

# CHAPTER 11

## IN SUPPORT OF THE CIVIL AUTHORITIES

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Military assistance to civilian authorities is not a new concept. From before the birth of this nation, the military, whether militia or regular or both, has habitually supported local, state, and federal civilian authorities in times of manmade or natural disaster, civil unrest, or other situations. This support was very often questionable in legality and usefulness. Over time, though, numerous laws and directives have transformed this supporting relationship into an institutionalized interdepartmental and interagency coordination and planning process. The changing nature of threats, however, has expanded the scope of the military's responsibilities in support of civilian authorities. This old mission now involves an ever-widening array of diverse military and Department of Defense (DoD) organizations and agencies equipped with new terminology and new, evolving concepts.

The United States faces myriad threats today besides those caused by natural phenomenon. Many factors make these threats more ominous. Foremost is U.S. preeminence as a world power. Groups opposed to the thrust of our post-Cold war policies have multiplied in recent years. The openness of the U.S. society provides an opportunity for our enemies to operate with more freedom than they would have in more restrictive venues. Also exacerbating the threats is the global proliferation of cheap Weapons of Mass Destruction (WMD). These threats can be described as either international or domestic. International threats fall into one of three separate categories: international terrorism, transnational threats, and conventional attacks. The first category, international terrorism, consists of nations who view terrorism as a tool

of foreign policy such as Iran, Iraq, Syria, Libya, Cuba, and North Korea, autonomous, transnational terrorist organizations or groups possessing their own infrastructures, personnel, financial arrangements, and training facilities, and, finally, the loosely affiliated extremist groups. The reasons for any type of terrorist attack by these groups are as varied as the groups or the individuals themselves. They range among revenge, publicity, political change, visibility, financial gain, and chaos!

Transnational threats are comprised of any transnational activity threatening the national security of the United States. This includes international terrorism, narcotics trafficking, the proliferation of WMD and the delivery systems for such weapons, and organized crime or any individual or group that engages in such activity.

The U.S. homeland appears to be impervious to conventional attacks, as we know them in the foreseeable future. Nevertheless, the possibility of such attacks exists, especially an aerial or maritime attack using conventional platforms.

Domestic terrorism stems from domestic groups who are based and operate entirely within the United States, its territories, or possessions, and whose activities are directed at elements of the federal, local, or state governments or the U.S. civilian population. The United States is experiencing a rapid growth in domestic terrorist groups.

The Critical Foundations Report of the Presidential Commission on Critical Infrastructure Protection asked how the United States could protect itself from any terrorist threat. A simple but realistic answer is that the best protection besides vigilance is preparation. Being prepared is the responsibility of every citizen, community, business and government. For those in DoD, it is even more critical because its responsibilities are spread over a large arena.

Figure 1 entitled “Homeland Security” provides an excellent look at this diverse arena. Homeland Security (formally known as Homeland Defense and still not an approved term) is defined as protecting our territory, population, and critical infrastructure at home by:

- Deterring and defending against foreign and domestic threats.
- Supporting civil authorities for crisis and consequence management.
- Helping to ensure the availability, integrity, survivability, and adequacy of critical national assets.

Homeland Security has a full line-up of players. Not only do we have the mission spread between several Unified and Functional Commands, but these commands must act in support of a number of Lead Federal Agencies (LFA). The areas of responsibility of these Federal Agencies often overlap with the result that DoD may find itself supporting several federal agencies simultaneously.



Figure 1.

A possible example of this is a domestic WMD incident. The FBI has the lead in crisis management for the incident whereas the Federal Emergency Management Agency (FEMA) would have the lead for consequence management operations. However, the FBI retains overall the role as LFA until they release it to FEMA. Even with all this federal support, the local and state responders will be the first on the scene and will usually remain in charge to coordinate consequence management operations. *Our challenge in this is to try to integrate and coordinate an effective DoD response to support civilian authorities. This is accomplished by thorough planning.*

Under the Constitution, the civilian government is responsible for preserving public order and carrying out governmental operations within its territorial limits. The DoD may provide forces to support civil authorities to mitigate the effects of civil emergencies—catastrophic fires, hurricanes, floods, civil disturbances, and earthquakes. Such support usually occurs after a presidential declaration of a major disaster or an emergency. The support is designed to supplement the efforts and resources of state and local governments and voluntary organizations but only for a limited time and until the civil authorities can reasonably accomplish these tasks without DoD support. The Federal Response Plan (FRP) provides the national architecture to coordinate the actions of all supporting federal agencies including DoD.

Army forces will provide support as part of the DoD effort primarily in accordance with DoD Directive 3025.15, Military Assistance to Civil Authorities (MACA). The MACA directive is wide ranging and address both natural and man made disasters and includes military assistance to civil disturbances, counterdrug activities, combating terrorism, and law enforcement. The Secretary of the Army is designated as the DoD Executive Agent for non-WMD MACA. (See Figure 2.)

## Command and Control

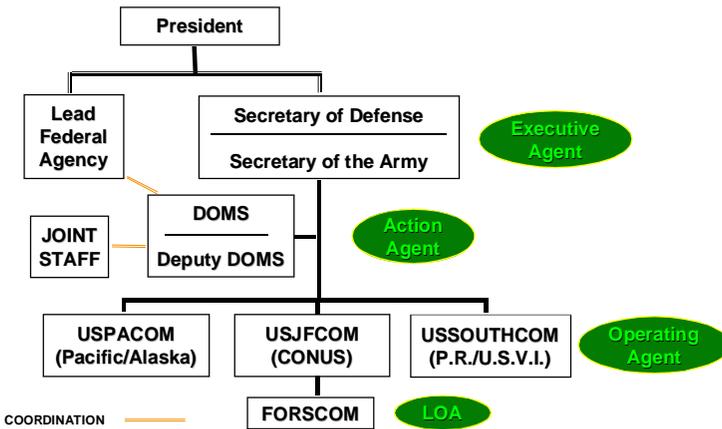


Figure 2.

The Secretary of the Army uses the Director of Military Support (DOMS) as the Action Agent to plan, coordinate, and direct MACA operations across all Commander-in-Chief (CINC) lines. The military services and DoD agencies all lend support to the effort. In the case of MACA, there are three CINC's who have the responsibility for all U.S. territory as follows:

- United States Joint Forces Command (USJFCOM) — 48 contiguous states;
- United States Pacific Command (USPACOM) — Alaska, Hawaii, and the Pacific Islands;
- United States Southern Command (USSOUTHCOM) — Puerto Rico and the U.S. Virgin Islands.

The DoD uses a standard organization within the CINC's to execute MACA mission. Figure 2 shows a basic template of the DoD Support to an incident. Each CINC is responsible for planning and executing MACA operations in his area of

responsibility. Two of the CINCs use a subordinate command to execute the mission. Within USJFCOM, Forces Command is the subordinate command appointed as the Lead Operational Authority (LOA) for planning and executing non-WMD MACA.

Forces Command has a broad range of domestic support responsibilities as USJFCOM's Lead Operational Authority for Military Support to Civil Authorities. Forces Command's most challenging responsibilities are to develop USJFCOM domestic emergency plans, coordinate with FEMA for disaster response IAW the Federal Response Plan, train DoD Defense Coordinating Officers (DCO), monitor the readiness of specialized Reserve Component WMD response elements, and execute military operations in support of many emergency activities. As the Army component for USJFCOM, FORSCOM also provides units, equipment, and other resources for MACA missions as directed by CINCUSJFCOM.

The Commanding General, FORSCOM, currently conducts regional disaster relief planning, coordination and execution through the two Continental U.S. Army's (CONUSA): the First United States Army located at Fort Gillem, Georgia, and the Fifth United States Army located at Fort Sam Houston, Texas. The First U.S. Army oversees 27 states and the District of Columbia that comprise FEMA Regions I, II, III, IV, and V. The Fifth U.S. Army area of responsibility consists of 21 states and encompasses FEMA Regions VI, VII, VIII, IX, and X.

For certain type of missions, usually natural disasters, requiring limited DoD support, a CINC will dispatch a Defense Coordinating Officer (DCO) to serve as the DoD single point of contact for providing DoD resources. The DCO validates mission requests from a civilian Federal Coordinating Officer (FCO) located at the local FEMA federal disaster field office and coordinates the appropriate military response.

## Army Regional Planning Agents

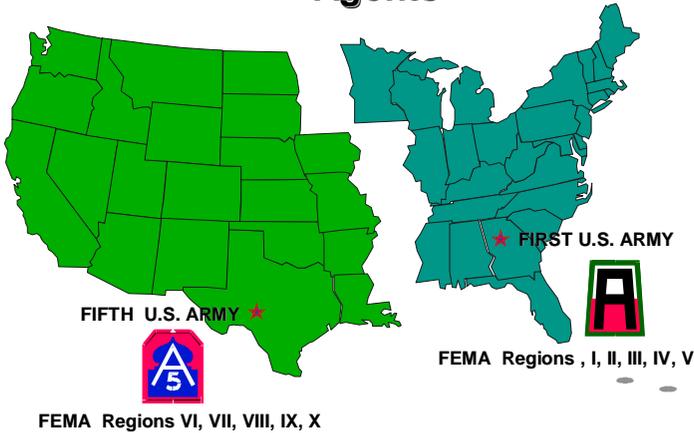


Figure 3.

The DCO is an active duty position. By DoD Directive, the appointed DCO will be a military officer in the grade of O-6. The DCO is not always an Army officer. However, the Army (Forces Command) has pre-designated and trained a cadre of Army colonels to specifically perform this function. Each of FORSCOM's Training Support Brigade (TSB) Commanders and Colonel Senior Army Advisors are trained to be a DCO and assigned to a particular state.

The DCO will coordinate disaster requests for assistance with the CONUSA. The CONUSA may then supply the requested asset or ask for FORSCOM to source the request. The DCO maintains Operational Control (OPCON) of all assigned DoD Forces, except the United States Army Corps of Engineers (USACE), operating in the disaster area. Also, the National Guard of each state is committed under State Active Duty and will not be OPCON to the DCO. The Guard remains under state control during disaster relief.

During vary large disasters, a Joint Task Force (JTF) may be created for C2. In these cases, the DCO maintains

the same relationship with the FCO. The DCO accepts the taskings from the FCO and passes these to the JTF for execution. Additionally, now the JTF maintains OPCON of all DoD assigned forces in the disaster area (except U.S. Army Corps of Engineer assets).

Within DoD, each service maintains a cadre of specifically trained reserve officers assigned to coordinate MACA missions in each FEMA region and each state. These positions are drilling reserve officers, not Active Guard or Reserve (AGR) or active duty. As a condition of employment, each Emergency Planning Liaison Officer (EPLO) agrees to volunteer time during a disaster. Once voluntarily activated, the EPLOs work in support of the FEMA region or the appointed DCO for the disaster. The EPLO's role is to help liaison and coordinate between the FEMA, state, and local officials and DoD. EPLOs are expected to become experts on the plans and procedures within their respective federal region and state. State EPLOs are also expected to become familiar with all service capabilities within their state and establish relationships with service installation commanders. Even though the EPLOs are not commanders nor do they control assets, they are the eyes and ears of the RPA and DCO. The EPLOs are assigned within the 10 FEMA regions and in each state, territory or commonwealth. They are also located many different military organizations: at the two CONUSAs, FORSCOM, the Air Force National Security Emergency Preparedness (AFNSEP) headquarters, the Air Force Emergency Headquarters Relocation Site, the Director of Military Support, and the Office of the Deputy Under Secretary of Defense for Preparedness.

The WMD Act of 1996 directed DoD to organize a response task force (RTF) for WMD incidents. DoD subsequently formed two RTFs: RTF-East located in the First U.S. Army area and RTF-West located in the Fifth U.S. Army area. The RTFs are separate and distinct from JTFs used for disaster relief missions and are specified for deployment to WMD incidents only. The RTF would be

OPCON to USJFCOM during support to crisis management and upon direction of the CINCUSJFCOM, may revert to OPCON to the FORSCOM Commander during support for consequence management.

The RTF commander, usually a CONUSA Deputy Commanding General, forms the organization using internal personnel and equipment resources of the CONUSA headquarters. FORSCOM allocates Army active duty and Army Reserve units based on mission requirements and the task force continually grows or shrinks as mission requirements change.

Today, the RTF commander, also has a limited number of specially focused response assets to call upon for WMD incidents. These elements, including the Army's Technical Escort Unit (TEU), the Navy's Medical Research Institute Lab, and the Marine Corps' Chemical Biological Incident Response Force, are specially trained and equipped to respond in a nuclear, biological or chemical environment.

A 1999 DoD Directive further expanded the military's ability to respond to a WMD incident. This directive named the USCINCJFCOM as the Executive Agent for WMD consequence management in the Department of Defense. USJFCOM has primary responsibility for planning and executing MACA for consequence management for WMD incidents within the United States, its territories, and its possessions. Its primary focus is developing, coordinating, reviewing, and maintaining all Joint Doctrine and Joint Tactics, Techniques and Procedures (JTTP) to guide services in executing consequence management operations. USJFCOM was also tasked to create a standing Joint Task Force for Civil Support (JTF-CS). The JTF-CS is a deployable headquarters created to plan, coordinate and execute DoD support for domestic WMD incidents. The operating concepts and procedures for this newly formed organization are still being solidified.

The military must continue to improve upon existing readiness and develop the capabilities, technologies, and

techniques that will be required to confront any form of attack on the U.S. homeland. The Army, as a member of the joint team, must be ready to respond and support the civil authorities of this country against any disaster, incident or attack no matter what shape or form it comes in. The country demands our knowledge, our expertise, and our courage. When we look in the eyes of the American public we must be able to honestly say—"We did our best."