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ABSTRACT

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Recent experience serves to illustrate the frequent use of military resources in both domestic and international disaster response operations. As the rapid growth of the human population meets 'head on' with global environmental change, the frequency and magnitude of natural and conflict based disasters appear more probable in the future. This study examines the historic role of the U.S. Army in both domestic and international disaster operations within the framework of the present policy environment. Through an analysis of the emergency response mechanisms which 'trigger' a military response, the author suggests that the Secretary of the Army is indeed the correct proponent for military support to civil authority for domestic disasters, but that much more could be accomplished by the states through the use of interstate compacts to regionally share the resources of the National Guard in 'state active duty' status. The Army's role in international disaster operations could be enhanced by the use of a disaster response task force organized around Corps CS/CSS units coordinated by the Corps Rear Tactical Operations Center (RTOC). Such a 'tailored' force would provide the resources to meet the primary emergency support functions in non-hostile situations, while insuring the training of the CS/CSS units and releasing the combat units for continued training. The proposed force structure would impose only limited training and equipment modifications, at minimal cost, while insuring public support of a peacetime Army that provides a service to society.

USAWC MILITARY STUDIES PROGRAM PAPER

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ROLES AND MISSIONS OF THE U.S. ARMY
IN DISASTER OPERATIONS

AN INDIVIDUAL STUDY PROJECT

by

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INTRODUCTION

Disaster operations have several stages: prevention, preparedness, crisis response, and long-term recovery. These apply to both natural and manmade types of disasters. The author (1) explores what role the U.S. Army can, or should, play in addressing these problems.

This paper reviews the history of military participation in disaster operations and the legal basis of the current policy environment which guides disaster support. Given the budget constraints and force reductions envisioned, is it desirable and feasible for the Army to continue its role in disaster operations? Should the National Military Strategy be amended to reflect this role? Some recommendations are offered.

RECENT DISASTER OPERATIONS

The size and frequency of both international and domestic disaster operations supported by the U.S. Army have been appreciated, but largely underestimated by both the public and the defense establishment. Since the successful conduct of Operation Desert Storm, many significant successes have been accomplished by military personnel supporting disaster operations throughout the world. A list of these commitments grows almost daily, but even a partial list is impressive, figure 1.

This list does not include the numerous instances of National Guard operations in support of forest fire, search and rescue and flood evacuation operations which were conducted throughout the nation. The 'Military Support to Civil Authority'

Figure 1

DISASTER RELIEF OPERATIONS

- *Provide Comfort I & II:**
Kurdish refugee support in northern Iraq
- *Sea Angel:**
Relief to cyclone flood victims in Bangladesh
- *Firey Vigil:**
Relief following eruption of Mt. Pinatubo, Philippines
- *Sudden Response/Suddend Shield:**
Civil disturbance operations in Los Angeles
- *Operation 'GTMO':**
Humanitarian assistance to Haitian migrants, Guantanamo Bay
- *Provide Hope:**
Humanitarian Relief to Commonwealth of Independent States
- *Hurricane Andrew:**
Disaster relief in Florida and Louisiana
- *Hurricane Iniki:**
Disaster relief in Hawaii
- *Typhoon Omar:**
Disaster relief in Guam
- *Provide Promise:**
Humanitarian assistance to former Yugoslavia
- *Provide Relief:**
Relief flights to Somalia from Kenya
- *Restore Hope:**
Secure relief delivery in Somalia

program is also active in counter-drug operations and in support of other law-enforcement actions (such as security for Interstate 195 in Florida) at the request of local authorities. In addition, the Corps of Engineers is responsible for flood control and coastal erosion projects throughout the country.

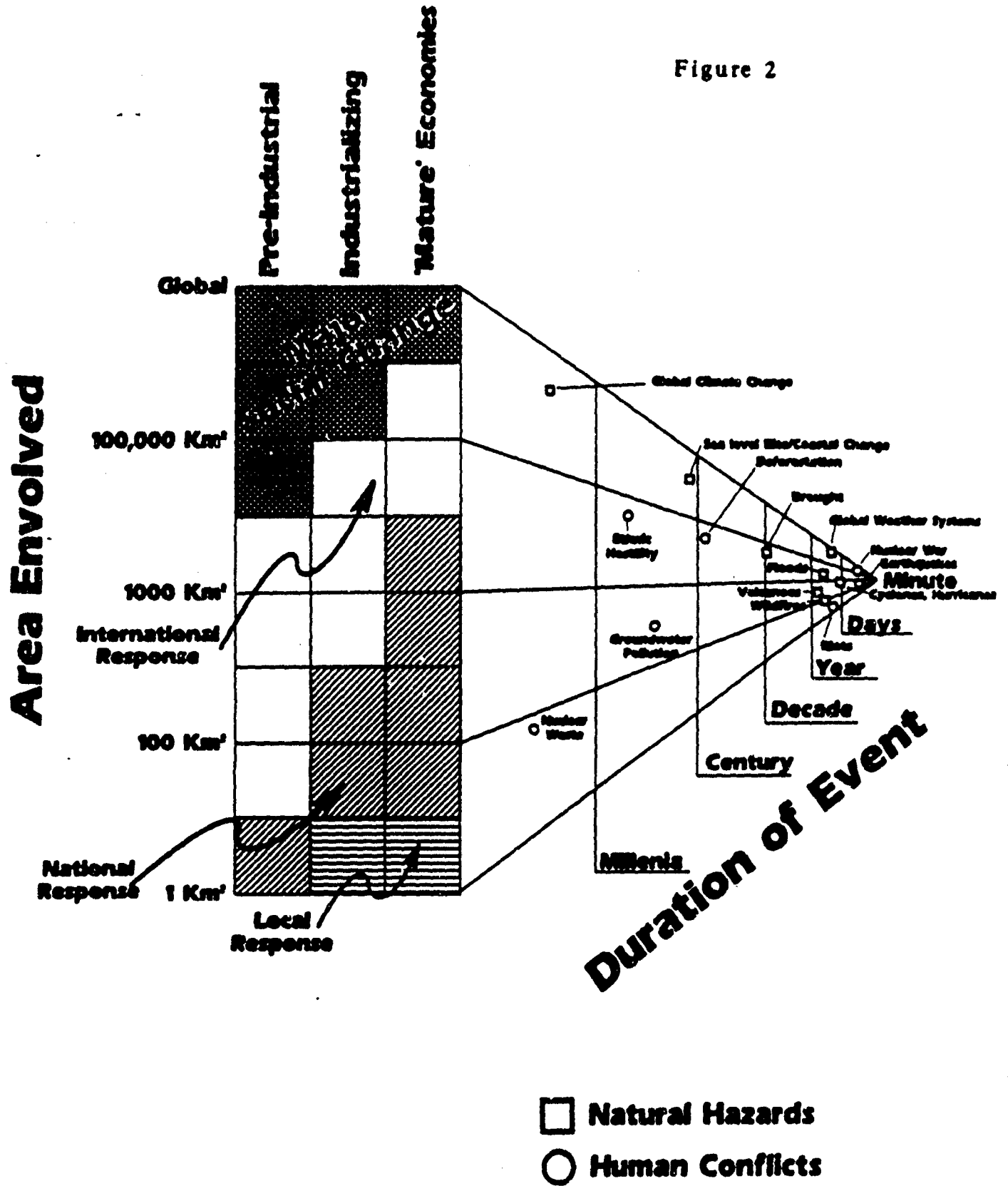
Although it is not possible to place a specific cost estimate on these operations, their sheer numbers reflect a significant impact on budgets and resources. In an operating environment of reducing budgets and downsizing, can the Army continue its current level of support for such operations?

DISASTERS AND RESPONSES: A CONCEPTUAL MODEL

The range of events that constitute emergencies falls within a wide spectrum of natural and human causes, and ranges from local events to global cataclysms. Attempts to classify emergency events by the type of disaster, or some minimal damage threshold, are shortsighted and tend not to recognize the potential significance of an event upon a society. Any effort to create a conceptual model of the impacts of various types of disasters upon a society, must consider its socio-economic capacity to adequately respond to the resulting emergency.

Immediate reaction to a crisis begins with local responses and escalates as these resources are overwhelmed, or as the larger dimension of a disaster is recognized. When Hurricane

Figure 2



Andrew struck in 1992, communications from the south tip of Florida to Miami were severed. Damage in the city was relatively lighter than predicted, and almost 48 hours passed until the full extent of the destruction further south was realized (2). Such delays are more the rule than the exception, and tend to grow with both the magnitude of the event and its areal extent.

This author proposes a graphic model, figure 2, that relates the duration and areal extent of both natural disasters and human conflict effects to a sequence of response levels which vary according to the capacity of a society to effectively react to its needs. The model also reflects the duration of the catastrophic events, some (like earthquakes) last only minutes, while others (such as global sealevel rise) may endure for centuries.

In order to more accurately reflect the 'human' factors, this model classifies societies as pre-industrial, industrializing, or 'mature' economies. This, in effect, gives us a relative scale indicating the relative capacity of a society to respond to emergencies. Of course, this crude classification should arguably be expanded to include a culture's perception of the impact of a given emergency, or a particular government's willingness to divert national wealth to those affected. To preserve simplicity, we will accept the limitations of these social classifications, and also the limited levels of response illustrated by the model.

The model shows that the capacity of a given society to

react to the effects of an emergency depends on the duration and areal extent of the impact, and the relative 'wealth' and development of a society. Developed nations often can cope with damage to their infrastructure because they have developed institutions and mechanisms to respond to anticipated emergencies. Developing nations, by contrast, often must accept losses or rely on international assistance and are less capable (or willing) to expend national wealth assisting those affected.

The response to volcanic eruptions is a good example of this principle. The presence of active volcanoes are obvious, and their eruptive effects are well known, if somewhat unpredictable. In the United States, potentially dangerous volcanoes such as Mount St. Helens, are isolated as parks or special use areas in an effort to isolate them from impacts upon private land and commercial activity (3). The surrounding public land absorbs most of the impacts, and only 'secondary' effects must be controlled by emergency services and public works. However, in Japan where land is scarce, similar volcanic hazards are approached with elaborate engineering (such as 'mudflow' barrages) and evacuation schemes. This permits land surrounding volcanoes to be more extensively used, but at a much higher social cost and risk. Both, however, are examples of 'mature' economies coping with natural hazards within their national capacities. Indonesia (4) is an industrializing island nation with a dense population and active volcanoes. The Indonesian government relies on 'early warning', provided by monitoring, to

issue evacuation alerts to its rural populace- leaving them to accept property losses and rebuild at their own risk. Eruption effects in a pre-industrial society, such as the Republic of Cameroun in west Africa, are often unknown for days in this pre-industrial country, and the national response may be limited to providing local medical assistance (5).

U.S. ARMY SUPPORT TO CIVIL AUTHORITIES

In colonial America, the militias varied in size and organization, but all occupied a social role in each colony which went far beyond the immediate task of providing a collective defense. Officers were elected or appointed by Governors, and local regiments were raised and equipped through community support. The armory was often placed in a prominent location, such as is seen at Williamsburg, Virginia, and the militia was often used as the structure for organizing public works or services, such as fire brigades. Following independence, the Governors retained the right to use militias as they saw fit (6) under the Articles of Confederation.

The Army, as an agency of the federal government under the military provisions of the Constitution, has been available to "establish justice, insure domestic tranquility, [and] promote the general welfare" through enforcing laws, quelling domestic violence and insurrection, combating terrorism, exploring and trail-blazing the 'frontier', participating in public works and environmental projects as directed by the President and Congress (7). However, direct Army involvement in relief operations got

its start during the Civil War. Humanitarian operations, including firefighting, operation of hospitals, and the provision of food and supplies for affected civilian populations both accompanied and followed battles. During reconstruction, Army officers played key roles in the Freedman's Bureau, which provided relief in numerous instances irrespective of race and its primary responsibilities for freed slaves (6). In addition to providing security and civilian assistance during the westward expansion, the Army played a direct role in disaster relief operations, including fires in Chicago (1871) and Seattle (1889); epidemics on the lower Mississippi (1873,1878); flooding on the Mississippi (1874,1882,1884,1890,1897) the Missouri (1881) the Ohio (1884), and the Rio Grande (1897), and in Johnstown, Pa. (1889); a plague of locusts in the Southwest (1874-75); fierce storms in Texas and Mississippi (1880); drought in Oklahoma (1890); and forest fires in Minnesota (1894). With the slow communications of the 19th century, commanders undertook many operations on their own initiative as local conditions demanded (7).

By the beginning of the 20th century, the Army's role in domestic disaster relief was routine. In the aftermath of the 1906 San Francisco earthquake the Army was criticized as its efforts to contain fires initiated by the quake may have contribute to the overall damage. But few complained as the small garrison of 600 men cared for a quarter of a million people for two months after the disaster. The Red Cross was officially

tasked as the nation's disaster relief agency in 1905, creating uncertainty as to the Army's role. The Army even patrolled and protected the scenic wonders of Yellowstone, Yosemite and Sequoia national parks until the establishment of the National Park Service in 1916.

The Army first published AR 500-60 (Military Assistance to Disaster Relief) in 1924 limiting action to where "overruling demands of humanity compel immediate action" or "where local civil resources were obviously inadequate." Large-scale flood disasters in the 1930's prompted the Army's cooperation with the Red Cross, and an increased dependence upon the National Guard serving in state status.

In the years following World War II, the Army followed guidelines which limited its intervention (in close cooperation with the Red Cross) only to times of greatest need. Examples include cleanup and provisioning following the explosion of a fertilizer freighter which leveled much of Texas City, Texas (1947); tornadoes in Texas (1953) and the midwest (1974); volcanic eruptions in Hawaii (1955) and Washington (1980); the collision of two airliners over the Grand Canyon (1956); earthquakes in Arkansas (1964) and California (1989); winter storms in Iowa (1975) and New York (1977); floods in the southwest and North Carolina (1971) and West Virginia (1972); forest fires in Yellowstone (1988) and Oregon and California (1990); the Exxon Valdez oil spill cleanup in Alaska (1989); hurricane cleanup in West Virginia (1969), Texas (1970),

mid-Atlantic states (1982), South Carolina (1989), Florida, Louisiana, Hawaii and Guam (1992).

Since 1977, the disaster relief activities of the federal government are under the control of the Federal Emergency Management Agency (FEMA) with the Secretary of the Army designated as the Executive Agent for all DoD operations. Additionally, the Robert T. Stafford Disaster Relief and Emergency Assistance Act (PL 93-288) of 1988 specifies that the President shall appoint a Federal Coordinating Officer (FCO) to operate within the affected area to coordinate federal assistance with state and local efforts. Thus, Army operations will supplement state and local resources at their request.

INTERNATIONAL DISASTER RESPONSE RESOURCES AND MECHANISMS

Disaster assistance and relief operations are not a new concept in international policy, in fact, crisis response was an important ingredient in 'Cold War' diplomacy. Neutral countries such as Pakistan, Indonesia and Peru benefited from competing relief activities by both 'east' and 'west' blocs following natural disasters, while others such as Turkey, Chile, and Cuba had to rely on their political allies for help. The 'thawing' of Cold War tensions was marked by the airlift of US relief supplies to earthquake-stricken Soviet Armenia in December of 1988. With the break-up of the former Soviet Union, and an internal focus for resources within the Commonwealth of Independent States, came an end to superpower competition in international disaster response.

The world today is heading toward a more centralized system of disaster relief, focused on the United Nations as the principal operating agency. While international relief agencies such as the UN Disaster Relief Organization (UNDRO), the International Red Cross/Crescent (INC), the International Monetary Fund (IMF) and World Bank (WB) have been active for years, they have largely limited their operations to the wishes of their 'superpower' benefactors. The United Nations, while still reliant upon U.S. resolve and leadership, is determined to bring about a broader international commitment to relief operations.

On December 3, 1992 the UN Security Council adopted Resolution 794, stating that the situation in Somalia constituted a threat to international peace and security, and, invoking Chapter VII of its charter, authorized Member States to use all necessary means to establish a secure environment for humanitarian relief operations in Somalia. In support of this resolution, U.S. Ambassador Edwin Perkins stated "By acting in response to the tragic events in Somalia, the international community is also taking an important step in developing a strategy for dealing with the potential disorder and conflicts of the post-Cold War world. This step must entail unprecedented levels of cooperation amongst the international community in response to urgent humanitarian needs and to peace-keeping, utilizing our respective military forces if necessary to do so...The post-Cold War world is likely to hold other Somalias in

store for us. The world will seek solutions that can be found only by nations banding together, led by the United Nations. In these endeavors, you will be able to count on the support of the United States. We must respond-together-to solve the great moral and humanitarian challenges that lie ahead" (8).

On December 8, 1992 President Bush authorized US Armed Forces to land in Somalia as the lead element of a Combined Joint Task Force to establish security for humanitarian operations. The U.S. Marine and Army troops were soon joined by military contingents from France, Saudi Arabia, Belgium, Italy, Canada and Botswana. Troops for a follow-on UN Peace-keeping Force were pledged by 18 nations, with 44 nations pledged to contributions for humanitarian operations (9). The support of the international community for the US-led coalition has substantially reduced the estimated US troop requirements, and has been an important step in establishing the precedent for future relief operations.

Military capabilities and resources are important components of disaster relief operations under many circumstances. Figure 3 shows some of the principal agencies and resources employed in relief operations at scales ranging from local response through international operations. In each case, manpower, training and logistics capabilities unique to the military are primary resources. Where the infrastructure is underdeveloped or has been devastated, military airlift and sealift capabilities designed for primitive conditions are essential, as are the

extensive communications, logistics, engineering and medical resources.

THE CURRENT MILITARY POLICY ENVIRONMENT

Title 10, U.S. Code contains no tasking to support civil authorities in the event of major disasters, in fact, it prohibits establishing units or retaining equipment exclusively for non-military missions. Title 32 authorizes use of the National Guard under state active duty, and further specifies the use of military to suppress domestic violence, but other sources must be consulted to understand the present operational environment (10).

Federal and military involvement in domestic disaster operations have evolved through a long list of legislation. Until 1947, congress provided relief for victims of specific disasters through over 128 special acts. The first general disaster relief act (PL 82-233, 1947) allowed the transfer of surplus military property to state and local governments; later, PL 81-875, 1950, authorized federal funds for repair of public facilities of local governments. In 1966, PL 98-769 established the Office of Emergency Planning as the coordinating agency for liaison with state and local governments. Through a series of legislation, this agency was renamed the Office of Emergency Preparedness, the Federal Disaster Assistance Administration, and finally, the Federal Emergency Management Administration (FEMA) (11).

Under PL 93-288 in 1974, FEMA was directed to prepare a

DISASTER RESPONSE LEVELS

Civil/Military Resources

LEVEL	CONTROL	AGENCIES	RESOURCES	Other:
INTERNATIONAL RESPONSE	-UN -Heads of State -Alliances	-UNDRO -IRC -UNSCOM -IMF/WB	Medical Aid Relief Supplies Military (CJTF) Economic Assist.	Private Relief Agencies
NATIONAL RESPONSE (US)	-President SecDef (DOMS) SecHEW (FEMA)	DoD FEMA USPHS USDA Red Cross	Military Asst. Relief Supplies Disaster Grants/ Loans Surplus Food Shelter	Private Relief Agencies
STATE/ REGIONAL RESPONSE	-Governors Emerg.Opns Centers FEMA Region Office	State Police Nat'l Guard DOT, Public Works Depts. Civil Defense	Armories Hospitals Shelters	Regional Disaster Compacts Regional Planning
LOCAL RESPONSE	Local Government Officials (County) (Municipal)	Police Public Works Fire Dept. Hospitals Health Dept.	Hospitals Shelters Food Banks Armory Churches	Mutual Aid Civic Groups Volunteers Federal Insurance Programs

Figure 3

Federal Response Plan for most natural, industrial or conflict disasters (12). This plan was examined (13), along with the DoD directives which support its implementation, in an effort to determine the capabilities and resources required from the military. The Federal Response Plan divides disaster response activities into twelve emergency support functions (ESFs). Nine of the ESFs are clearly activities in which military manpower and resources have traditionally been utilized during emergencies, Figure 4. The first three functions can readily be accomplished given the normal capabilities of selected military units, categories six through eight are frequently accomplished with a minimum of 'on site' training, while the remainder require some planning and pre-mission instruction. Likewise, categories five and ten would be enhanced by some specialized equipment and pre-disaster liaison with civil authorities. The most frequently requested role for military forces, 'security and public safety', is not included on FEMA's list, but has certainly been a valued aspect of relief operations for which all military units are well suited.

Under DoD Directive 3025.1 the Secretary of the Army (SecArmy) is the DoD Executive Agent for disasters. SecArmy has a designated Director of Military Support (DOMS) on the Army Staff, with Air Force and Navy deputies for planning. The DOMS has an O-6 liaison officer at FEMA headquarters, and 600 Individual Mobilization Augmentee (IMA) reservists assigned at all levels of the disaster response hierarchy. The IMA billets

Figure 4

ESF ORG	1 TRANSPORTATION	2 COMMUNICATIONS	3 PUBLIC WORKS AND ENGINEERING	4 FIREFIGHTING	5 INFORMATION AND PLANNING	6 MASS CARE	7 RESOURCE SUPPORT	8 HEALTH AND MEDICAL SERVICES	9 URBAN SEARCH AND RESCUE	10 HAZARDOUS MATERIALS	11 FOOD	12 ENERGY
USDA	S	S	S	P	S	S	S	S	S	S	P	S
DOC		S	S	S	S	S	S			S		
DOD	S	S	P	S	S	S	S	S	P	S	S	S
DOE					S							
DOE	S		S		S		S			S		P
DHHS			S		S	S	S	P	S	S	S	
DHUD						S						
DOI		S	S	S	S					S		
DOJ					S			S		S		
DOL			S				S		S	S		
DOS	S									S		S
DOT	P	S	S		S	S	S	S	S	S	S	S
TREAS					S							
VA			S			S	S	S				
AID								S	S			
ARC					S	P		S			S	
EPA			S	S	S			S	S	P	S	
FCC		S										
FEMA		S		S	P	S	S	S	S	S	S	
GSA	S	S	S		S	S	P	S	S	S		S
ICC	S											
NASA					S							
NCS		P			S		S	S				S
NRC					S					S		S
OPM							S					
TVA	S		S									S
USPS	S					S		S				

P - Primary Agency: Responsible for Management of the ESF
S - Support Agency: Responsible for Supporting the Primary Agency

are reimbursed to DoD by FEMA. PL 93-288 shifted more of the disaster response burden to the states, but provides 75% cost sharing whenever Federal assistance is provided.

The Army's role in direct civil assistance is limited by statute, as FM 100-1 states (14) "the Army's role in peacetime engagement is widely varied requiring special sensitivity and often interagency coordination...these involvements in domestic affairs are strictly limited by law reflecting our forefather's fear of the intrusion of standing armies into civil life. Within the limits of the law, however, the Army provides disaster relief and assistance to civilian police forces in cases of major civil disturbances."

National Guard forces under state authority have a wider range of activities than they are permitted once they become Federalized. Some governors misunderstand the restrictions of Federal service, and have shifted their Guard units to Federal status to invoke the cost-sharing provisions- only to regret the limitations which were imposed. Recently, during Operation Sudden Response in Los Angeles, California Governor Pete Wilson activated the California National Guard's 49th MP Brigade, for law enforcement (15). Within 6 hours, 2,000 Guardsmen were on the street, and made 140 civil arrests (including 3 for murder) within the first day. The Guard had successfully handled most law enforcement activities, allowing the Los Angeles Police Department (LAPD) to concentrate on emergency escort operations. Gang-related street violence and looting was sharply curbed by

the presence and actions of the National Guard.

However, due to a poor understanding of State Active Duty beyond its fiscal implications, Governor Wilson requested Federal troops and 'federalization' of the Guard. Once this occurred, the roles of the troops were severely restricted, and all tasking was centralized as is required under DoD Directive 3025.12

"Employment of Military Resources in the Event of Civil Disturbances"(16). As a consequence, LAPD requests which had formerly received near immediate responses, were subject to delays of seven to twenty-four hours and were sometimes 'rejected' on the basis of legal restrictions on the use of Federal troops. Unfortunately, despite the increased numbers of military personnel, the delays and restrictions limited the flexibility of local authorities to employ the troops as needed. Only 16 of 167 assistance requests were approved, as a result, California National Guard units were returned to state duty after several days (17). It would require considerable legislative action, including a possible constitutional ammendment, to redefine military law enforcement capabilities during domestic emergencies. Such legislation would not be supported by most governors, nor congressional representatives, as the National Guard is seen as one of the few sources of Federal funding for state resources. One solution is to clearly define the authority that local commanders have to immediately respond in support, a 'state duty' limitations vary depending on each state's laws. Each governor must be prepared to evaluate if it is

'cost-effective' in a given circumstance to accept the limitations of Federal service in exchange for Federal cost-sharing.

Likewise, governors and their civilian staffs have sometimes overestimated Guard capabilities and training. After an unusually heavy snowstorm in Indiana, an Engineer Company (Heavy Equipment) was placed on state duty. Their bulldozers were used to remove the snow, but the curbs were not visible, more than a few sidewalks and fire hydrants were also eliminated (18).

An additional problem facing governors occurs when a response requires resources not found within the affected state's National Guard structure, or when the situation escalates toward a regional crisis. National Guard units in other states may be used to augment local units, or to provide needed resources. This may be done in 'state duty' status, and is particularly effective if mutual support agreements or compacts have been worked out in advance. Usually these compacts specify the protocol, with the requesting state responsible for costs, although they are not uniform. Examples of interstate compacts are the National Guard Mutual Assistance Compact (Alaska, Kansas, Maryland, North Carolina, South Dakota and Virginia), the Interstate Civil Defense and Disaster Compact (Arizona, Arkansas, California, Georgia, Kentucky, Mississippi, South Carolina, Texas, Washington, and West Virginia), and the Interstate Civil Defense Compact (District of Columbia, Nebraska, New Hampshire, New York, Utah, and Vermont). These compacts would be

considerably more effective if they were regionally grouped and more consistently defined.

Some states have mutual assistance agreements with their neighbors that are limited to specific emergencies such as forest fires, floods or environmental protection. However, most mutual assistance is event driven, such as the 'help' by Oregon National Guard units to support the Washington National Guard during the Mount St. Helens eruption that was directed by Oregon's governor at his own state's expense (19). The National Guard Bureau should promote meaningful regional compacts as a component of the 'value added' concept of state service, based on the draft regional agreement which it recently circulated (20), Appendix A.

FEMA maintains regional offices to encourage regional disaster planning and to administer federal programs such as flood insurance. In many cases, however, FEMA regional planners are regarded as outsiders raising the spectre of federal control, while the Guard is seen as a state asset. FEMA-sponsored billets in support of disaster planning should be transferred from IMA status to the National Guard, thus enhancing state liaison activities with FEMA.

At the national level, FEMA includes the military in the Federal Response Plan and has designated DoD as the lead agency for 'Public Works and Engineering' and 'Urban Search and Rescue' functions (21). Although recognizing the unique discipline and capabilities of the military, it must be emphasized that it is neither trained nor equipped to fully embrace these roles, and it

is not likely that such capabilities will be added in an era of shrinking defense budgets. Selected units, trained and equipped to meet emergency needs, could do much more than activating large units of unprepared soldiers. For domestic operations, emphasis should be on the 'special relationship' between the National Guard and the states. The latest revision of DoD Directive 3025.1 specifically designates the Army and Air National Guard, in state status, as the primary agent for disaster relief (22).

Once a natural disaster overwhelms a nation's capacity to respond adequately the international community may respond in several ways, such as the unilateral aid provided by the U.S. to cyclone victims in Bangladesh during Operation Sea Angel, or multinational efforts such as those by the United Nations Disaster Relief Organization (UNDRO) in Somalia and the Sudan. In many cases where infrastructure damage is severe, there is a need for the aircraft, equipment and training offered by organized military units. Military support to disaster relief operations ranges from the transport of supplies and civilian relief workers to organized combat units deployed, as in Somalia, to stabilize a chaotic situation.

As global change and natural disasters, accompanied by ethnic strife and a new wave of nationalism, become the successors to Cold War hostilities, multinational joint service operations (CJTF's) will characterize the defense environment of the near future. This presents fundamental challenges to doctrine and training of the U.S. armed forces, and adds

LEVELS OF RELIEF OPERATIONS

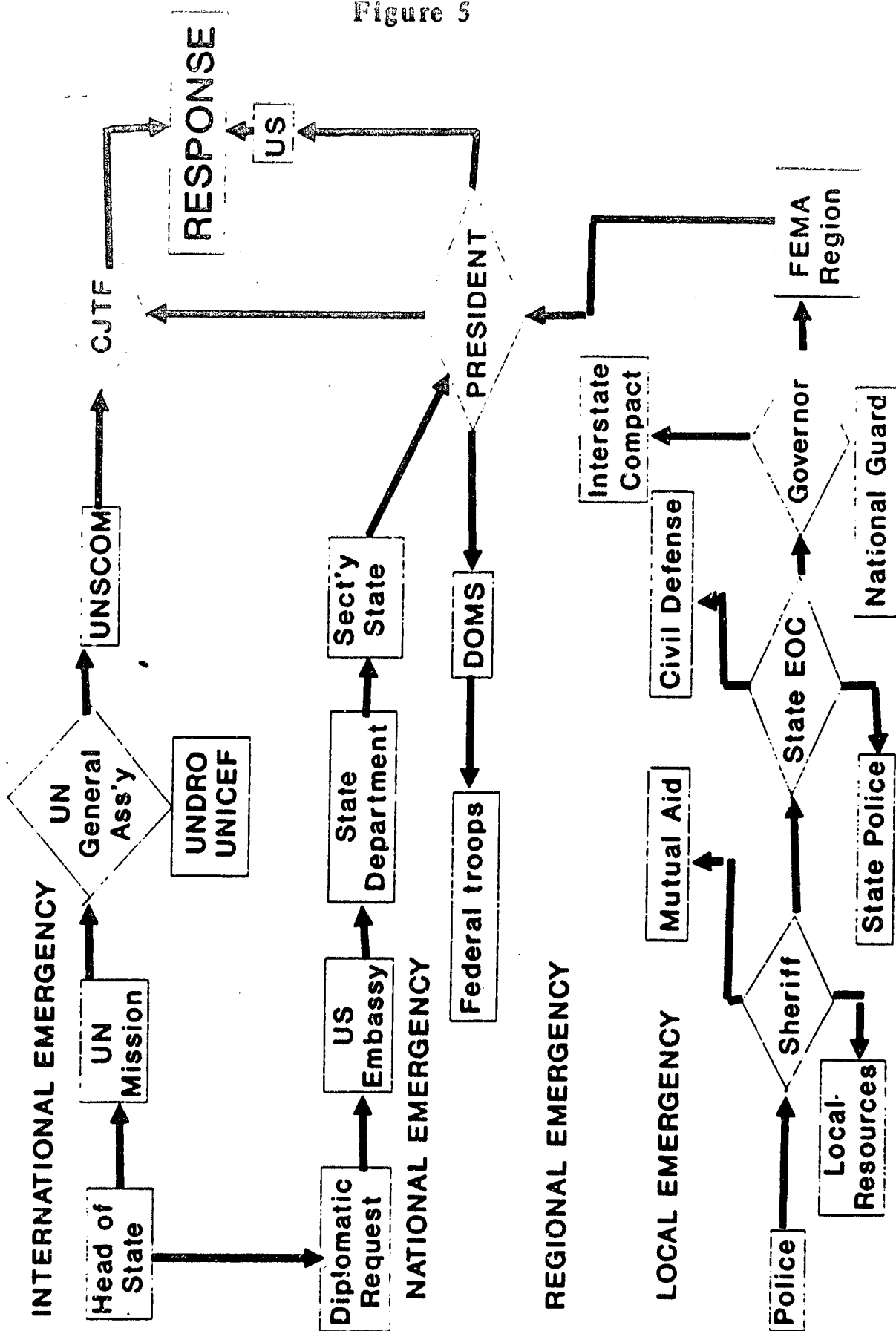


Figure 5

complexity to 'the Army in transition'(23).

Figure 5 illustrates the emergency response mechanisms of the United States. Using this structure, situations from local emergencies through international disasters are evaluated, resourced and responded to by a wide variety of agencies. This figure reflects the linkages between the disaster response agencies mentioned in figure 3. An examination of the structure of the emergency response mechanisms, figure 5, reveals no conflicting or divergent request 'paths'. Clear guidance and streamlined procedures could clear administrative 'hurdles' and add efficiency to the system.

ARMY CAPABILITIES AND REQUIREMENTS

"Despite the challenges the Army has met thus far and the changes yet to come, we remain focused on our very reason for existence: to fight and win America's battles. This purpose must and will prevail through the current period of turbulence. It is not enough just to change; the unique post-Cold War era requires a transformation that enables our Army to be different than the Cold War Army. America's Army will still secure the Nation's enduring, global interests, but with capabilities tailored to the new set of international requirements and domestic constraints recognized by the National Security and National Military Strategies"(24).

The Army's capability to continue to support international and domestic relief operations depends on its ability to tailor a cost effective and responsive organization equally prepared to

serve as an instrument of national policy while maintaining the readiness to project national power.

"America's Army can deliver decisive victory only if it remains constantly trained and ready. Further, there are noncombat tasks for which the Army has a certain capacity by virtue of its size, versatility, and institutional characteristics. A trained and ready force is one also capable of deterring war by means of peacetime activities, forward presence, and timely crisis response. The Army thus becomes America's force of choice for several missions throughout the continuum of military operations, to include peacekeeping, humanitarian assistance and disaster relief operations" (25).

The Army is unique among the Services, having a long history of both civil and military responsibilities. The Army Corps of Engineers maintains its historic role in flood control, shoreline protection and water navigation through its civil branch, while providing its expertise overseas through projects such as designing infrastructure for the rebuilding of Kuwait and recovery efforts around Mt. Pinatubo in the Philippines. The Army's Civil Affairs branch is uniquely focused on reconstruction and nation building, equally prepared to reestablish essential services when disrupted by the ravages of war or natural disaster. Yet, in the context of a "rightsized" Army, these capabilities must be integral to the 'warfighting' organization of a ready strategic force.

The basic organizational structure now, and in the

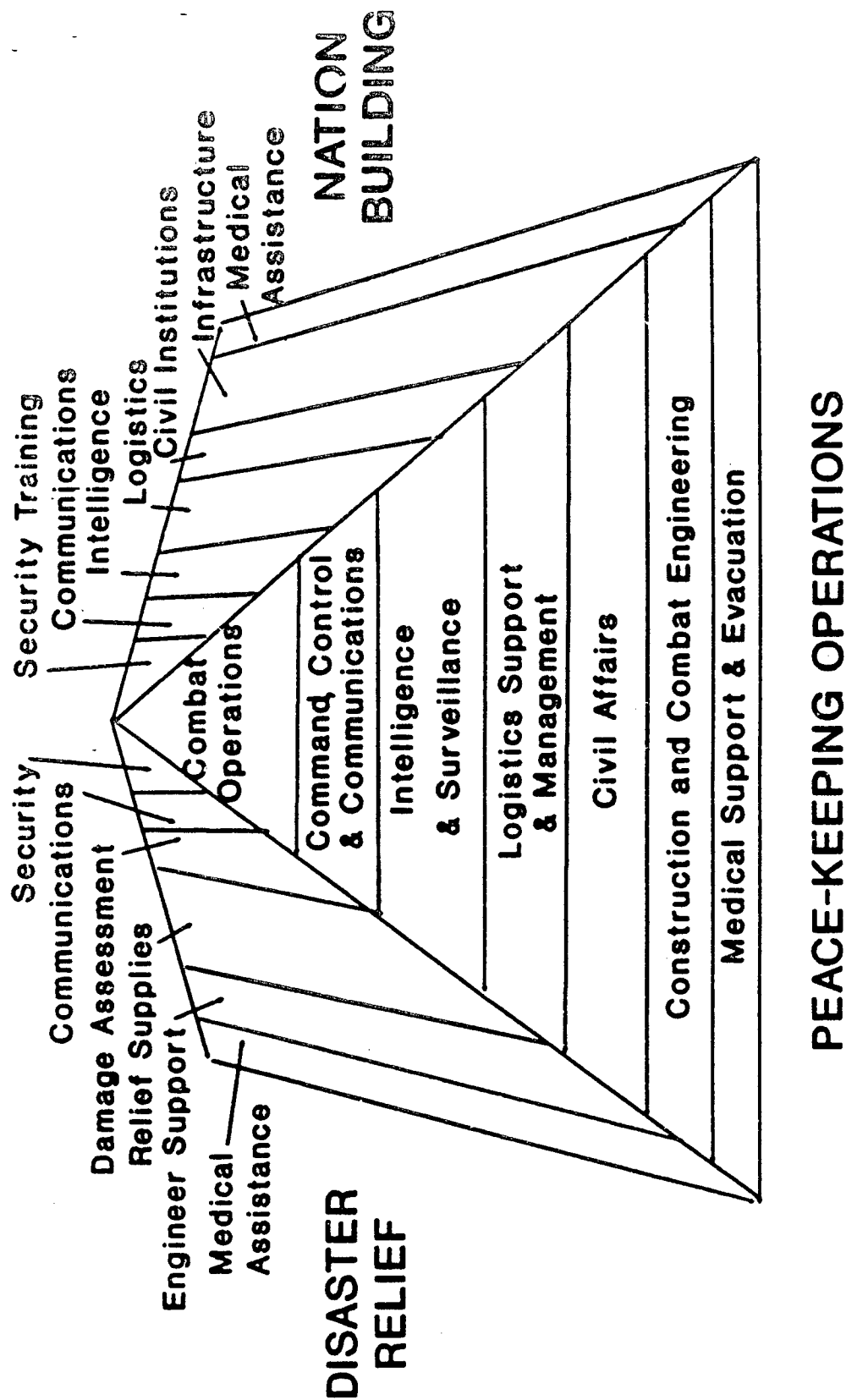
foreseeable future, shall remain the Army corps (26). The corps represents a level of command required to synchronize and sustain combat operations, and contains high-tech capabilities and specialized units not found at lower echelons. In overseas operations the staff structure of a corps facilitates coalition task force operations when working with other nations. For training, the corps insures operational readiness of assigned subordinate units, both active and reserve, through participation in Joint Forces Exercises and the Battle Command Training Program.

Corps level training will legitimately continue to maintain a 'battle focus' with emphasis on the 'warfighter'. The National Training Center, and emerging simulation tools, will emphasize tactical proficiency for combat brigades, with the capability to integrate tactical decisions with strategic wargaming through interactive computer simulations. While this training will address logistics, sustainment and rear battle issues, integrated combat support (CS) and combat service support (CSS) training opportunities will continue to be rare. Yet, the CS/CSS units are the heart of humanitarian and disaster relief operations.

FORCE REQUIREMENTS AND TRAINING

Current Army doctrine (FM 100-15-1) places the Corps' CS/CSS units, and a security task force, under the Deputy Corps Commander (DCG) to insure sustainment of combat operations. The Rear Tactical Operations Center (RTOC) is the special staff of

Figure 6



the DCG. The RTOC as a unit is commanded by a Colonel (O-6) who functions as the G-3 (Rear) for the Corps. The four primary functions of the Corps RTOC are (1) sustainment operations, (2) security, (3) terrain management, and (4) mobility and traffic flow. Liaison elements are provided from the Corps Support Command (COSCOM), Military Police, Movement Control Center, Army Aviation, Engineer, Signal, Air Force (ALO), Host Nation and Civil Affairs. The functions and units comprising the RTOC are at the nucleus of all humanitarian and disaster relief operations.

Figure 6 shows a pyramid representing the military tasks of 'operations short of war'. While active 'peace-making' or 'peace-keeping' operations would normally involve a complete combat element (such as an Army division), humanitarian and disaster relief missions could be tasked to a Corps task force, headed by the DCG and employing the RTOC as the command and control headquarters. Such a task force could easily be tailored for specific contingencies oriented on the regional focus of the Corps. The face of our pyramid shows the tasks essential to peace-keeping operations, while the flanks show how tasks and relative efforts could be tailored to meet disaster relief and nation building mission requirements.

Under conditions with minimal risk of hostile opposition, this could be accomplished without the commitment of large scale tactical resources, and would have little impact on the training cycle of combat units. At the same time, such missions provide

the opportunity to exercise CS/CSS units and the Rear Operations structure of the Corps well beyond the level encountered in joint forces exercises. In reviewing the training aspects of this concept, Admiral Paul David Miller, the current CINCLANT, stated (27) "...such missions provide our forces, our command staffs, and our joint commanders with valuable training in the conduct, management, and oversight of a broad spectrum of other crisis management missions."

It is essential to note that a large proportion of the units which would constitute such a task force will come from the Reserve Components (RC). All Rear Tactical Operations Centers and their subordinate Rear Area Operations Centers (RAOC) come from the National Guard, and the supporting Civil Affairs units are primarily in the Army Reserve (28). In May of 1992, the Director, Army National Guard implemented guidance to organize "Humanitarian Support Units", pre-authorized for 45-day missions, available on 72 hours notice (29). The ARNG units designated were limited to MP, medical, engineer, transportation, aviation and CS companies, but "Project Standard Bearer" could easily be extended to encompass the full range of resources required to support a Corps task force.

CHALLENGES AND OPPORTUNITIES

By reviewing the history of military disaster relief operations, as well as the policies, response mechanisms, and capabilities which guide the responses of U.S. forces, we have identified trends, limitations and opportunities. In an effort

to make 'value added' changes to our disaster response system, we have examined a theoretical model of natural and human-induced disasters, as well as the effects of such catastrophes upon societies. This reveals that the risks associated with disasters rival the devastation associated with all-out war. When the economic and societal costs overwhelm the capacity of a nation to meet the contingency demands, the resulting instability can lead to the collapse of institutions and infrastructure, reversing years of social progress.

The consequences of catastrophic change are very difficult to forecast. U.S. national security interests are affected in two ways- first, when disasters exceed the response capacity of friendly nations, the seeds of discontent can be exploited to undermine government authority or to destabilize a region. Secondly, the ability to provide disaster relief tests the credibility of regional alliances and our status as a global 'superpower'. These risks demand the responsiveness and organizational characteristics inherent to military forces, a fact that is reinforced by America's history of successful military involvement in disaster response.

It is attractive to promote disaster assistance as the fifth 'pillar' of our national defense strategy . However, given the strain on dwindling resources posed by current roles and missions , any commitment must be critically reviewed with respect to primary defense obligations. From the views presented, let us search for means to improve the effectiveness

of traditional military roles in disaster operations.

Domestic Emergencies

The National Guard is the nation's 'first line' of military response for civil emergencies. However, it must be clear to local government that the Guard is neither a 'universal cure' nor a 'dial 911' immediate response asset. Local authorities cannot task Guard units directly, but they can coordinate appropriate emergency use agreements for local armories and can request civic volunteers from local units. Army Reserve Civil Affairs units are frequently willing to assist local governments in preparing civil resources inventories of assets within their communities that could be of significant value in emergencies.

While governors are the Commanders-in-Chief of their respective state guards, considerable variation exists in their means of command and control. Most states have a designated Director of Emergency Services who operates from a centralized operations center during emergencies. Lessons learned from recent operations (30,31) suggest that effectiveness can be improved if states improve their tasking and allocation of National Guard resources. National Guard Bureau should publish guidance to the states reflecting the Emergency Support Functions (ESFs,32) and security roles unique to the National Guard in state active duty status. Additionally, National Guard units need to be better informed of their state missions, including their state's emergency response architecture. The unique nature of

the National Guard's dual mission should be reflected in the individual training, collective tasks and Mission Essential Task List (METL) of units traditionally involved in emergency operations.

Regional mutual assistance agreements among adjacent states, as proposed by the National Guard Bureau (Appendix A), should be vigorously pursued. Additionally, Emergency Support Units should be identified for mutual support within each region, and designated for ESF related equipment such as cellular phones and chainsaws. Finally, at least half of FEMA's military liaison billets should be transferred from IMA status to state STARC's, in order to improve the National Guard coordination at the regional level. These steps could significantly improve the efficiency of the military response to most regional emergencies, at very little cost.

At the national level, the Secretary of the Army should instruct the Director of Military Support (DOMS) to identify facilities, supplies, and active component units to support ESFs for regional and/or multi-regional domestic contingencies. The new FM 100-19, 'Assistance to U.S. Civil Authorities' should be written to reflect the DoD role in ESFs, and should recognize the role of the National Guard in state status. As downsizing and base closures affect both the active and reserve components, some regard should be given to the geographic distribution of military assets that would be vital to the nation in the event of a large scale disaster.

International Disaster Response

The U.S. military response to foreign disaster relief is likely to be prompted by two conditions: the requirement for rapid provision of relief supplies under conditions unsuitable for commercial transport, or under conditions requiring enhanced security measures. The first case relies on the enhanced mobility of military units, which include airdrop, rugged transport aircraft, helicopters, hovercraft, and military vehicles; the second case could involve combat troops and air cover. Task force organizations must be tailored to the mission and the geographical area, based upon the requirements of the regional CINC.

Contingencies focused upon the unique logistical capabilities of the military should consider the Corps Rear Battle architecture as a prototype for relief operations with limited security requirements. The security, sustainment, mobility and damage assessment capabilities of the Corps RTOC and its subordinate units provide a coherent 'package' for many contingency options. This nucleus can be 'fleshed out' with civil affairs, transportation, and medical units as the situation requires.

Under more hostile conditions, it is unlikely that the U.S. will 'go it alone'. U.N. sponsored or U.S. led coalitions, relying heavily on U.S. logistics, have become a hallmark of the 'New World Order'. These operations require a more traditional force structure, generally ranging from a separate brigade to a

corps, to assure adequate command and control of both U.S. and coalition forces.

SUMMARY

"Increasingly, U.S. forces will be called upon to provide humanitarian assistance and disaster relief both at home and abroad (33)". The recommendations we have explored have centered upon three basic areas: (1) maintain and improve the traditional role of the National Guard in its state mission, and retain federal troops for large-scale emergencies. Use international relief operations as a training opportunity (2), to improve regional stability, and to insure access and alliances. Finally, (3) recognize that domestic support and international prestige of the only remaining 'superpower' is enhanced by our service to the 'world community'. The success that we have achieved in this area should be reflected in the 'crisis response' element of our national defense strategy.

The suggestions presented would impose only limited requirements for additional training, as most military roles in disaster relief parallel current military capabilities. The costs of enhanced capabilities or greater involvement would be offset by building public support of a peacetime Army that provides a service to society. Without this essential measure of public acceptance, support for an effective Army to fight abroad will surely erode over time.

"Unfortunately, many term disaster relief operations as

nontraditional. Actually nothing could be further from the truth. As discussed earlier, the U.S. military has a long and distinguished record of serving the nation at home through disaster relief."

"Disaster relief is indeed a traditional Army mission. The recent experiences in Florida [and elsewhere] have both enriched and reinforced that tradition. It is inseparable from the sacred notion of America's Army as a servant of the nation and its people."

"Especially in natural disasters of truly monumental proportion, only military forces possess the capabilities and resources readily at hand to reinforce state and local efforts to deal with the immediate situation."

"The U.S. Army must remain fully prepared to carry out its critically important role in this arena. The American people demand nothing less from their Army" (34).

ENDNOTES

1. The author is a traditional guardsman in the Oregon Army National Guard. In civilian life he is a Professor of Geosciences at Oregon State University, and is currently serving as the chairman of the Commission on Natural Hazards Studies of the International Geographical Union.
2. This situation was described by LTC Rex Thompson at the National Guard Disaster Response Workshop, January 25-28, 1993. Although Guardsmen were in the area, damage estimates were impaired by the lack of communications. Equipping National Guard units with civilian cellular phones was suggested as a solution.
3. Rosenfeld, C. and R. Cooke, Earthfire: the 1980 eruptions of Mount St. Helens, Washington, Cambridge: MIT Press, 1982, 152pp.
4. Verstappen, H., 'Volcanic monitoring and early warning in East Java, Indonesia', Proceedings, ITC Workshop on Natural Disasters, Enschede (Neth.), 1989, p. 27-33.
5. Zogning, A., Risques de Catastrophes Naturelles le Long de la Ligne du Cameroun, ORSTOM: Centre de Rescherches Geographique, Cameroun, 1991, p. ii-vii.
6. Department of the Army, Military Support to Civil Authority, FM 100-19 (Coordinating Draft), Wasnington: U.S. Department of the Army, January 1993.
7. Ibid., a similar account of the Army's historical involvement in disaster operations is given by GEN Gordon R. Sullivan in his article 'Hurricane Andrew: An After Action Report' in the January 1993 issue of Army.
8. Ambassador Perkins address to the UN Security Council on December 3, 1992, was printed in Dispatch, Washington: U.S. Department of State, December 21, 1992, p. 877-878.
9. U.S. Department of State, 'Fact-Sheet: Operation Restore Hope', Dispatch, Washington:U.S. Department of State, vol. 3(50), December 21, 1992.
10. U.S. Army War College, 'Title 10 & 32 USC Extracts', National Military Requirements and Capabilities, Carlisle:USAWC, October 1992.
11. The White House, 'Assignment of Emergency Preparedness Responsibilities', Executive Order 12656, Washington:Federal Register, vol. 53(226), November 18, 1988. Other key regulations are included as Appendix B of this document.

12. See PL 93-288 as amended by PL 100-707, 'Robert T. Stafford Disaster Relief Act, Appendix B.
13. Federal Emergency Management Agency, The Federal Response Plan for PL 93-288, as amended, Washington:GPO, April 1992.
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15. COL Gene Schmidt, California Army National Guard, personal communication, February 1993.
16. Department of Defense, 'Employment of Military Resources in the Event of Civil Disturbances', Department of Defense Directive 3025.12, Washington:U.S. Department of Defense, August 19, 1971.
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19. Rosenfeld, et.al., op.cit., p. 91.
20. Rees, MG R.F., 'Project Standard Bearer', Implementation Guidance to Organize 'Humanitarian Support Units', Washington: National Guard Bureau, September 30, 1992.
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23. Department of the Army, 'The Army in Transition', Army Focus 1992, Washington: U.S. Department of the Army, September 1992.
24. Sullivan, GEN G.R., 'Introduction', in Army Focus 1992, op.cit., p. iii.
25. Ibid., p. 11.
26. Ibid., p. 34.
27. Miller, ADM P.D., Both Swords and Plowshares, Institute for Foreign Policy Analysis, National Security Paper #10, Cambridge: Tufts University, 1992.
28. Brehm, COL P.A. and W.E. Gray, Alternate Missions for the Army, Strategic Studies Institute, Carlisle: USAWC, July 1992.

29. Rees, MG R.F., op.cit.
30. Delk, MG J.D., 'Military Assistance in Los Angeles', Military Review, September 1992.
31. LTC Rex-Thompson, op.cit.
32. Arwood, MG T.B., 'Army Aids Disaster Victims', Army Logistician, January/February 1993. General Arwood proposes a distributed network of designated 'humanitarian depots'.
33. Powell, GEN C.L., National Military Strategy of the United States, Washington: OCJCS, January 1992, p. 15.
34. Sullivan, GEN G.R., 'Hurricane Andrew: An After Action Report', Army, vol. 43(1), January 1993.

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APPENDIX A

NATIONAL GUARD MUTUAL ASSISTANCE COMPACT

(Draft of Proposed Compact for Regional Implementation)

National Guard Mutual Assistance Compact

Compact enacted into law; terms. - The National Guard Mutual Assistance Compact is hereby enacted into law and entered into by the ...Miscellaneous State... with all other states legally joining therein, in the form substantially as follows:

NATIONAL GUARD MUTUAL ASSISTANCE COMPACT

Article I. Purposes.

The purposes of this compact are to:

1. Provide for mutual aid among the party states in the utilization of the national guard to cope with emergencies.
2. Permit and encourage a high degree of flexibility in the deployment of national guard forces in the interest of efficiency.
3. Maximize the effectiveness of the national guard in those situations which call for its utilization under this compact.
4. Provide protection for the rights of national guard personnel when serving in other states on emergency duty.

Article II. Entry into Force and Withdrawal.

(a) This compact shall enter into force when enacted into law by any two states. Thereafter, this compact shall become effective as to any other state upon its enactment thereof.

(b) Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until one year after the governor of the withdrawing state has given notice in writing of such withdrawal to the governors of all other party states.

Article III. Mutual Aid.

(a) As used in this article:

1. "Emergency" means an occurrence or condition, temporary in nature, in which police and other public safety officials and locally available national guard forces are, or may reasonably be expected to be, unable to cope with substantial and imminent danger to the public safety.
2. "Requesting state" means the state whose governor requests assistance in coping with an emergency.
3. "Responding state" means the state furnishing aid, or requested to furnish aid.

(b) Upon request by the governor of a party state for assistance in an emergency, the governor of a responding state shall have authority under this compact to send without the borders of his state and place under the temporary command of the appropriate national guard or other military authorities of the requesting state all or any part of the national guard forces of his state as he may deem necessary, and the exercise of his discretion in this regard shall be conclusive.

(c) The governor of a party state may withhold the national guard forces of his state from such use and recall any forces or part or member thereof previously deployed to a requesting state.

(d) Whenever national guard forces of any party state are engaged in another state in carrying out the purposes of this compact, the members thereof so engaged shall have the same powers, duties, rights, privileges and immunities as members of national guard forces in such other state. The requesting state shall save members of the national guard forces of responding states harmless from civil liability for acts or omissions made in good faith which occur in the performance of their official duty while engaged in carrying out the purposes of this compact, whether the responding forces are serving the requesting state within its borders or are in transit to or from such service.

(e) Subject to the provisions of paragraphs (f), (g) and (h) of this article, all liability that may arise under the laws of the requesting state, the responding state, or a third state on account of or in connection with a request for aid, shall be assumed and borne by the requesting state.

(f) Any responding state rendering aid pursuant to this compact shall be reimbursed by the requesting state for any loss of or damage to, or expense incurred in the operation of any equipment answering a request for aid, and for the cost of the materials, transportation and maintenance of national guard personnel and equipment incurred in connection with such request: Provided, that nothing herein contained shall prevent any responding state from assuming such loss, damage, expense or other cost.

(g) Each party state shall provide, in the same amounts and manner as if they were on duty within their state, for the pay and allowances of the personnel of its national guard units while engaged without the state pursuant to this compact and while going to and returning from such duty pursuant to this compact. Such pay and allowances shall be deemed items of expense reimbursable under paragraph (f) by the requesting state.

(h) Each party state providing for the payment of compensation and death benefits to injured members and the representatives of deceased members of its national guard forces in case such members sustain injuries or are killed within their own state, shall provide for the payment of compensation and death benefits in the same manner and on the same terms in case such members sustain injury or are killed while rendering aid pursuant to this compact. Such compensation and death benefits shall be deemed items of expense reimbursable pursuant to paragraph (f) of this article.

Article IV. Delegation.

Nothing in this compact shall be construed to prevent the governor of a party state from delegating any of his responsibilities or authority respecting the national guard, provided that such delegation is otherwise in accordance with law. For purposes of this compact, however, the governor shall not delegate the power to request assistance from another state.

Article V. Limitations.

Nothing in this compact shall:

1. Expand or add to the functions of the national guard, except with respect to the jurisdictions within which such functions may be performed.
2. Authorize or permit national guard units to be placed under the field command of any person not having the military or national guard rank or status required by law for the field command position in question.

Article VI. Construction and Severability.

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States or the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating herein, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the state affected as to all severable matters.

APPENDIX B

**COMPENDIUM OF EMERGENCY
AUTHORITIES AND DIRECTIVES**

(Excerpted from the Federal Response Plan, 1992)

**PUBLIC LAW 78-410, "PUBLIC HEALTH SERVICE ACT," SECTION 216,
42 U.S.C. 217 ---**

This provision authorizes the President, in time of war or upon Presidential declaration of an emergency, to utilize the Public Health Service to the extent and in the manner that in his judgement will promote the public interest.

PUBLIC LAW 78-410, "PUBLIC HEALTH SERVICE ACT," SECTION 311 U.S.C. 243 ---

This provision authorizes the Secretary of Health and Human Services to develop (and may take such action as may be necessary to implement) a plan under which personnel, equipment, medical services, and other resources of the Public Health Service and other agencies under the jurisdiction of the Secretary may be effectively used to control epidemics of any disease or condition, as specified, and to meet other health emergencies or problems involving or resulting from disasters or any such disease.

PUBLIC LAW 78-410, "DEFENSE HEALTH SERVICE ACT," SECTION 319 ---

This provision authorizes the Secretary of Health and Human Services to take appropriate action to respond to a "public health emergency" resulting from disease, disorder, or other cause. The Secretary must consult with the Director of the National Institute of Health, Administrator of the Alcohol, Drug Abuse, and Mental Health Administration, Commissioner of the Food and Drug Administration, or the Director of the Center for Disease Control before determining that an emergency exists, and he must act through the official in responding to the emergency.

**PUBLIC LAW 81-774, "DEFENSE PRODUCTION ACT OF 1950, AS AMENDED,"
50 U.S.C. 2061, TITLE I, SECTION 101(a) AND 101(b) ---**

This provision authorizes the President to establish performance priorities and to allocate materials and facilities to promote the national defense.

PUBLIC LAW 93-288, AS AMENDED BY PUBLIC LAW 100-707, "ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT," NOVEMBER 23, 1988 ---

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93-288 as amended, provides an orderly and continuing means of assistance by the Federal Government to State and local governments in carrying out their responsibilities to alleviate the suffering and damage which result from disasters. The President, in response to a State Governor's request, may declare an "emergency" or "major disaster," in order to provide Federal assistance under the Act. The President, in Executive Order 12148, delegated all functions, except those in Section 301, 401, and 409, to the Director, Federal Emergency Management Agency (FEMA). The Act provides for the appointment of a Federal Coordinating Officer who will operate in the designated area with a State Coordinating Officer for the purpose of coordinating state and local disaster assistance efforts with those of the Federal Government.

**PUBLIC LAW 95-124, "EARTHQUAKE HAZARDS REDUCTION ACT OF 1977,"
42 U.S.C. 7701 AND 7704 ---**

The Earthquake Hazards Reduction Act of 1977, as amended by P.L. 96-472 and P.L. 99-105, provides for the establishment of the National Earthquake Hazards Reduction Program (NEHRP) to reduce the risk to life and property from future earthquakes in the United States. FEMA is designated as the agency with primary responsibilities to plan and coordinate the NEHRP, which has five major elements: Hazard Delineation and Assessment; Earthquake Prediction Research; Seismic Design and Engineering Research; Preparedness Planning and Hazard Awareness; and, Fundamental Seismological Studies. Planning for the Federal response to a catastrophic earthquake is a major aspect of Preparedness Planning and Hazard Awareness under the NEHRP.

PUBLIC LAW 95-313, "COOPERATIVE FORESTRY ASSISTANCE ACT OF 1978" ---

This Act authorizes the Secretary of Agriculture to assist in the prevention and control of rural fires through coordination among Federal, State, and local agencies; and to provide prompt and adequate assistance whenever a rural fire emergency overwhelms, or threatens to overwhelm, the firefighting capability of the affected State or rural area.

**PUBLIC LAW 96-510, "COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980," SECTION 104(i),
42 U.S.C. 9604(i) ---**

More popularly known as "Superfund", CERCLA was passed to provide the needed general authority for Federal and State governments to respond directly to hazardous substances incidents.

**PUBLIC LAW 101-640, "WATER RESOURCES DEVELOPMENT ACT OF 1990,"
TITLE III, SECTION 302, 5(A)(1), NOVEMBER 28, 1990 ---**

This Act amends 33 U.S.C. 701n(a)(1) by replacing the term "flood emergency preparation" to include "preparation for emergency response to any disaster" and includes a provision that "The emergency fund may be expended for emergency dredging for restoration of authorized projects for Federal navigable channels and waterways made necessary by flood, drought, earthquake, or other natural disasters."

UNITED STATES CONGRESS ACT OF JANUARY 5, 1905, AS AMENDED, 36 U.S.C. ---

The American National Red Cross Congressional Charter assigning the authority and responsibility for the American Red Cross to undertake activities for the relief of individuals suffering from a disaster.

COMMUNICATIONS ACT OF 1934, AS AMENDED ---

This Act gives the Federal Communications Commission emergency authority to grant Special Temporary Authority on an expedited basis to operate radio frequency devices.

OLDER AMERICANS ACT OF 1965, AS AMENDED, SECTION 310, 42 U.S.C. 3030 ---

This provision authorizes the Commissioner of the Administration on Aging to reimburse States for social services provided to older Americans following a Presidentially-declared disaster.

**FOOD STAMP ACT OF 1977, SECTION 5(h)(1), IMPLEMENTED BY PROPOSED
FINAL RULEMAKING AT 46 CFR 8922 AND 46 CFR 8923 ---**

Authorizes the Department of Agriculture to make food stamps available to low income households in any disaster situation in which normal channels of retail food distribution have been restored and the existing Food Stamp Program cannot handle

applications from affected households. Food stamp assistance must be requested by a State.

INTERSTATE COMMERCE ACT, EMERGENCY RATES, 49 U.S.C. 10724 AND 11121 TO 11128 ---

These authorities allow the Interstate Commerce Commission (ICC) to authorize a common carrier to give reduced rates for service and transportation in an emergency. Further, these authorities permit the ICC to suspend any car service rule or practice, take action during emergencies to promote car service in the interest of the public and commerce; to require joint or common use of facilities when that action will best meet the emergency; to direct preferences or priorities in transportation, embargoes, or movement of traffic under permits; and to reroute traffic.

"ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT (P.L. 93-288, AS AMENDED)," IMPLEMENTED BY FOOD DISTRIBUTION REGULATIONS, PARTS 250.1(b) AND 250.8(e) ---

These provisions allow any person/household temporarily displaced by a disaster to obtain USDA foods in congregate feeding provided by volunteer organizations such as the American Red Cross and the Salvation Army; no formal approval is required from USDA. Additionally, low income families can receive household distributions of food in situations where a Food Stamp Program is not available (e.g., commercial channels of trade are disrupted); formal USDA approval is required.

EXECUTIVE ORDER 10480, AS AMENDED, "FURTHER PROVIDING FOR THE ADMINISTRATION OF THE DEFENSE MOBILIZATION PROGRAM," AUGUST 14, 1953 ---

Part II of the Order delegates to the Director, FEMA, with authority to redelegate, the priorities and allocation functions conferred on the President by Title I of the Defense Production Act of 1950, as amended.

EXECUTIVE ORDER 12148, "FEDERAL EMERGENCY MANAGEMENT," JULY 20, 1979 ---

Executive Order 12148 transferred functions and responsibilities associated with Federal emergency management to the Director, FEMA. Assigns the Director, FEMA, the responsibility to establish Federal policies for and to coordinate all civil defense and civil emergency planning, management, mitigation, and assistance functions of Executive Agencies.

**EXECUTIVE ORDER 12472, "ASSIGNMENT OF NATIONAL SECURITY AND
EMERGENCY PREPAREDNESS TELECOMMUNICATIONS FUNCTIONS,"**

APRIL 3, 1984 ---

Executive Order 12472 establishes the National Communications System (NCS). The NCS consists of the telecommunications assets of the entities represented on the NCS Committee of Principals and an administrative structure consisting of the Executive Agent, the NCS Committee of Principals, and the Manager. The NCS Committee of Principals consists of representatives from those Federal departments, agencies, or entities, designated by the President, which lease or own telecommunications facilities or services of significance to national security or emergency preparedness.

**EXECUTIVE ORDER 12656, "ASSIGNMENT OF EMERGENCY PREPAREDNESS
RESPONSIBILITIES," November 18, 1988 ---**

Assigns emergency preparedness responsibilities to Federal departments and agencies.

**EXECUTIVE ORDER 12657, "FEMA ASSISTANCE IN EMERGENCY PREPAREDNESS
PLANNING AT COMMERCIAL NUCLEAR POWER PLANTS," November 18, 1988 ---**

Assigns FEMA and other Federal agencies certain emergency planning responsibilities related to commercial nuclear power plants.

**EXECUTIVE ORDER 12777, "IMPLEMENTATION OF SECTION 311 OF THE
FEDERAL WATER POLLUTION ACT OF OCTOBER 18, 1972, AS AMENDED, AND
THE OIL POLLUTION ACT OF 1990," OCTOBER 18, 1991 ---**

Refers to certain activities of the National Response Team and the Regional Response Team under the National Contingency Plan.

7 CFR, PART 250.1(B)(10)&(11) ---

Refers to Section 409 and 410 b of P.L. 93-288, as amended, Robert T. Stafford Disaster Relief and Emergency Assistance Act, which reads, "The Secretary of Agriculture shall utilize funds appropriated under Section 32 of the Act of August 1935 (7 USC 612 c) to purchase food commodities necessary to provide adequate supplies for use in any area of the United States in the event of a major disaster or emergency in such area."

**28 CFR, PART 65, "EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE";
FINAL RULE ---**

These Department of Justice regulations implement the Emergency Federal Law Enforcement Assistance functions vested in the Attorney General by the Justice Assistance Act of 1984 (Public Law 98-473). Those functions were established to assist State and/or local units of government in responding to a law enforcement emergency. The Act defines the term "law enforcement emergency" as an uncommon situation which requires law enforcement, which is or threatens to become of serious or epidemic proportions, and with respect to which State and local resources are inadequate to protect the lives and property of citizens, or to enforce the criminal law. Emergencies which are not of an ongoing or chronic nature, such as the Mount Saint Helens volcanic eruption, are eligible for Federal law enforcement assistance. Such assistance is defined as funds, equipment, training, intelligence information, and personnel. Requests for assistance must be submitted in writing to the Attorney General by the chief executive officer of a State. The Plan does not cover the provision of law enforcement assistance. Such assistance will be provided in accordance with the regulations referred to in this paragraph [28 CFR Part 65, implementing the Justice Assistance Act of 1984] or pursuant to any other applicable authority of the Department of Justice.

**40 CFR PART 300, "NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION
CONTINGENCY PLAN" (NCP) ---**

The purpose of the NCP is to effectuate the powers and responsibilities for responding to nonradiological oil and hazardous substances discharges, releases, or substantial threats of releases as specified in the Comprehensive Environmental Response, Compensation and Liability Act, as amended, (CERCLA) and the authorities established by Section 311 of the Clean Water Act, as amended. The plan is required by section 105 of CERCLA, 42 U.S.C. 9605, and by section 311(c)(2) of the Clean Water Act, as amended, 33 U.S.C. 1321(c)(2).

**44 CFR PART 322, AS AMENDED, "DEFENSE PRODUCTION: PRIORITIES AND
ALLOCATION AUTHORITY (DMA-3)" ---**

The Order delegates the functions of the Director, FEMA, under Title I of the Defense Production Act, as amended, to those offices and agencies named in Section 201 of Executive Order 10480 with respect to the areas of responsibility designated and to the Secretary of Transportation with respect to priorities and allocations for civil transportation services.

FEDERAL COMMUNICATIONS COMMISSION REPORT AND ORDER OF AUGUST 1981 ---

This order modified parts 2, 90, and 99 of the Commission Rules and Regulations to establish a disaster radio response capability for local government and State radio services.

"FEDERAL RADIOLOGICAL EMERGENCY RESPONSE PLAN" ---

This document is to be used by Federal agencies in peacetime radiological emergencies. It primarily concerns the off-site Federal response in support of State and local governments with jurisdiction for the emergency. The Federal Radiological Emergency Response Plan (FRERP) provides the Federal government's concept of operations based on specific authorities for responding to radiological emergencies, outlines Federal policies and planning assumptions that underlie this concept of operations and on which Federal agency response plans were based, and specifies authorities and responsibilities of each Federal agency that may have a significant role in such emergencies.

"NATIONAL PLAN FOR TELECOMMUNICATIONS SUPPORT IN NON-WARTIME EMERGENCIES," JANUARY 1992 ---

This plan provides guidance in planning for and providing telecommunications support for Federal agencies involved in emergencies, major disasters, and other exigencies, excluding war.

DEPARTMENT OF DEFENSE DIRECTIVE 3025.1, "MILITARY SUPPORT TO CIVIL AUTHORITIES (MSCA)," 1992 ---

This directive outlines Department of Defense (DOD) policy on assistance to the civilian sector during disasters and other emergencies. Use of DOD military resources in civil emergency relief operations will be limited to those resources not immediately required for the execution of the primary defense mission. Normally, DOD military resources will be committed as a supplement to non-DOD resources which are required to cope with the humanitarian and property protection requirement caused by the emergency. In any emergency, commanders are authorized to employ DOD resources to save lives, prevent human suffering, or mitigate great property loss. Upon declaration of a major disaster under the provisions of P.L. 93-288, as amended, the Secretary of the Army is the DOD Executive Agent, and the Director of Military Support is the action agent for civil emergency relief operations. Military personnel will be under command of and directly responsible to their military superiors and will

not be used to enforce or execute civil law in violation of 18 U.S.C. 1385 except as otherwise authorized by law. Military resources shall not be procured, stockpiled, or developed solely to provide assistance to civil authorities during emergencies.

FEDERAL PREPAREDNESS CIRCULAR 8, "PUBLIC AFFAIRS IN EMERGENCIES" --

This Circular establishes the Interagency Committee on Public Affairs in Emergencies (ICPAE) to coordinate public information planning and operations for management of emergency information. The Circular was reviewed in draft by the ICPAE and will receive formal department and agency review.

AMERICAN RED CROSS DISASTER SERVICES REGULATIONS AND PROCEDURES, ARC 3003, JANUARY 1984 ---

This document details the delegation of disaster services program responsibilities to officials and units of the American Red Cross. Also defined are Red Cross administrative regulations and procedures for disaster planning, preparedness, and response.

AMERICAN NATIONAL RED CROSS MASS CARE PREPAREDNESS AND OPERATION PROCEDURES AND REGULATIONS, ARC 3031 ---

This document details the Red Cross mass care preparedness and operating regulations and procedures.

***AMERICAN NATIONAL RED CROSS NATIONAL BOARD OF GOVERNORS
DISASTER SERVICES POLICY STATEMENT, JULY 1, 1977 ---***

This document outlines the basic policies of the American Red Cross disaster services program, and the disaster relief services to be provided by units of the American Red Cross on a uniform and nationwide basis.

**STATEMENT OF UNDERSTANDING BETWEEN THE FEDERAL EMERGENCY
MANAGEMENT AGENCY AND THE AMERICAN NATIONAL RED CROSS, JANUARY
22, 1982 ---**

The statement of understanding between FEMA and the American National Red Cross describes major responsibilities in disaster preparedness planning and operations in the event of a war-caused national emergency or a peacetime disaster, outlines areas of mutual support and cooperation, and provides a frame of reference for similar cooperative agreements between State and local governments and the operations headquarters and chapters of the ARC.