposal support of civilian law enforcement agencies is provided in accordance with DoDI 3025.21.

#### **5.4. DOD SUPPORT NOT COVERED BY IMMEDIATE RESPONSE AUTHORITY.**

a. Immediate response authority does not authorize DoD officials to provide support without a request from a civil authority.

b. Some other examples of DoD support that are **not** covered by immediate response authority include:

(1) Support provided in accordance with existing memorandums of agreement (MOAs) or mutual aid agreements (MAAs) (e.g., local firefighting, ambulance response). See Section 4 of Volume 1 of this manual for additional information concerning interagency support agreements and MAAs.

(2) Support provided in accordance with a FEMA MA.

(3) Support of civilian law enforcement activities.

## **5.5. REQUEST FOR ASSISTANCE IN ACCORDANCE WITH IMMEDIATE RESPONSE AUTHORITY PROCEDURES.**

a. A civil authority must make an oral or written request before a military commander or responsible DoD civilian official may use immediate response authority. Civil authorities will be informed that oral requests for assistance in an emergency must be followed by a written request that includes an offer to reimburse DoD at the earliest available opportunity.

b. Evaluate the request based on the following criteria:

(1) Action is needed to save lives, prevent human suffering, or mitigate great property damage.

(2) The time to act does not permit obtaining higher headquarters approval, in accordance with DoDD 3025.18.

(3) Military actions do not involve the use of lethal force or subject civilians to the use of military power that is regulatory, prescriptive, proscriptive, or compulsory.

(4) Actions must not subject DoD personnel to undue risk.

(5) Commitment by the requester to reimburse DoD is not a factor. Although immediate assistance will be given with the understanding that costs will be reimbursed, assistance should not be delayed or denied when the requestor is unable or unwilling to make a commitment to reimburse.

(6) Ability, if known, of non-defense entities to respond to the urgency of the request.

(7) Responding should not jeopardize DoD missions.

c. A complex catastrophe may present multiple, simultaneous needs for and significant challenges to the effective use of immediate response authority.

(1) The multiple, simultaneous needs for response may occur on and off installations, complicating commanders' and responsible DoD officials' capacity to meet their own requirements while striving to render effective immediate response to local civilian authorities.

(2) Before responding to a civilian authority's request for assistance, DoD officials should prioritize resources first to DoD requirements and then to the requirements of civilian authorities, unless otherwise directed by a higher authority.

(3) DoD officials, before directing personnel and resources to respond outside the locality of the installation, should consider challenges such as sustainment, transportation, communications, mission impact, increased cost, and risk.

(4) The period of uncertainty and information deprivation immediately following a complex catastrophe highlights the importance of prompt and concise notification to all DoD

organizations' higher headquarters, as conditions permit, to aid in the building and maintenance of situational awareness across DoD and the United States.

(5) A request for immediate response in a complex catastrophe may require capabilities from multiple DoD organizations on an installation and coordination with local counterparts in nearby communities. In the event of a complex catastrophe, the actual request for immediate response from the civil authority should be directed to the appropriate DoD official on the installation, and further disseminated as needed.

d. All support provided in accordance with immediate response authority must be reported through the chain of command to the NJOIC. Initial reports should be made as soon as practical.

(1) Reports should include:

(a) Civil authority requesting support and the time of the request.

(b) Type of support requested.

(c) Description of incident.

(d) Number, by type, of DoD assets and personnel (Active, Reserve, National Guard, DoD civilian) to be provided or installation support provided.

(e) Whether contractor personnel are supporting, as permitted by applicable contract.

(f) Duration of support (DoD official's assessment).

(g) Costs associated with force deployments and requester commitment to reimburse DoD, if applicable.

(2) At a minimum, the NJOIC informs the following:

(a) ASD(HD&GS).

(b) Assistant to the Secretary of Defense for Public Affairs.

(c) Joint Staff/J33.

(d) Geographic CDR.

(e) National Guard Bureau.

e. End immediate response authority activities as soon as:

(1) The criteria to provide immediate response are no longer met (e.g., saving lives, protecting property, mitigating suffering under imminently serious conditions);



(2) The necessity giving rise to the response is no longer present (e.g., when there are sufficient resources available from State, local, and other federal departments and agencies to respond adequately and that agency or department has initiated response activities); or

(3) The initiating DoD official or a higher authority directs an end to the response.

f. DoD officials directing immediate response should regularly reassess the necessity for DoD support and, if immediate response activities have not yet ended, not later than 72 hours after receiving the request. This does not mean that immediate response is limited to a 72-hour duration, nor does it mean that immediate response may continue for up to 72 hours if one of the requirements for ending response activities, listed in Paragraph 5.5.e. of this volume, is present.

g. To enhance preparedness for the use of immediate response authority for a complex catastrophe, the following guidance should be incorporated into appropriate planning efforts.

(1) The Secretaries of the Military Departments and the relevant geographic CCDRs, in coordination with each other and within their respective authorities and responsibilities, should direct relevant DoD officials under their supervision, direction, and control to take appropriate actions to share information on civil support capabilities with civil authorities at the State, local, tribal, and territorial levels, before need, to facilitate requests for assistance under immediate response authority when a need arises. This capability information should not list specific units or assets.

(2) DoD officials with responsibilities for the Installation Emergency Management program, as outlined in DoDI 6055.17 and DoDI 6200.03, should focus on responding to emergencies on the installation and supporting their local communities under mutual aid and assistance. DoD officials associated with these programs can enhance preparedness efforts through participation in ongoing advance planning for such incidents and by brokering appropriate introductions in advance of need.

## **5.6. FUNDING AND REIMBURSEMENT.**

a. DoD units providing the immediate response use existing funding and resources.

b. DoD units must request reimbursement from the civil authority to whom assistance was provided, unless reimbursement is not required (e.g., EOD support involving military munitions, discarded military munitions, and unexploded ordnance that have DoD origins or appear to have DoD origins).

c. Reimbursements from non-federal civil authorities are made to the U.S. Treasury in accordance with Sections 3302 and 9701 of Title 31, U.S.C.

d. Reimbursements from federal civil authorities are made to the DoD organization providing support in accordance with the Economy Act.

## SECTION 6: PSMAS

### 6.1. GENERAL.

a. FEMA is required, by Section 753 of Title 6, U.S.C., to develop PSMAs, in coordination with federal departments and agencies with responsibilities under the National Response Framework, including in the areas of logistics, communications, mass care, health services, and public safety.

b. PSMAs must include information coordinated between FEMA and the supporting department or agency before an incident. The intent is to facilitate a faster response and standardize MAS.

c. PSMA development begins with the identification of a capability gap by the ESF coordinator and other federal departments and agencies. Defense Agencies will staff the PSMA within their organizations (e.g., DLA, NGA, or USACE) for approval. The ASD(HD&GS) is the approving authority for all other DoD PSMAs.

d. PSMAs should include the following:

(1) **Assistance Requested.** The capability needed and the incident location.

(2) **Statement of Work.** Includes a description of the support required, including a list of resources to be deployed. This statement should identify specific tasks but allow the assigned agency flexibility to accomplish the tasks.

(3) **Total Cost Estimate.** The estimate must include an explanation of the individual costs information associated with the request (e.g., personnel, equipment, travel) that contributes to the total cost estimate.

(4) **Supporting Notes.** This is used by DoD to provide the supported federal department or agency with planning guidance, such as estimated timelines for capabilities to be employed.

(5) **Estimated Time Available.** The time, in hours or days, FEMA expects to receive the requested resources at the desired location. For example, DoD resources on a “prepare-to-deploy order” timeline of 24 hours could be expected to arrive at the identified location within 48 or 96 hours. This provides the baseline planning factor for the requested resources, once approved.

**6.2. KEY AUTHORITIES AND REFERENCES.** Table 5 lists key authorities and references for PSMAs.

**Table 5. Key Authorities and References for PSMAs**

<b>Key Authority/Reference</b>	<b>Description</b>
Section 753 of Title 6, U.S.C.	Establishes requirements for PSMAs.

**Table 5. Key Authorities and References for PSMA's, Continued**

<b>Key Authority/Reference</b>	<b>Description</b>
National Response Framework	Presents the guiding principles that enable all response partners to prepare for and provide a unified national response to disasters and emergencies – from the smallest incident to the largest catastrophe. The Federal Government and many State governments use PSMA's to assist in planning and reduce the time it takes to deploy response resources.

**6.3. PROCEDURES FOR DEVELOPING OR UPDATING PRE-SCRIPTED MAS.**

- a. NGA, DLA, and USACE, under existing SecDef and statutory authorities, coordinate and approve FEMA PSMA's within their respective agencies.
- b. The ASD(HD&GS), NGA, DLA, or USACE, at the request of ESF coordinators, coordinates with the appropriate DoD Component or Defense Agency to develop new PSMA's or update the existing PSMA's. Figure 2 is a sample PSMA.
- c. The ASD(HD&GS) coordinates with Joint Staff/J33 to staff draft PSMA's with all key stakeholders. This ensures that identified resources have been adequately reviewed and that reasonable expectations or limiting factors are considered for planning and execution.
- d. The ASD(HD&GS) is the final approving authority for all DoD PSMA's except those related to support by NGA, DLA, and USACE. Following formal PSMA coordination, the ASD(HD&GS) sends the new or updated PSMA's to FEMA for FEMA internal coordination and inclusion into FEMA's master PSMA library.

**Figure 2. Sample PSMA**

Title: DoD/ESF 1, Rotary Wing Lift (Heavy) ESF #1: Transportation	Type: FOS
Block II - Assistance Requested: Provide heavy lift rotary wing aircraft to conduct movement of personnel and supplies in support of disaster operations in response to ##INCIDENT## in the State of ##STATE##. All local, State, and non-DoD national assets are exhausted or do not have the capacity to meet this requirement.	
Block IV - Statement of Work: As requested by and in coordination with FEMA and ESF 1, the DoD will provide heavy lift rotary wing aircraft support from approximately (date/time) to (date/time). Required capability is to provide transportation of approximately _____ (number) personnel, _____ (STONS) supplies and equipment. Operations will be conducted in and around (location, e.g., town, airport, address, organization) All equipment and supply purchases must be coordinated with FEMA. Prior FEMA approval is necessary to ensure reimbursement. 24-hour support required? Y / N Fuel and maintenance required? Y / N Special Equipment/Gear/Uniforms Required (hoist/sling load/water bucket/CBRN equipment). Aircrews will: Adhere to all FAA regulations and restrictions including temporary flight restrictions Indicate fueling and runway requirements Work a maximum of 12 hours or less per day, depending on individual unit policies. Type of assistance: (FOS/DFA/TA) Accountable Property: (Authorized/Not authorized)	
Total Cost Estimate: \$ _____	
Based On: Total Cost Estimate: \$ _____ per helicopter / per 10-hour day plus fuel. Current cost information and other relevant data should be used to complete this document when it is prepared for submission to the Department of Defense.	

## **SECTION 7: DoD SUPPORT OF WILDLAND FIREFIGHTING OPERATIONS**

### **7.1. GENERAL.**

a. Wildland fire management, suppression, and safety are of national importance to and an ongoing concern of the American public. Wildland fires occur in areas with development or with naturally occurring fuels such as grass, brush, or forest. Wildland fire areas that include (sometimes damaged) structures are called wildland-urban interface areas.

b. State and local governments have the primary responsibility to prevent and control wildfires within their respective jurisdictions.

c. DOI and USDA are responsible for fire management on federal lands within the United States.

d. The June 2010 interagency agreement between DoD, USDA, and DOI establishes general guidelines, terms, and conditions under which the National Interagency Fire Center (NIFC) requests, and DoD may provide, temporary firefighting support in the form of personnel, equipment, supplies, or fire protection services.. The Bureau of Land Management acts as the administrator of this agreement.

e. The USDA and the DOI jointly manage the NIFC. It is staffed by personnel from multiple federal departments and agencies whose facilities are combined to carry out their respective department's wildland fire management responsibilities.

f. NIFC is responsible for providing national coordination and logistics support for the activities related to the control of forest and range fires within the United States, including fires on State and private lands and U.S. Territories and Possessions.

g. DoD and the Tennessee Valley Authority have primary responsibility for wild fires that occur on their respective lands.

h. FEMA may submit requests for assistance to DoD for capabilities and resources in response to the effects of the wildfires on the civilian population. In these situations, the procedures for requesting DoD support are the same as those for other natural disasters and emergencies found in Section 4 of this volume.

**7.2. KEY AUTHORITIES AND REFERENCES.** Table 6 lists key authorities and references for DoD wildland firefighting operations.

**Table 6. Key Authorities and References for Wildland Firefighting Operations**

<b>Key Authority/Reference</b>	<b>Description</b>
Economy Act	Provides authority for the provision of support and reimbursement from one federal department or agency to another for goods or services. DoD is reimbursed for wildland firefighting operations support pursuant to this authority.
Stafford Act	Establishes the President’s ability to declare an “emergency” or “major disaster,” thereby permitting mobilization of federal assistance. FEMA reimburses DoD for wildland firefighting operations pursuant to this authority.
Mutual Aid and Assistance (Section 1856(b) of Title 42, U.S.C.)	Provides authority for federal officials to enter into reciprocal support agreements with organizations in their local communities that provide fire, emergency medical services, and HAZMAT response and decontamination.
DoDD 3025.18	Establishes policy and assigns responsibilities for DSCA, including response to wildland fires.
DoDI 6055.06	Establishes policy and criteria for the allocation, assignment, operation, and administration of the DoD Fire and Emergency Services Program.
Chapters 1, 3, and 4, as appropriate of Volume 11A of DoD Financial Management Regulation 7000.14-R	Provides procedures for DoD reimbursement for support (e.g., wildland firefighting operations) provided pursuant to the Economy Act.
DSCA EXORD	Delegates approval authority to CDRUSNORTHCOM for the employment of the Modular Airborne Fire Fighting System (MAFFS)-equipped C-130 aircraft, with an NIFC-approved request for assistance, for wildland firefighting, DCOs and DCEs, LNOs, EPLOs, rotary-wing aircraft, and other support.
June 2010 Interagency Agreement Between DoD, USDA, and DOI	Details provision of temporary support during wildland firefighting operations.
MOU Among the NGA, USDA, and DOI	Establishes a framework for partnership and cooperation in the application of geospatial data to the mapping and management of wildland fires.

**7.3. EXAMPLES OF POSSIBLE DOD SUPPORT.** The following are examples of the types of support that DoD may provide in response to requests for assistance related to wildland fires:

**a. Defense Liaisons.**

(1) **DCO and DCE.** The DCO assigned to FEMA Region 10 coordinates DoD wildland firefighting support (the DCO assigned to FEMA Region 8 provides primary back-up, if needed). The DCE provides staff support and coordination. .

(2) **DoD Liaison to NIFC Headquarters.** The FEMA Region 10 DCE provides an EPLO on a seasonal basis to NIFC Headquarters in Boise, Idaho, to assist in the coordination of DoD support with the National Incident Coordination Center (NICC), the interagency group responsible for managing federal firefighting resources nationwide.

(3) **EPLOs.** Service EPLOs assist with the coordination of DoD support at the State and FEMA regional levels. EPLOs also assist in coordinating with DoD installations on their role in preparedness and response. When directed, EPLOs are under the tactical control of the DCO.

(4) **DoD Liaison at FEMA NRCC.** The DoD Liaison at the FEMA NRCC will help coordinate DoD support of the FEMA response to the effects of wildland fires, as needed. EPLOs assigned to the National Capital Region also may support the NRCC.

#### **b. C-130 Aircraft Equipped with MAFFS.**

(1) DoD can provide MAFFS-capable C-130 aircraft, MAFFS-certified aircrews, and appropriate support personnel to conduct aerial dispersal of fire retardant on a reimbursable basis when requests for this type of assistance comply with the requirements of the June 2010 interagency agreement between DoD, USDA, and DOI, and DoD is able to provide the support.

(2) NIFC requires MAFFS-equipped aircraft to be at a designated location not later than 48 hours after a request for assistance.

(3) The U.S. Forest Service (USFS) owns each MAFFS and is supported by designated airlift wings (AWs). There are currently four AWs that provide MAFFS-equipped C-130s and certified crews:

(a) 145<sup>th</sup> AW (North Carolina Air National Guard (ANG)) (Charlotte).

(b) 146<sup>th</sup> AW (California ANG) (Channel Islands).

(c) 153<sup>rd</sup> AW (Wyoming ANG) (Cheyenne).

(d) 302<sup>nd</sup> AW (U.S. Air Force Reserve) (Peterson Air Force Base, Colorado).

(4) The USFS has established agreements with each State (for each ANG AW) and the U.S. Air Force (for the U.S. Air Force Reserve AW) that govern MAFFS support.

(5) NIFC trains and certifies all MAFFS crews annually.

#### **c. Firefighting Personnel.**

(1) NIFC may request military personnel for use as ground firefighting personnel to supplement the national wildland firefighting workforce.

(2) The requirement for ground support may be tailored, if the mission dictates, to 10 crews of 20 personnel each (200 personnel total), plus an overhead of 60 personnel for appropriate DoD wildland firefighting command and control, for a total of 260 personnel. Each Military Service component may be required to provide its own medical evacuation capability, or it will be contracted by NIFC. Ground support crews may engage in: building fire breaks; securing fire perimeters; containing fires; protecting structures; patrolling and extinguishing hot spots; removing hose and fire equipment for rehabilitation; and mitigating erosion.

(3) SecDef must approve all NIFC requests for military personnel conducting ground firefighting.

(4) All military personnel requested by NIFC as ground firefighting crews will undergo a pre-deployment training program to become certified by NIFC as trained wildland firefighting personnel.

(5) NIFC will provide all logistics and other support once a military unit arrives at the fire base camp, including specialized firefighting equipment. Weapons are not authorized for firefighting duties.

#### **d. Rotary-Wing Aircraft.**

(1) NIFC may request rotary-wing aircraft with water buckets to support aerial suppression operations.

(2) DoD rotary-wing aircrews may require pre-deployment certification before supporting firefighting operations. Some Active Component units engage in pre-season training with federal, State, or local authorities due to the threat of wildland fires near their military installations. In some States, National Guard units habitually engage in pre-season training with federal, State, or local authorities.

(3) NIFC will provide specialized communications at a home station before aircraft deployment.

(4) The DSCA EXORD authorizes the supported CCDR to approve validated NIFC requests for up to four medium/heavy lift helicopters and up to 14 light/medium lift helicopters with or without water buckets.

#### **7.4. REQUEST FOR ASSISTANCE PROCEDURES.**

a. The FEMA Region 10 DCO or the DoD Liaison at NIFC headquarters will coordinate with the NICC on appropriate language (i.e., requested requirement, dates required, location, points-of-contact, and reimbursement information) and will validate the request in accordance with DoDD 3025.18.

b. Only the NIFC Director, NIFC Deputy Director, or the NICC Director may sign a request for DoD assistance.



c. NIFC will submit all requests for assistance for DoD support of wildland firefighting operations to the supported CCDR.

d. If a CCDR does not have the authority to approve the MA, the CCDR forwards the MA to Joint Staff/J33 for staffing and SecDef decision.

#### **7.5. FUNDING AND REIMBURSEMENT.**

a. All DoD support provided to NIFC is fully reimbursable pursuant to the Economy Act.

b. Detailed procedures for reimbursement are included in the June 2010 interagency agreement between DoD, USDA, and DOI.

#### **7.6. COORDINATION.**

a. The FEMA Region 10 DCO and the DoD LNO will coordinate with NIFC to conduct two annual meetings between DoD and NIFC personnel:

(1) A pre-fire season coordination meeting not later than May 1 to coordinate support before the upcoming fire season and to review issues from the previous fire season.

(2) A post-fire season coordination meeting not later than December 15 to identify issues from the fire season and identify offices of primary responsibility to resolve those issues before the pre-season conference.

b. Periodic teleconference calls and video teleconferences also can be used to address specific issues, as required.

#### **7.7. POINTS OF CONTACT.**

a. NIFC: NICC Manager, NIFC, Boise, Idaho; 208-387-5400.

b. DoD: Director, DSCA, Washington, DC; 571-256-3984, email: [osd.pentagon.ousd-policy.list.civil-support@mail.mil](mailto:osd.pentagon.ousd-policy.list.civil-support@mail.mil).

c. DoD, DCO/DCE Region 10, Ops-Plans Support to Wildland Firefighting, Bothell, Washington, (210) 295-5294 or (210) 247-8922.

## **SECTION 8: OIL AND HAZARDOUS SUBSTANCES**

### **8.1. GENERAL.**

a. DHS/USCG is designated as the lead federal agency for responding to, or directing the response to the release, or threatened release, of any hazardous substance, including oil, into the coastal zone. The EPA is the lead federal agency for the inland zone. The USCG designation is in accordance with:

(1) Sections 1251-1376 of Title 33, U.S.C., also known and referred to in this volume as “The Federal Water Pollution Control Act (Clean Water Act).”

(2) Section 9601, et. seq. of Title 42, U.S.C., also known and referred to in this volume as “The Comprehensive Environmental Response, Compensation, and Liability Act” and implemented in Part 300 of Title 40, CFR, also known and referred to in this volume as the “National Oil and Hazardous Substances Pollution Contingency Plan (NCP).”

b. Per Section 300.120 of the NCP, DoD is the designated on-scene coordinator (OSC) for all hazardous substance releases that originate from any facility or vessel under the jurisdiction, custody, or control of DoD.

c. Oil discharges and hazardous substance releases are reported to the National Response Center (NRC) located in Washington, D.C. The NRC disseminates the report to federal, State, and local agencies that may have jurisdiction and authorities to respond. The pre-designated OSC will review all reports received from the NRC to determine the need for federal involvement. State and local governments and the responsible party may address an oil discharge or hazardous substance release without federal assistance if the OSC determines that federal assistance is not required. In this case, the federal role is strictly a monitoring function with no active response or federal coordination.

d. The OSC will direct response efforts and coordinate all other efforts at the scene of a discharge or release in accordance with the NCP if the OSC determines that federal involvement is required.

e. The National Response Team (NRT) and Regional Response Team (RRT) are available to support the OSC, upon request. Additionally, special teams listed in the NCP are available to assist OSCs.

(1) **NRT.** The EPA and USCG co-chair the NRT. Representatives from other federal departments and agencies with interest and expertise in various aspects of emergency response and pollution incidents comprise its membership.

(2) **RRT.** The EPA and USCG co-chair the RRT. RRT agency membership parallels that of the NRT and also includes State representatives.

f. The NCP further designates the National Response System (NRS) as the mechanism for coordinating response actions by all levels of government in support of the OSC. The NRS is composed of the NRT, RRT, OSCs, area committees, and special teams and is also an operational supplement to the National Response Framework.

**8.2. KEY AUTHORITIES AND REFERENCES.** Table 7 lists key authorities and references for oil and hazardous substances.

**Table 7. Key Authorities and References for Oil and Hazardous Substances**

<b>Key Authority/Reference</b>	<b>Description</b>
Sections 7361-7364 of Title 10, U.S.C.	Authorizes the Secretary of the Navy to provide necessary salvage facilities and facilities and equipment to prevent, abate, or minimize damage to the environment, including oil spill response capability.
Clean Water Act	Establishes broad federal authority to respond to releases or threats of releases of hazardous substances, pollutants, or contaminants that may present an imminent and substantial danger to public health or welfare.
Part 153.407 of Title 33, CFR	Describes payment or reimbursement from the Pollution Fund when authorized by EPA or USCG.
The Comprehensive Environmental Response, Compensation, and Liability Act	Authorizes short-term removals where actions may be taken to address hazardous substance releases or threatened releases requiring prompt response.
NCP	Describes response actions taken pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act and Section 311 of the Clean Water Act.
Public Law 101-380	Requires companies to have a plan to prevent spills that may occur and to have detailed containment and cleanup plans for oil discharges.
Economy Act	Provides authority for the provision of support and reimbursement from one federal department or agency to another for goods or services. DoD may use the provisions of the Economy Act to provide support in response to an oil or hazardous substance spill.
Stafford Act	Establishes the President’s ability to declare an emergency or major disaster, thereby permitting mobilization of federal assistance. FEMA reimburses DoD for oil and hazardous substances incidents pursuant to this authority.
Homeland Security Presidential Directive-5	Establishes the Secretary of Homeland Security as the principal federal official for domestic incident management, including for major disasters and other emergencies.

**Table 7. Key Authorities and References for Oil and Hazardous Substances, Continued**

<b>Key Authority/Reference</b>	<b>Description</b>
DoDI 4000.19	Provides policies and procedures for interagency support agreements. DoD may enter into agreements with other federal departments and agencies to respond to oil and hazardous substances spills.
DoDD 5134.01	Allows the Under Secretary of Defense for Acquisition, Technology, and Logistics to exercise all authorities delegated to SecDef in Executive Order 12777 relating to responsibilities of federal trustees for natural resources pursuant to Section 311 of the Clean Water Act and Public Law 101-380.
Chapters 1, 3, and 4 of Volume 11A of DoD Financial Management Regulation 7000.14-R	Provides procedures for reimbursement for support provided pursuant to the Economy Act. DoD may provide support to other federal partners for oil and hazardous substance spill response pursuant to the Economy Act.
MOA Between the U.S. Navy and the USCG Regarding Interservice Cooperation in Oil Spill Response and Salvage Operations	Provides conditions and procedures for the USCG to request the U.S. Navy provide oil spill clean-up and salvage equipment and services. It also includes reimbursement procedures and policies.
Inter-Service Support Agreement Between the USACE and the U.S. Navy for Providing Support with Wreck/Marine Debris Removal and Salvage Operations	Provides guidelines to expedite USACE requests for wreck and marine debris removal and salvage operations support by the U.S. Navy Supervisor of Salvage and Diving.
National Response Framework	Provides structures for implementing nationwide response policy and operational coordination for all types of domestic incidents. ESF #10, Oil and Hazardous Materials Response, is led by the EPA as the coordinator.
FEMA Response and Recovery Directorate Policy Number 9523.8	Clarifies activities FEMA (ESF #10) will or may fund following a Stafford Act declaration related to hazardous material.
DHS/USCG NPFC Publication 16465.2	Provides information on how the federal response to oil spills is funded in accordance with Public Law 101-380.
Chapter 8 of DHS/USCG NPFC Instruction 16451.2	Provides technical operating procedures for resource documentation for agency reimbursement after receipt of a Pollution Removal Funding Authorization (PRFA). In accordance with the terms of a PRFA, a FOSC may agree to reimburse another government agency for costs incurred in providing any agreed upon removal services and assistance to the FOSC.

**8.3. EXAMPLES OF POSSIBLE DOD SUPPORT.** DoD provides expertise and support mainly through the USACE and the U.S. Navy.

a. USACE support capabilities in oil spill cleanup activities include:

- (1) Recovery of oil.
- (2) Contracting.
- (3) Construction management.
- (4) Real estate support services.
- (5) Engineering.
- (6) Environmental review and monitoring.
- (7) Regulatory permitting.
- (8) Research and development.
- (9) General support of recovery efforts.
- (10) Power generation.

b. The Navy's Supervisor of Salvage can provide an extensive array of specialized equipment and personnel.

- (1) Ship salvage.
- (2) Shipboard damage control.
- (3) Diving.
- (4) Skimmers.
- (5) Booms.

c. For Presidentially-declared disasters, FEMA may request DoD support in the following areas:

- (1) Detection.
- (2) Identification.
- (3) Containment.
- (4) Cleanup or disposal of HAZMAT.

- (5) Household hazardous waste collection.
- (6) Permitting and monitoring debris removal.
- (7) Water and air quality monitoring and protection.
- (8) Protection of natural resources.
- (9) Critical infrastructure protection.

#### **8.4. REQUEST FOR ASSISTANCE PROCEDURES.**

a. Requests for assistance from the USACE generally should be made to the USACE Operations Center, particularly for significant responses. For routine, smaller spills, the USACE Omaha District-Rapid Response office may provide technical support (phone: (402) 293-2500, email: cenwo-eoc@usace.army.mil).

b. The OSC may directly request Navy support in accordance with the MOA between the Navy and the USCG. The Supervisor of Salvage, under the authority, direction, and control of the Secretary of the Navy, may provide resources in response to oil discharges and also has an interagency agreement with the USACE to provide response support.

c. The OSC directs requests for federal assistance to the designated FCO following a presidential major disaster or emergency declaration regarding a major discharge or an oil discharge or hazardous substance release. Such requests occur simultaneously or in conjunction with a declared disaster. Upon determination of a need for DoD assistance, a DCO will be appointed to handle requests.

#### **8.5. FUNDING AND REIMBURSEMENT.**

**a. Fiscal Responsibility.** The primary responsibility for reporting and removing oil and hazardous substances rests with the responsible party. A federal response is activated only when the OSC deems it necessary.

**b. OSC Funding Streams.** There are two main funding streams available to OSCs, if a responsible party is unknown, unable, or unwilling to fund the response.

(1) Public Law 101-380 created the Oil Spill Liability Trust Fund (OSLTF) for oil discharges, as defined in the Clean Water Act. The OSC may access the USCG-administered National Pollution Funds Center to pay for actions to remove a discharge or threat of oil affecting navigable waters.

(2) The Comprehensive Environmental Response, Compensation, and Liability Act Trust Fund (Superfund) is for hazardous substance releases, as defined in the Comprehensive Environmental Response, Compensation, and Liability Act. The EPA administers the Superfund, and the OSCs may access it for removal of hazardous releases.

**c. MOA Between the U.S. Navy and the USCG.** Procedures for reimbursement for DoD assistance depend on the location and circumstances surrounding a particular discharge. Billing will be computed and submitted in accordance with the June 2015 MOA between the U.S. Navy and the USCG.

**d. Stafford Act.** When DoD resources are employed in assisting civil authorities, billings are computed and submitted in accordance with the Stafford Act through FEMA similar to other natural disasters and emergencies.

**e. Economy Act.** Reimbursement for support that is not in accordance with the Stafford Act or other legal authorities can be provided pursuant to the Economy Act for actual (total) costs.

## **SECTION 9: NUCLEAR AND RADIOLOGICAL INCIDENT SUPPORT**

### **9.1. GENERAL.**

a. The department or agency that leads the response to the nuclear and radiological incident is dependent on factors such as which department or agency owns or operates the facility or material and where it is released. In the Nuclear/Radiological Incident Annex to the National Response Framework, the following federal departments and agencies have coordination responsibilities:

(1) DoD or DOE, as appropriate, for incidents involving nuclear and radiological materials or facilities owned or operated by DoD or DOE.

(2) DoD or DOE, as appropriate, for incidents involving a nuclear weapon, special nuclear material, or classified components under DoD or DOE custody.

(3) The National Aeronautics and Space Administration (NASA) for nuclear material under NASA custody.

(4) The Nuclear Regulatory Commission, for incidents involving materials or facilities licensed by the Nuclear Regulatory Commission or Agreement States.

(5) DHS, generally through Customs and Border Protection, for incidents involving the inadvertent import of radioactive materials as well as any other incidents where radioactive material is detected at borders.

(6) EPA or DHS/USCG, as appropriate, for environmental response and cleanup for incidents not covered in Paragraphs 9.1.b.(1) through 9.1.b.(5) of this volume.

(7) DHS for all deliberate attacks involving nuclear and radiological facilities or materials, including radiological dispersal devices (RDDs) and improvised nuclear devices (INDs).

b. The CBRN Response Enterprise also may be used to respond to nuclear and radiological incidents. See Appendix 9B of Volume 1 of this manual for information on the CBRN Response Enterprise.

**9.2. KEY AUTHORITIES AND REFERENCES.** Table 8 lists key authorities and references for nuclear and radiological incident support.



**Table 8. Key Authorities and References for Nuclear and Radiological Incident Support**

<b>Key Authority/Reference</b>	<b>Description</b>
Economy Act	Provides authority for the provision of support and reimbursement from one federal department or agency to another for goods or services, including DoD response to nuclear and radiological incidents.
Section 282 of Title 10, U.S.C.	SecDef, upon request of the Attorney General, may provide assistance in support of the DOJ activities during an emergency situation involving a WMD.
Section 12304 of Title 10, U.S.C.	Establishes the authority to order a unit or Service member (in the Selected Reserve or Individual Ready Reserve) to active duty to provide assistance in responding to an emergency involving a use or threatened use of a WMD or a terrorist attack or threatened terrorist attack in the United States that results, or could result, in significant loss of life or property.
Section 831 of Title 18, U.S.C.	Provides that the Attorney General may request assistance from SecDef in the enforcement of prohibited transactions involving nuclear material if an emergency situation exists and the provision of such assistance will not adversely affect military preparedness.
Section 2313 of Title 50, U.S.C.	Provides that the ASD(HD&GS) is responsible for coordinating DoD assistance to federal, State, and local officials in responding to threats involving nuclear, radiological, biological, and chemical weapons or high-yield explosives or related materials or technologies.
Section 2314 of Title 50, U.S.C.	Directs SecDef to develop and maintain at least one domestic terrorism rapid response team capable of aiding federal, State, and local officials in the detection, neutralization, containment dismantlement, and disposal of WMDs containing chemical, biological, radiological, nuclear, and high-yield explosives.
Executive Order 12656	Directs the Secretary of Energy to manage all emergency planning and response activities pertaining to DOE nuclear facilities.
Homeland Security Presidential Directive-5	Provides direction in the event of a deliberate attack. DHS assumes its domestic incident management responsibilities, and DOJ assumes law enforcement coordination activities.
National Security Presidential Directive-28	Provides Presidential directive for U.S. nuclear weapons command and control, safety, and security.
National Security Presidential Directive-43/ Homeland Security Presidential Directive-14	Defines roles and responsibilities and implements policy to enhance national nuclear and radiological detection capabilities to protect the homeland against nuclear attack.

**Table 8. Key Authorities and References for Nuclear and Radiological Incident Support, Continued**

<b>Key Authority/Reference</b>	<b>Description</b>
Presidential Policy Directive-17	Provides the Federal Government’s approach to countering improvised explosive devices.
DoDD S-2060.04	Establishes policies and assigns responsibilities for DoD Support of the National Technical Nuclear Forensics Program.
DoDD 5111.13	Assigns responsibility to the ASD(HD&GS) to coordinate DoD assistance to federal, State, and local officials in responding to threats involving chemical, biological, radiological, nuclear, and high-yield explosives (CBRNE) weapons or related materials or technologies, including assistance in their identification, neutralization, dismantlement, and disposition.
DoDD 3150.08	Establishes policy and assigns responsibilities for the DoD consequence management response to U.S. nuclear weapon incidents and other nuclear or radiological incidents involving materials in DoD custody.
DoDD 5134.08	Assigns responsibility to the Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs to coordinate homeland defense and consequence management activities with the ASD(HD&GS).
DoDI 3150.10	Establishes policy and assigns responsibilities for the DoD response to U.S. nuclear weapon incidents.
DoD Manual 3150.08	Provides a concept of operations as well as functional information necessary to execute a comprehensive and unified response to a nuclear weapon accident.
Chapters 1, 3, and 4 of Volume 11A of DoD Financial Management Regulation 7000.14-R	Provides procedures for reimbursement for support provided pursuant to the Economy Act. Provides policy and procedures for establishing appropriate fees for authorized services that DoD organizations supply, including response to nuclear and radiological incidents.
CJCS Instruction 3431.01	Describes the Joint Nuclear Accident and Incident Response Team. It provides guidance and establishes DoD responsibilities for ensuring a joint 24-hour-a-day capability to meet the initial DoD time-sensitive management requirements for an accident or incident involving U.S. nuclear weapons in DoD or DOE custody, or a military reactor, occurring anywhere in the world.
Joint Publication 3-41	Provides joint doctrine for the military response to mitigate the effects of a CBRN event or incident.

**Table 8. Key Authorities and References for Nuclear and Radiological Incident Support, Continued**

<b>Key Authority/Reference</b>	<b>Description</b>
DSCA EXORD	Delegates limited approval authority to CDRUSNORTHCOM and CDRUSPACOM for routine and historical requests for assistance to provide a rapid and flexible DoD response to other federal departments and agencies for potential or actual disasters or emergencies, including nuclear and radiological incidents, within the United States and its territories, possessions, and protectorates.
Domestic CBRN Response EXORD	Directs DoD to maintain and be prepared to provide a domestic CBRN response capability. Delegates limited approval authority to CDRUSNORTHCOM and CDRUSPACOM to provide a rapid and flexible federal response for domestic CBRN emergencies and disasters.
DHS Strategy for Improving the National Response and Recovery from an Improvised Nuclear Device Attack	Identifies capabilities needed to respond to and recover from an IND incident within the National Response Framework and its annexes. It sets the goals and objectives from which a DHS-led national plan may be developed to address vulnerabilities and gives strategic direction in meeting the IND response and recovery mission.
Planning Guidance for Response to a Nuclear Detonation	Provides emergency planners with nuclear detonation-specific response recommendations to maximize the preservation of life in the event of an urban nuclear detonation.
May 2011 Interagency Domestic Radiological/Nuclear Search Plan	Provides guidelines to federal departments and agencies on the conduct of domestic radiological or nuclear search operations in the event of a credible radiological or nuclear threat.
Improvised Nuclear Device Response and Recovery Communicating in the Immediate Aftermath, June 2013	Provides resources for emergency responders and federal, State, and local officials who are communicating with the public and the media during the immediate aftermath of a nuclear detonation in the United States.
Communicating During and After a Nuclear Power Plant Incident, June 2013	Provides communications guidance for domestic nuclear power plant incidents. It also provides background information explaining roles and responsibilities across all levels of government during a nuclear power plant incident.
National Response Framework	Presents the guiding principles that enable all response partners to prepare for and provide a unified national response to disasters and emergencies – including nuclear and radiological incidents.

**Table 8. Key Authorities and References for Nuclear and Radiological Incident Support, Continued**

<b>Key Authority/Reference</b>	<b>Description</b>
Nuclear/Radiological Incident Annex to the National Response Framework	Describes the policies, situations, concepts of operations, and responsibilities of the federal departments and agencies governing the immediate response and short-term recovery activities for incidents involving release of radioactive materials in order to address the consequences of the event.

**9.3. EXAMPLES OF POSSIBLE DOD SUPPORT.**

- a. Medical, dosimetry testing support, medical advisory teams, and laboratory diagnostics.
- b. Logistics.
- c. Public affairs.
- d. Communications.
- e. Command and control.
- f. Technical SAR.
- g. Explosive ordnance disposal.
- h. Aviation evacuation.
- i. Advisory teams.
- j. Modeling support.
- k. Decontamination of ambulatory and non-ambulatory individuals.
- l. Ground and air debris sampling and measurements.
- m. Laboratory analysis and evaluation of debris.

**9.4. REQUEST FOR ASSISTANCE PROCEDURES.**

a. Requests for assistance will be in writing and include a commitment to reimburse DoD pursuant to the Economy Act, if applicable. The requests should be addressed to SecDef, the Deputy Secretary of Defense, or the DoD Executive Secretary, 1000 Defense, Pentagon, Washington, D.C., 20301-1000.

b. For Presidential emergency declarations pursuant to the Stafford Act, follow the procedures in Section 4 of this volume.

## **9.5. FUNDING AND REIMBURSEMENT.**

**a. Stafford Act.** FEMA provides DoD reimbursement pursuant to the provision of the Stafford Act for Presidentially-declared disasters and emergencies.

**b. Economy Act.** Reimbursement for support provided that is not pursuant to the provision of the Stafford Act usually will be provided pursuant to the Economy Act.

## SECTION 10: ANIMAL AND PLANT DISEASE RESPONSE

### 10.1. GENERAL.

a. The Animal and Plant Health Inspection Service (APHIS) is the agency within USDA responsible for protecting animal health, animal welfare, and plant health. Chapter 104 of Title 7, U.S.C., also known and referred in this volume as the “Plant Protection Act,” and Chapter 109 of Title 7, U.S.C., also known and referred to in this volume as the “Animal Health Protection Act,” consolidated and modernized previous animal and plant health statutes and gave USDA/APHIS additional authorities to respond to pest and disease threats.

b. Pursuant to the DoD-USDA MOA “Concerning Response to Animal Diseases and Other All-Hazards Incidents,” USDA/APHIS may request a range of DoD support in accordance with the Economy Act.

c. The National Response Framework, ESF #11, also describes animal and plant disease response. The Secretary of Homeland Security may activate ESF #11 for incidents requiring a coordinated federal response and the availability of support for one or more of these roles and functions. USDA is the ESF #11 coordinator and may request DoD assistance pursuant to the authority of the Stafford Act.

**10.2. KEY AUTHORITIES AND REFERENCES.** Table 9 lists key authorities and references for animal and plant disease response.

**Table 9. Key Authorities and References for Animal and Plant Disease Response**

<b>Key Authority/Reference</b>	<b>Description</b>
Plant Protection Act	Establishes the Secretary of Agriculture’s authority to make a declaration of extraordinary emergency due to the presence of a plant or noxious weed that threatens plants or plant products in the United States.
Animal Health Protection Act	Establishes the Secretary of Agriculture’s responsibility for animal health protection.
Stafford Act	Establishes the President’s ability to declare the plant or animal disease response an emergency or major disaster. FEMA reimburses DoD pursuant to this authority.
Economy Act	Provides authority for the provision of support and reimbursement from one federal department or agency to another for goods or services, including DoD support in response to animal and plant diseases.
Homeland Security Presidential Directive-9	Establishes national policy to defend the agriculture and food system against terrorist attacks, major disasters, and other emergencies.
DoDD 3025.18	Establishes policy and assigns responsibilities for DSCA, including support of USDA and FEMA.

**Table 9. Key Authorities and References for Animal and Plant Disease Response, Continued**

Key Authority/Reference	Description
DoDD 6400.04E	Establishes DoD policy to provide veterinary services for the prevention and control of animal diseases and conditions that present a public health threat to the military community. Designates the Secretary of the Army as DoD Executive Agent for the DoD Veterinary Services Program.
DoDI 6200.03	Assigns responsibilities for animal disease response in relation to public health emergencies.
Chapters 1, 3, and 4, as appropriate, of Volume 11A of DoD Financial Management Regulation 7000.14-R	Provides procedures for reimbursement for support provided pursuant to the Economy Act.
National Response Framework	Provides structures for implementing nationwide response policy and operational coordination for domestic incidents. One of the functions of ESF #11 includes implementing integrated federal and State, local, tribal, and territorial (SLTT) responses to an outbreak of a highly contagious or economically devastating animal and zoonotic disease, or an outbreak of a harmful or economically significant plant pest or disease.
DoD-USDA MOA “Concerning Response to Animal Diseases and Other All-Hazards Incidents”	Strengthens collaboration and promotes effective interagency preparedness and response to animal diseases and other all-hazards incidents that may constitute a potential or an actual emergency situation.

**10.3. EXAMPLES OF POSSIBLE DOD SUPPORT.**

- a. Incident support bases.
- b. Technically qualified personnel to assist the USDA with foreign animal disease diagnosis, epidemiology, microbiology, immunology, entomology, pathology, and public health.
- c. Epidemiology, surveillance, and tracing.
- d. Laboratory diagnostic capabilities.
- e. Training.
- f. Transportation and installation support.
- g. Public affairs and communications support.
- h. Animal debris removal and disposal.

- i. Animal depopulation and disposal.
- j. Decontamination.
- k. Field operations.
- l. DoD Veterinary LNOs and DoD veterinary support officers.

#### **10.4. REQUEST FOR ASSISTANCE PROCEDURES.**

a. The DoD-USDA MOA, “Concerning Response to Animal Diseases and Other All-Hazards Incidents,” describes the procedures for requesting DoD support. Templates for request for assistance memoranda are attachments in the MOA.

b. For Presidentially-declared disasters and emergencies, FEMA may request DoD assistance through the FEMA MA process, as described in Section 4 of this volume, for DSCA incident response.

#### **10.5. FUNDING AND REIMBURSEMENT.**

**a. Stafford Act.** FEMA provides DoD reimbursement pursuant to the provision of the Stafford Act for Presidentially-declared disasters and emergencies.

**b. Economy Act.** Reimbursement for support provided that is not under the provision of the Stafford Act usually will be provided pursuant to the Economy Act.



## SECTION 11: MCM DISTRIBUTION

### 11.1. GENERAL.

a. In the event of a biological incident and if there are MCM available, State and local authorities may require support from the Federal Government to distribute MCM to the American people. Depending on the pathogen of concern, MCM must be dispensed to affected populations within 48 hours to prevent large-scale casualties.

b. Executive Order 13527 requires the Federal Government to develop the capacity to anticipate and immediately supplement the capabilities of affected jurisdictions to distribute MCM rapidly following a biological attack (e.g., a deliberate release of anthrax) or natural disease outbreak. The Federal Interagency Concept of Operations – Rapid Medical Countermeasures Dispensing focuses on the rapid and coordinated deployment of federal personnel and resources to supplement State and local governments’ capability to dispense MCM to affected communities.

c. Installation commanders in the vicinity of the incident may provide support to State or local authorities through immediate response authority (see Section 5 of this volume) or through MAAs (see Section 4 of Volume 1 of this manual).

d. As described in the National Response Framework, the Secretary of Health and Human Services leads all federal public health and medical responses to public health emergencies and incidents. The Secretary of Health and Human Services may declare a Public Health Emergency if the situation is warranted. The President may also issue an emergency or disaster declaration.

e. In most likely scenarios, DoD will provide support to FEMA following both a Stafford Act declaration and a declaration of a public health emergency. ESF #8 - Public Health and Medical Services, led by HHS, will coordinate the federal response. Federal actions will focus on life-saving operations and decreasing morbidity. In addition to MCM distribution and dispensing, FEMA may request DoD to provide extensive diagnostic sample testing; identification of current and projected contamination zones; modeling support; MCM efficacy testing; public affairs and public health messaging; or provision of life-support items such as food, fuel, and logistics.

**11.2. KEY AUTHORITIES AND REFERENCES.** Table 10 lists key authorities and references for MCM distribution.

**Table 10. Key Authorities and References for MCM Distribution**

<b>Key Authority/Reference</b>	<b>Description</b>
Section 282 of Title 10, U.S.C.	Establishes the authority for SecDef to assist the Attorney General in enforcing prohibitions regarding WMDs, including biological or chemical WMDs.

**Table 10. Key Authorities and References for MCM Distribution, Continued**

<b>Key Authority/Reference</b>	<b>Description</b>
Stafford Act	Establishes the President’s ability to declare an emergency or major disaster, including when related to biological incidents. FEMA reimburses DoD pursuant to this authority.
Economy Act	Provides authority for the provision of support and reimbursement from one federal department or agency to another for goods or services. DoD may provide MCM distribution or other response to biological incidents pursuant to the Economy Act.
Section 319 of Chapter 6A of Title 42, U.S.C.	Gives authority to the Secretary of Health and Human Services to determine that: a disease or disorder presents a public health emergency; or that a public health emergency, including significant outbreaks of infectious disease or bioterrorist attacks, otherwise exists.
Executive Order 13527	Directs the Secretaries of Homeland Security and Health and Human Services, in coordination with SecDef, to develop a concept of operations and establish requirements for a federal rapid response to dispense medical countermeasures to an affected population following a large-scale biological attack.
Homeland Security Presidential Directive-10	Establishes the essential pillars of the national biodefense programs: Threat Awareness, Prevention and Protection, Surveillance and Detection, and Response and Recovery. The Secretary of Homeland Security is the principal federal official for domestic incident management and is responsible for coordinating domestic federal operations to prepare for, respond to, and recover from biological weapons attacks. The Secretary of Homeland Security coordinates, as appropriate, with the heads of other federal departments and agencies to accomplish this mission.
Homeland Security Presidential Directive-18	Provides Presidential direction for MCM against WMDs. SecDef retains exclusive responsibility for research, development, acquisition, and deployment of MCM to prevent or mitigate the health effects of WMD threats and naturally occurring threats to the Armed Forces, and will continue to direct strategic planning for and oversight of programs to support MCM development and acquisition for Armed Forces personnel.
Homeland Security Presidential Directive-21	Establishes a National Strategy for Public Health and Medical Preparedness, including policy on federal support to State and local governments for rapid distribution of MCM (vaccines, drugs, and therapeutics). Such support to

**Table 10. Key Authorities and References for MCM Distribution, Continued**

<b>Key Authority/Reference</b>	<b>Description</b>
	a large population requires significant resources within individual communities.
Biological Incident Annex to the National Response Framework	Provides structures for implementing nationwide response policy and operational coordination for all types of domestic incidents. HHS leads ESF #8 - Public Health and Medical Services.
DoDI 3020.52	Ensures that officials responsible for installations implement and annually review support agreements with State, local, and tribal governments, at a minimum, to ensure that CBRNE emergency response capabilities are integrated into installation CBRNE prevention, protection, mitigation, response, and recovery plans.
DoDI 3025.21	Establishes policies and procedures for DoD assistance to civilian law enforcement agencies that could include support of MCM distribution.
DoDI 6025.23	Establishes policies and guidance for health care eligibility of non-military beneficiaries under the Secretarial Designee Program.
DoDI 6055.17	Establishes policy and guidance for the Installation Emergency Management Program. DoD installations develop a mass prophylaxis plan for ensuring the distribution of MCM during a public health emergency.
DoDI 6200.03	Establishes policy and guidance for public health emergency management in DoD. Military commanders negotiate agreements with Strategic National Stockpile coordinators to serve as receipt, staging, and storage sites and closed points of dispensing and plan bridging strategies for MCM and other medical materiel to cover DoD populations.
DoDI 6440.03	Establishes policies, responsibilities, and instructions for the Defense Laboratory Network. DoD laboratories or activities provide DSCA on a fully reimbursable basis.
Chapters 1, 3, and 4 of Volume 11A of DoD Financial Management Regulation 7000.14-R	Provides procedures for reimbursement for support provided pursuant to the Economy Act. Provides policy and procedures for establishing appropriate fees for authorized services that DoD organizations supply. Other federal departments and agencies may request DoD support of MCM distribution pursuant to the Economy Act.
Assistant Secretary of Defense for Health Affairs (ASD(HA)) Memorandum, "Clarification Regarding the Use of Secretarial Designee Program	Clarifies the use of the Secretarial Designee Program. During an actual or potential public health emergency, DoD laboratories participating in the laboratory response network (LRN) are authorized to accept and test non-military healthcare system (non-MHS) beneficiary samples. DoD

**Table 10. Key Authorities and References for MCM Distribution, Continued**

<b>Key Authority/Reference</b>	<b>Description</b>
Authority to Provide Support to the LRN”	laboratory testing of non-MHS samples could continue until DoD laboratories incur an increase in the incremental costs of their operations, at which time the DoD laboratory support would transition to DSCA and be conducted on a cost-reimbursable basis, in accordance with DoDD 3025.18.
Joint Publication 3-41	Provides joint doctrine for the military response to mitigate the effects of a CBRN event or incident.
Domestic CBRN Response EXORD	Directs DoD to maintain and be prepared to provide a domestic CBRN response capability. Delegates limited approval authority to CDRUSNORTHCOM and CDRUSPACOM to provide a rapid and flexible federal response for domestic CBRN emergencies and disasters.

**11.3. EXAMPLES OF POSSIBLE DOD SUPPORT.**

- a. Personnel and vehicles to support MCM-dispensing operations.
- b. CBRN response capabilities.
- c. Incident support bases.
- d. Transportation.
- e. Communications.
- f. Public affairs.

**11.4. REQUEST FOR ASSISTANCE PROCEDURES.**

- a. Requests for assistance following a Presidential emergency or disaster declaration are through FEMA MAs. See Section 4 of this volume for procedures for requests for assistance.
- b. Federal departments and agencies may also request assistance in accordance with the Economy Act by sending a written request addressed to the SecDef, the Deputy Secretary of Defense, or the DoD Executive Secretary, 1000 Defense, Pentagon, Washington, D.C., 20301-1000.

**11.5. FUNDING AND REIMBURSEMENT.**

- a. **Stafford Act.** FEMA provides DoD reimbursement pursuant to the provision of the Stafford Act for Presidentially-declared disasters and emergencies.

**b. Economy Act.** Reimbursement for support provided that is not pursuant to the provisions of the Stafford Act usually will be provided pursuant to the Economy Act.

## **SECTION 12: PANDEMIC INFLUENZA AND INFECTIOUS DISEASE**

### **12.1. GENERAL.**

a. A pandemic, or worldwide outbreak of a new or reemerging infectious disease such as influenza, could overwhelm U.S. health and medical capabilities, potentially resulting in millions of deaths and hospitalizations, large-scale instability, and hundreds of billions of dollars in direct and indirect costs.

b. The next pandemic is likely to come in waves, each lasting months, and may affect the entire world. Although a pandemic will not damage physical infrastructure, its effects will reduce or disable personnel responsible for maintaining and operating critical infrastructure.

c. The President issued the National Strategy for Pandemic Influenza to guide the preparedness and response to an influenza pandemic with the intent of:

(1) Stopping, slowing, or otherwise limiting the spread of a pandemic to the United States.

(2) Limiting the domestic spread of a pandemic, and mitigating disease, suffering, and death.

(3) Sustaining infrastructure and mitigating impact on the economy and the functioning of society.

d. In accordance with the National Implementation Plan for Pandemic Influenza, departments and agencies focus on four areas:

(1) Protection of the health and safety of personnel and resources.

(2) Determination of essential functions and services and the maintenance of each in a pandemic influenza outbreak.

(3) Support of federal and SLTT governments.

(4) Effective communications.

e. The DoD Pandemic Influenza Implementation Plan sets DoD guidance and addresses key policy issues for pandemic influenza planning. This guidance enables the CCDRs, Military Departments, and DoD agencies to prepare for, detect, respond to, and contain the effects of a pandemic on military forces, DoD civilians, DoD contractors, dependents, and beneficiaries; and to prepare to support U.S. civilian departments and agencies and foreign partners.

**12.2. KEY AUTHORITIES AND REFERENCES.** Table 11 lists key authorities and references for pandemic influenza and infectious disease.

**Table 11. Key Authorities and References for Pandemic Influenza and Infectious Disease**

<b>Key Authority/Reference</b>	<b>Description</b>
Stafford Act	Establishes the President’s ability to declare an emergency or major disaster for pandemic influenza or infectious disease incidents. FEMA reimburses DoD pursuant to this authority.
Economy Act	Provides authority for the provision of support and reimbursement from one federal department or agency to another for goods or services. Other federal departments and agencies may request DoD support in response to pandemic influenza and infectious disease pursuant to the Economy Act.
Section 264 of Title 42 U.S.C.	Authorizes the Surgeon General, with the approval of the Secretary of HHS, to make and enforce regulations he judges are necessary to prevent the introduction, transmission, or spread of communicable diseases from foreign countries into the States or possessions, or from one State or possession into any other State or possession.
Public Law 113-5	Provides key legal authorities to sustain and strengthen U.S. preparedness for public health emergencies involving CBRN agents, as well as emerging infectious disease threats.
Executive Order 13295	Provides a revised list of quarantinable communicable diseases.
Presidential Policy Directive-2	Directs implementation of the National Strategy for Countering Biological Threats.
National Strategy for Pandemic Influenza	Provides a framework for future U.S. Government planning efforts for pandemic influenza that is consistent with the National Security Strategy and the National Strategy for Homeland Security.
National Strategy for Pandemic Influenza Implementation Plan	Clarifies the roles and responsibilities of governmental and non-governmental entities, including federal and SLTT authorities and regional, national, and international stakeholders. Provides preparedness guidance for all segments of society for pandemic influenza.
National Strategy for Countering Biological Threats	Outlines the Federal Government’s approach to reducing the risks of biological weapons proliferation and terrorism. One of the responsibilities of the Federal Government is to advance global situational awareness, disease surveillance, resilience, and other activities to counter specific threats from those who would seek to develop or use biological weapons.
DoDI 6025.23	Establishes policies and guidance for health care eligibility of non-military beneficiaries under the Secretarial Designee Program.

**Table 11. Key Authorities and References for Pandemic Influenza and Infectious Disease, Continued**

<b>Key Authority/Reference</b>	<b>Description</b>
DoDI 6200.03	Assigns responsibilities for animal disease response in relation to public health emergencies.
DoDI 6440.03	Establishes policy, assigns responsibilities, provides instructions, and introduces a forum that allows DoD laboratories, programs, and activities with analytic or response capabilities to coordinate execution, develop consensus, and make recommendations governing the detection, identification, characterization, diagnosis, and reporting of CBRN agents, infectious diseases, and other all-hazards agents of military or national significance in support of DoD’s global and homeland defense missions.
Chapters 1, 3, and 4, as appropriate, of Volume 11A of DoD Financial Management Regulation 7000.14-R	Provides procedures for reimbursement for support provided pursuant to the Economy Act. Other federal departments and agencies may request DoD support in response to pandemic influenza and infectious disease pursuant to the Economy Act.
DoD Implementation Plan for Pandemic Influenza	Provides guidance for pandemic influenza planning to prepare for, detect, respond to, and contain the effects of a pandemic on military forces, DoD civilians, DoD contractors, dependents, and beneficiaries. It also addresses DoD assistance to civil authorities.
Office of the Attorney General memorandum, “Summary of Legal Authorities For Use In Response to an Outbreak of Pandemic Influenza”	Summarizes legal authorities for use in response to an outbreak of pandemic influenza.
Assistant Secretary of Defense for Health Affairs (ASD(HA)) Memorandum, “Clarification Regarding the Use of Secretarial Designee Program Authority to Provide Support to the LRN”	Clarifies the use of the Secretarial Designee Program. During an actual or potential public health emergency, DoD laboratories participating in the LRN are authorized to accept and test non-MHS beneficiary samples. DoD laboratory testing of non-MHS samples could continue until DoD laboratories incur an increase in the incremental costs of their operations, at which time the DoD laboratory support would transition to DSCA and be conducted on a cost-reimbursable basis, in accordance with DoDD 3025.18.
MOA for Integrated Consortium of Laboratory Networks	Reflects intent of DoD and other federal departments and agencies to work cooperatively to optimize national laboratory preparedness and provide mutual support wherever possible.



### **12.3. EXAMPLES OF POSSIBLE DOD SUPPORT.**

- a. Biosurveillance (comprehensive health surveillance, animal surveillance, and associated information sharing).
- b. Interagency planning support.
- c. Surge medical capability (sample testing and analysis, public health teams, diagnostics, medical personnel, deployable medical platforms and units).
- d. Diagnostic development and testing.
- e. Patient movement through strategic airlift and definitive care in civilian hospitals after activation of NDMS.
- f. Incident support bases.
- g. Bulk transport of pharmaceuticals, vaccines, and commodities.
- h. Communications support.
- i. Logistical support during quarantines.
- j. Civil disturbance operations ordered by the President.
- k. Mass fatality assistance.
- l. Continuity of operations and continuity of government.
- m. Support of allies and partners and NGOs.
- n. Public affairs support.
- o. Modeling assistance.

### **12.4. REQUEST FOR ASSISTANCE PROCEDURES.**

- a. For Presidential emergency or major disaster declarations in accordance with the Stafford Act, follow the procedures in Section 4 of this volume for FEMA MAs.
- b. For requests for assistance pursuant to the Economy Act, other federal departments and agencies will send a written request to the DoD Executive Secretary.

### **12.5. FUNDING AND REIMBURSEMENT.**

- a. Stafford Act.** FEMA provides DoD reimbursement pursuant to the provision of the Stafford Act.

**b. Economy Act.** Reimbursement for support provided that is not under the provisions of the Stafford Act usually will be provided pursuant to the Economy Act.

## SECTION 13: MASS MIGRATION

### 13.1. GENERAL.

a. DHS is responsible for enforcing laws related to immigration. The President may suspend the entry of aliens by sea, including to prevent or combat a mass migration. The USCG Commandant, under the authority, direction, and control of the Secretary of Homeland Security, designated the Seventh Coast Guard District Commander as the lead authority for certain mass migration management scenarios, detailed in OPERATION VIGILANT SENTRY.

Additionally, the Secretary of Homeland Security may activate OPERATION VIGILANT SENTRY any time a maritime migration emergency threatens to overwhelm DHS components' abilities to manage crisis response with existing resources.

b. In accordance with Executive Order 13276, the President may determine that a mass migration in the Caribbean region is of such magnitude and duration that it poses a threat to the national security of the United States. In the event of a mass migration in the Caribbean region, SecDef:

(1) Provides support to the Secretary of Homeland Security and the Secretary of State regarding the custody, care, safety, transportation, and other needs of the aliens, and assumes primary responsibility for these duties on a non-reimbursable basis, as necessary, to contain the threat to national security posed by the migration.

(2) Provides support to the USCG in carrying out the duties described in Executive Order 12807 regarding interdiction of migrants.

c. If a U.S. local community is overwhelmed by the impact of a mass migration, its State Governor may request a presidential emergency declaration pursuant to the Stafford Act. FEMA will assign an FCO to coordinate the response and support to the State and local authorities. DoD could receive FEMA MAs requesting that DoD provide DSCA.

**13.2. KEY AUTHORITIES AND REFERENCES.** Table 12 lists key authorities and references for mass migration.

**Table 12. Key Authorities and References for Mass Migration**

<b>Key Authority/Reference</b>	<b>Description</b>
Stafford Act	Establishes the President's ability to declare an emergency or major disaster, including when related to overwhelming mass migration. FEMA reimburses DoD pursuant to this authority.

**Table 12. Key Authorities and References for Mass Migration, Continued**

<b>Key Authority/Reference</b>	<b>Description</b>
Economy Act	Provides authority for the provision of support and reimbursement from one federal department or agency to another for goods or services. Other federal departments and agencies may request DoD support in response to mass migration pursuant to the Economy Act.
Public Law 107–296	Assigns DHS responsibility for immigration enforcement.
Executive Order 12807	Authorizes the USCG to enforce the suspension of the entry of undocumented aliens by sea and the interdiction of any defined vessel carrying such aliens. The vessel and its passengers are returned to the country from which they came (or to another country).
Executive Order 13276	Delegates appropriate responsibilities to federal departments and agencies for responding to migration of undocumented aliens in the Caribbean region, including SecDef making facilities at Naval Station Guantanamo Bay (if excess to current military needs and if the provision of which would not interfere with the operation and security of the base) available to the Secretary of Homeland Security and the Secretary of State for the housing and care of any undocumented aliens interdicted or intercepted in the Caribbean region and taken into their custody.
Executive Order 13286	Amends Executive Order 13276 by replacing “Attorney General” with “Secretary of Homeland Security.”
Homeland Security Presidential Directive-5	Directs the Secretary of Homeland Security to develop and administer the National Incident Management System and the National Response Framework.
DoDI 3025.21	Establishes policies and procedures for DoD assistance to civilian law enforcement agencies, including responses to mass migrations.
Chapters 1, 3, and 4, as appropriate, of Volume 11A of DoD Financial Management Regulation 7000.14-R	Provides procedures for reimbursement for support provided pursuant to the Economy Act. Other federal departments and agencies may request DoD support in response to mass migration pursuant to the Economy Act.
DHS OPERATION VIGILANT SENTRY	Provides a comprehensive DHS contingency plan for a unified response to a mass migration event in the Caribbean.
MOA DoD-DHS-USCG – Maritime Homeland Security	Identifies and documents capabilities, roles, missions, and functions for DoD in support of the USCG when conducting Maritime Homeland Security operations and to facilitate the rapid provision of DoD forces to the USCG for support of Maritime Homeland Security operations.

### **13.3. EXAMPLES OF POSSIBLE DOD SUPPORT.**

- a. Incident support bases.
- b. Services associated with housing migrants.
- c. Transportation.

### **13.4. REQUEST FOR DOD ASSISTANCE PROCEDURES.**

- a. Requests for assistance will be in writing and must include a commitment to reimburse DoD pursuant to the Economy Act, if applicable.
- b. For Presidential emergency declarations pursuant to the Stafford Act, follow the procedures in Section 4 of this volume for FEMA MAs for DSCA incident responses.

### **13.5. FUNDING AND REIMBURSEMENT.**

- a. Stafford Act.** FEMA provides DoD reimbursement pursuant to the provisions of the Stafford Act.
- b. Economy Act.** Reimbursement for support provided that is not under the provision of the Stafford Act usually will be provided pursuant to the Economy Act.

## SECTION 14: CIVIL DISTURBANCE OPERATIONS

### 14.1. GENERAL.

a. The primary responsibility for protecting life and property and maintaining law and order in the civilian community is vested in State and local governments. Governors employ National Guard forces in State active duty to support State and local government agencies for disaster responses and in domestic emergencies, including response to civil disturbances; the Governor directs, commands, and controls such activities in accordance with State or territorial law and federal law.

b. The U.S. Constitution and laws of the United States authorize the President to employ military forces to suppress insurrections, rebellions, and domestic violence under various conditions and circumstances. The employment of federal military forces to control civil disturbances may occur only in a specified civil jurisdiction under specific circumstances, as authorized by the President.

c. Emergency authority provided to federal military commanders is described in DoDD 3025.18 and Appendix 14A of this volume.

**14.2. KEY AUTHORITIES AND REFERENCES.** Table 13 lists key authorities and references for civil disturbance operations.

**Table 13. Key Authorities and References for Civil Disturbance Operations**

Key Authority/Reference	Description
The Insurrection Act	Establishes the authority for the President, under certain conditions, to suppress any insurrection, domestic violence, unlawful combination, or conspiracy in a State.
The Posse Comitatus Act	Contains a statutory restriction on DoD participation in civilian law enforcement activities.
DoDD 3025.18	Establishes DoD policy and assigns responsibilities for DSCA. Provides emergency authority in extraordinary emergency circumstances.
DoDD 5200.27	Provides DoD policies for acquisition of information concerning persons and organizations not affiliated with DoD in operations related to civil disturbances.
DoDD 5210.56	Provides DoD policy and assigns responsibilities for carrying of firearms and the use of force by DoD personnel engaged in security, law and order, or counterintelligence activities.
DoDI 3025.21	Establishes policy, assigns responsibilities, and provides procedures for DoD support of federal, State, tribal, and local civilian law enforcement agencies, including responses to civil disturbances.

**Table 13. Key Authorities and References for Civil Disturbance Operations, Continued**

<b>Key Authority/Reference</b>	<b>Description</b>
Joint Publication 3-28	Provides guidelines and principles for DSCA, including support of civilian law enforcement agencies.
CJCS Instruction 3121.01B	Provides Standing Rules for the Use of Force (classified).

**14.3. EXAMPLES OF POSSIBLE DOD SUPPORT.**

- a. Dispersing unauthorized assemblages.
- b. Patrolling disturbed areas.
- c. Maintaining essential transportation and communications systems.
- d. Setting up roadblocks.
- e. Cordoning off areas.

**14.4. PROCEDURES FOR REQUEST FOR ASSISTANCE.** The procedures and approval authorities for civil disturbance operations are found in DoDI 3025.21.

**14.5. FUNDING AND REIMBURSEMENT.** If the President of the United States directs the employment of federal military forces for civil disturbances, it is a DoD mission, and reimbursement is not required.

Appendix

- 14A. Emergency Authority

## APPENDIX 14A: EMERGENCY AUTHORITY

### 14A1. GENERAL.

a. The provisions of emergency authority are found in Paragraph 4.i. of DoDD 3025.18.

b. Emergency authority differs from immediate response authority. Table 14 compares and contrasts emergency authority and immediate response authority. For additional information on immediate response authority, see Section 5 of this volume.

**Table 14. Comparison of Emergency Authority with Immediate Response Authority**

	<b>Emergency Authority</b>	<b>Immediate Response Authority</b>
<b>Authority</b>	Paragraph 4.i of DoDD 3025.18	Paragraph 4.g. of DoDD 3025.18
<b>Situation requiring usage</b>	Civil disturbances	Disaster or emergency
<b>Purpose</b>	<ul style="list-style-type: none"> <li>- Prevent significant loss of life</li> <li>- Prevent wanton destruction of property</li> <li>- Restore governmental function</li> <li>- Restore public order</li> <li>- Protect federal property</li> <li>- Protect federal functions</li> </ul>	<ul style="list-style-type: none"> <li>- Save lives</li> <li>- Prevent human suffering</li> <li>- Mitigate great property damage</li> </ul>
<b>Probability of using authority</b>	Extremely rare	Very limited
<b>Lethal force</b>	If necessary	Not allowed
<b>Law enforcement actions</b>	If necessary	Not allowed
<b>Request from civil authority</b>	Not required	<b>Required</b>
<b>Reimbursable</b>	No	Yes (must seek)
<b>Authorization extends to:</b>	Federal military commanders	<ul style="list-style-type: none"> <li>- DoD officials</li> <li>- Federal military commanders</li> <li>- DoD Component heads</li> <li>- Responsible DoD civilian officials</li> </ul>

c. It is very likely that the situations or incidents that allow federal military commanders to exercise emergency authority also will involve conditions for commanders to exercise immediate response authority, but **not** the reverse. Emergency authority is only available in extraordinary emergency circumstances where prior authorization by the President is impossible and duly



constituted local authorities are unable to control large-scale, unexpected civil disturbances. The classic example of when emergency authority and immediate response authority were both used was during the earthquake and fires of San Francisco in 1906.

**14A2. KEY AUTHORITIES AND REFERENCES.** Table 15 lists key authorities and references for emergency authority.

**Table 15. Key Authorities and References for Emergency Authority**

<b>Key Authority/Reference</b>	<b>Description</b>
U.S. Constitution	Provides the President the authority to enforce federal law. SecDef and DoD derive their authority from the President.
DoDD 3025.18	Establishes DoD policy and assigns responsibilities for DSCA. Provides military commanders emergency authority in extraordinary emergency circumstances.
DoDI 3025.21	Establishes policy, assigns responsibilities, and provides procedures for DoD support of federal, State, tribal, and local civilian law enforcement agencies. Provides guidance on the use of emergency authority.

**14A3. EXAMPLES OF CIRCUMSTANCES THAT MAY LEAD TO THE USE OF EMERGENCY AUTHORITY.** Examples of the types of circumstances that may result in a federal military commander being **unable** to obtain authorization from the President include:

- a. Electromagnetic pulse that disables electronic devices in a large area.
- b. Massive solar flare that disables the power grid and destroys communications equipment.
- c. Crippling computer attacks that disable critical infrastructure, especially the communications sector.
- d. Catastrophic earthquake.
- e. IND detonation.

**14A4. EMERGENCY AUTHORITY PROCEDURES.** Federal military commanders use the following procedures to determine if emergency authority actions are appropriate:

- a. Determine there is an unexpected, large-scale civil disturbance.
- b. Determine if one of the following situations in Table 16 exists.

**Table 16. Situations for Emergency Authority**

<b>Situation #1</b>	<b>Situation #2</b>
Local authorities are unable to control the civil disturbance.	Federal, State, or local authorities are unable or decline to provide adequate protection for federal property or Federal Government functions.
Military actions and activities are necessary to: <ul style="list-style-type: none"> <li>- Prevent significant loss of life.</li> <li>- Prevent wanton destruction of property.</li> <li>- Restore governmental function.</li> <li>- Restore public order.</li> </ul>	Military actions or activities are necessary to: <ul style="list-style-type: none"> <li>- Protect federal property.</li> <li>- Protect federal functions.</li> </ul>

c. Seek authorization from the President through all available means. This is a much more stringent requirement than in exercising immediate response authority. Before emergency authority may be used, it must be **impossible** to communicate through the chain of command to obtain Presidential authorization to conduct civil disturbance operations. The critical element for immediate response authority is that **time does not permit** approval from higher authority.

**14A5. ENGAGEMENT.**

- a. Engage in temporary military actions and activities necessary to quell the civil disturbance.
- b. Report all actions and activities to higher headquarters as soon as possible.
- c. End military actions and activities as soon as possible and return control to civil authorities.

**14A6. FUNDING AND REIMBURSEMENT.**

- a. DoD units use existing funding.
- b. There is no requirement for reimbursement for any action taken in accordance with emergency authority.

## **GLOSSARY**

### **G.1. ACRONYMS.**

ANG	Air National Guard
APHIS	Animal and Plant Health Inspection Service
ASD(HA)	Assistant Secretary of Defense for Health Affairs
ASD(HD&GS)	Assistant Secretary of Defense for Homeland Defense and Global Security
AW	airlift wing
CBRN	chemical, biological, radiological, nuclear
CBRNE	chemical, biological, radiological, nuclear, and high-yield explosives
CCDR	Combatant Commander
CCMD	Combatant Command
CDRUSNORTHCOM	Commander, U.S. Northern Command
CDRUSPACOM	Commander, U.S. Pacific Command
CFR	Code of Federal Regulations
CJCS	Chairman of the Joint Chiefs of Staff
DCE	Defense coordinating element
DCO	Defense coordinating officer
DHS	Department of Homeland Security
DLA	Defense Logistics Agency
DoDD	DoD Directive
DoDI	DoD Instruction
DOE	Department of Energy
DOI	Department of the Interior
DOJ	Department of Justice
DRF	Disaster Relief Fund
DSC	dual-status commander
DSCA	Defense Support of Civil Authorities
DTRA	Defense Threat Reduction Agency
EPA	Environmental Protection Agency
EPLO	emergency preparedness liaison officer
ESF	Emergency Support Function
EXORD	execute order
FCO	federal coordinating officer
FEMA	Federal Emergency Management Agency
FIOP	Federal Interagency Operational Plan
FOSC	federal on-scene coordinator
GPF	general purpose forces

GSA	General Services Administration
HAZMAT	hazardous material
HHS	Department of Health and Human Services
IND	improvised nuclear device
J33	Joint Staff Homeland Defense Division, DSCA Branch
JFO	Joint Field Office
LNO	liaison officer
LRN	laboratory response network
MA	mission assignment
MAA	mutual aid agreement
MAFFS	Modular Airborne Fire Fighting System
MCM	medical countermeasures
MOA	memorandum of agreement
NASA	National Aeronautics and Space Administration
NCP	National Oil and Hazardous Substances Pollution Contingency Plan
NDMS	National Disaster Medical System
NGA	National Geospatial-Intelligence Agency
NGO	Non-governmental organization
NICC	National Interagency Coordination Center
NIFC	National Interagency Fire Center
NJOIC	National Joint Operations and Intelligence Center
non-MHS	non-military healthcare system
NRC	National Response Center
NRCC	National Response Coordination Center
NRS	National Response System
NRT	National Response Team
OASD(HD&GS)	Office of the Assistant Secretary of Defense for Homeland Defense and Global Security
OPCON	operational control
OSC	on-scene coordinator
OSLTF	Oil Spill Liability Trust Fund
PRFA	pollution removal funding authorization
PSMA	pre-scripted mission assignment
RDD	radiological dispersal devices
RRT	Regional Response Team
SAR	search and rescue

SecDef	Secretary of Defense
SLTT	State, local, tribal, and territorial
USACE	U.S. Army Corps of Engineers
U.S.C.	United States Code
USCG	U.S. Coast Guard
USDA	U.S. Department of Agriculture
USFS	U.S. Forest Service
USNORTHCOM	U.S. Northern Command
USPACOM	U.S. Pacific Command
WMD	weapons of mass destruction

**G.2. DEFINITIONS.** Unless otherwise noted, these terms and their definitions are for the purpose of this issuance.

**coastal zone.** Defined in the NCP.

**complex catastrophe.** Defined in the DoD Dictionary of Military and Associated Terms. “Complex catastrophe” is a DoD term and not part of the interagency disaster terminology.

**dosimetry.** The calculation and assessment of the ionizing radiation dose received by the human body due to both external irradiation and the ingestion or inhalation of radioactive materials.

**DSCA.** Defined in DoDD 3025.18.

**emergency authority.** Defined in DoDD 3025.18.

**ESF.** The primary federal coordinating structure for building, sustaining, and delivering the response core capabilities, as specified in the National Response Framework.

**GPF.** Active and Reserve Component military forces, other than special operations and strategic forces, operating in a Title 10 status under the command and control of SecDef. This definition is consistent with “conventional forces,” as defined in the DoD Dictionary of Military and Associated Terms, when operating in a Title 10 status.

**hot wash.** A meeting or teleconference that takes place shortly after an incident response in order to discuss observations and lessons for submission to an after action report. Observations and lessons are captured in the Joint Lessons Learned Information System.

**immediate response authority.** Defined in DoDD 3025.18.

**inland zone.** Defined in the NCP.

**just-in-time training.** Training that occurs just before it is needed. The training can be tailored for the specific mission and environment.

**MA.** FEMA MAs are reimbursable work orders for a specific task that can be performed before and after a Presidential emergency or disaster declaration. MAs are FEMA's method for requesting resources from other federal departments and agencies during a disaster response.

**MAFFS.** A self-contained unit used for aerial firefighting that can be loaded onto a C-130 Hercules aircraft, which then allows the aircraft to be used as an air tanker against wildfires.

**nuclear-radiological incident.** Defined in DoDD 3150.08.

**PSMA.** A preliminary statement of work prepared and agreed upon jointly by a department or agency with responsibilities in the NRF and FEMA. It is developed before any incident to expedite the delivery of federal assistance. The PSMA may be a not-yet-approved starting point in the development of an MA. It is a method for developing FEMA requests in coordination with other federal departments and agencies to meet its forecasted operational requirements.

**tactical control.** Defined in the DoD Dictionary of Military and Associated Terms.

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