



**STRATEGY  
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**SMELL THE COFFEE:  
MILITARY SUPPORT OF CIVILIAN AUTHORITIES & HOMELAND  
DEFENSE HERE & NOW**

**BY**

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**19990611 031**

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USAWC STRATEGY RESEARCH PROJECT

**SMELL THE COFFEE: MILITARY SUPPORT TO CIVILIAN**

**AUTHORITIES & HOMELAND DEFENSE**

**HERE & NOW**

by

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## ABSTRACT

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TITLE: Smell the Coffee: Military Support to Civilian Authorities and Homeland Defense Here and Now

FORMAT: Strategy Research Project

DATE: 7 April 1999 PAGES: 32 CLASSIFICATION: Unclassified

The greatest threat to the national security today is the employment of Weapons of Mass Destruction (WMD) on United States soil by a Non-State actor. Despite recent efforts to address and counter this threat, the U.S. remains ill prepared to prevent or respond to such an incident. This paper examines the current state of Military Support to Civilian Authorities (MSCA) and focuses this support within the context of Homeland Defense. After a brief review of the threat to U.S. security and the current policies and procedures of MSCA in consequence and crisis management, the paper uses real world case studies and exercises to illustrate our inability to deter and respond to a domestic crisis. It recommends a complete restructuring of the command and control systems for MSCA. It suggests giving this mission to a joint headquarters, Title X commander, Commander in Chief, Atlantic Command. Finally, the paper calls for immediate action to fully integrate the efforts of the National Guard into their "first responder" mission.



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## INTRODUCTION

"Forgotten Mission: Military Support to the Nation"; although it may have been a fair statement for the Director of Military Support (DOMS), Major General David L. Grange, to make in the spring of 1997, nothing could be farther from the truth today.<sup>1</sup> A plethora of research, articles and reviews has made this notion of Military Support to Civilian Authorities (MSCA) and Homeland Defense one of the hottest topics being debated, not only across the Department of Defense (DOD), but also in the interagency fora and Congress. The complexity of this mission is overwhelming lending itself to the current scrutiny of numerous issues. The broad spectrum includes the need to get more return on investment from our "expensive" military, to the command and control of Domestic Support Operations (DSO), to the legal issues of the *Posse Comitatus* Act.

Couple this increased interest with the fact that since 1975 DOD has supported over 200 disaster relief operations both domestically and internationally, and one can recognize that the civilian leadership considers the military ideally suited for a swift response as a means of minimizing the suffering and loss of life in crisis situations.<sup>2</sup> Case studies, lessons learned, and after action reports abound in this area. Yet, despite all

the pages that have been written, rhetoric exchanged, and recommendations made, we continue to struggle with many of the basic tenets involved in the execution of MSCA and Homeland Defense.

### **THESIS**

America is vulnerable to attack and is ill prepared to respond to domestic disasters, terrorist attacks, and civil disturbances. Although recent improvements are many, U.S. strategy implementation and current procedures are inadequate and require immediate revision to offer the American people the best protection against attack and rapid response to crisis situations. The purpose of this study is to exam the threat, review the current policy, strategy and procedures for MSCA and Homeland Defense, and finally, to make specific recommendations to assist DOD in executing this critical portion of the National Security Strategy. The scope and focus will be on DOD's roles and responsibilities as they relate to consequence management and crisis management to DSO, defined as MSCA and Military Support to Law Enforcement Agencies (MSCLEA).<sup>3</sup> Topics such as Ballistic Missile Defense and others related to Homeland Defense will be left for others to review.

### **OVERVIEW**

Although the primary mission of America's Army remains to fight and win its nation's wars, there remains little debate

that the American people, the Executive branch, and Congress demand expanded involvement and service from its Army. The National Security Strategy of 1998 directs global engagement as a means to achieve regional stability and further protect U.S. citizens and interests in an ever-increasing interdependent world.<sup>4</sup> This strategy places extreme demand on our warfighting Commanders in Chief (CINCs) and State Department ambassadors to aggressively work the military and diplomatic programs within their Areas of Responsibility (AORs). These programs include Foreign Military Interaction (FMI), Joint and Combined Exercises, Foreign Military Sales, International Military Education and Training (IMET), and Military Operations Other Than War (MOOTW) such as humanitarian assistance, peacekeeping, and security assistance.<sup>5</sup>

Add to winning our nation's wars and this full complement of global missions the domestic expectations of a "peace dividend", and one can begin to appreciate the stress being placed on the military. This is illustrated by Florida Senator Bob Graham's comments following Hurricane Andrew, "In the post-cold war era, this [disaster relief] could be an important new function for the military...".<sup>6</sup> Despite continued downsizing of the military and shrinking real dollar defense budgets, the demands and missions are increasing.

This short review is done to illustrate the competing demands for scarce resources within DOD between domestic missions (response to emergencies, counterdrug, etc) and global/international missions. Priorities must be established. Recent policies, legislation, and reviews have focused DOD's attention on DSO.

For the first time the National Security Strategy of 1997 emphasized that we must be prepared to respond effectively to protect lives and property and ensure the survival of our institutions and national infrastructure should an emergency arise from terrorism or natural disasters. Further it directs comprehensive, all-hazard emergency planning by Federal departments and agencies to ensure credible response and preparedness.<sup>7</sup> The Stafford Act of 1988, the authority under which military assistance is provided during times of great national disaster and after a presidential declaration of emergency, legitimized and clarified the support role of the military to the Federal Emergency Management Agency (FEMA).<sup>8</sup> The May 1997 Quadrennial Defense Review (QDR) reaffirms the necessity for military intervention in times of crisis. It states that military support is necessary, "When a humanitarian catastrophe dwarfs the ability of civilian relief agencies to respond; or when the need for immediate relief is urgent and the U.S. military has the ability to jumpstart the longer term

response to the disaster.”<sup>9</sup> Finally and most recently, the Nunn-Lugar II Domestic Preparedness legislation, the Defense Against Weapons of Mass Destruction (WMD) Act of 1996, requires the Secretary of Defense to execute a program to enhance federal, state, and local agency capabilities to respond to incidents involving WMD.<sup>10</sup>

In military vernacular, there is no shortage of “help” in terms of guidance or legislation. The Nunn-Lugar legislation was a direct result of a concern by lawmakers that DOD was “stalling and foot dragging” and not fully engaged in addressing crisis response to the use of WMD.<sup>11</sup> Now is the time to plan, prepare, develop, rehearse and refine our procedures for responding to these viable contingencies. No further Congressional assistance should be required. Let us now turn to a brief analysis of the threat considerations involved in these DSOs.

#### **THREAT**

The National Security Strategy of 1998 (NSS) identifies five major threat categories that challenge the security and interests of the United States. These threats are: Regional or State-Centered, transnational, the spread of dangerous technologies, foreign intelligence collection, and failed states.<sup>12</sup> With the lack of a peer competitor and the enduring success of diplomacy and deterrence, a strong argument can be

made that at least in the near future, state actors do not present a major threat in the use of WMD against the United States. Unfortunately, it is this same strength and military superiority that forces potential adversaries to seek unconventional methods to attack U.S. security. As the NSS states, "Due to our military superiority, potential enemies, whether nations or terrorists groups, may be more likely in the future to resort to terrorist acts or other attacks against vulnerable civilian targets in the United States instead of conventional military operations."<sup>13</sup> Easier access to technology means destructive power available to adversaries who may be tempted to use unconventional tools such as WMD or information attacks against our citizens and critical national infrastructure. Finally, the 1998 Strategic Assessment asserts that it is these "asymmetric" methods of attack which may provide terrorists, rogue states, and international crime organizations the means to frustrate, if not defeat, the U.S. military advantage.<sup>14</sup>

The greatest threat to our national security today is the employment of WMD on United States soil by a Non-State actor. Biological and chemical weapons are easy to develop with information on "how to" readily available on the Internet in the public domain. Furthermore, the production, transportation, and employment of these weapons require very little in terms of

support. Nuclear weapons on the other hand require a much higher level of sophistication to develop, but with the dismantling of the Soviet Union, a significant opportunity exists for a potential adversary to acquire a viable device.<sup>15</sup> Couple this situation with current conditions in the former Soviet Union as described by the following quotes:

Soviet scientists accustomed to a certain lifestyle and government support, now find themselves fortunate to be employed and are vulnerable to hard cash offers.<sup>16</sup>

The former Russian general Alexander Lebed, Russia's former security chief...announced that perhaps 100 suitcase sized nuclear bombs were unaccounted for.<sup>17</sup>

The environment appears ripe for the proliferation of WMD to transnational adversaries. Finally, this statement by Secretary of Defense, William Cohen, articulates the concern, "A lone madman or fanatics with a bottle of chemicals, a batch of plaque inducing bacteria, or a crude nuclear bomb can threaten or kill tens of thousands of people in a single act of malevolence... These are not far off or far fetched scenarios. They are real- here and now."<sup>18</sup>

If one accepts these arguments concerning the threats facing the United States today, is it any surprise as to why all the energy and excitement concerning the role of the military in MSCA and Homeland Defense? We have not even discussed the potential for internal threats or disturbances as demonstrated

by the 1995 Oklahoma bombing and the 1992 Los Angeles riots following the Rodney King trial. Let us now turn to how we are currently postured to provide for MSCA and Homeland Defense. A brief review of our policies, strategy, and doctrine will enhance the reader's understanding and set the stage for recommendations to improve on our current capabilities.

### **CURRENT POLICIES AND PROCEDURES**

"We seek to create a stable, peaceful international security environment in which our nation, citizens, and interests are not threatened... We will work to prevent the spread of nuclear, biological and chemical weapons and materials for producing them, and to control other potentially destabilizing technologies, such as long range missiles. We will continue to ensure that we have effective means for countering and responding to the threats we cannot deter or otherwise prevent from arising. This includes protecting our citizens from terrorism, international crime, and drug trafficking... At home we must have effective capabilities for thwarting and responding to terrorist acts and our efforts cannot be limited exclusively to one agency within the U.S. Government... It has long been the policy of the U.S. to assure the continuity and viability of our critical infrastructures to include telecommunications, energy, banking and finance, transportation, water systems and emergency services."<sup>19</sup>

These preceding excerpts are U.S. security goals as outlined in the NSS 1998. Foremost in all of these is the protection and security of U.S. citizens and property at home and abroad.

The primary strategy for achieving these goals is global engagement. By shaping the international environment with effective diplomacy, deterrence, and military engagement, the United States attempts to achieve conditions favorable to its

own interests and global security. Although too extensive to review in this paper, specific examples are: arms control (START III), nonproliferation initiatives (Nuclear Non-Proliferation Treaty), credible military deterrence (conventional and unconventional), coalition building, and counter-terrorism (punishing response to known perpetrators).<sup>20</sup> These are only a few of the many initiatives the U.S. pursues to ensure the protection of its citizens and property. But, what if these efforts fail? What are our current procedures within DOD and how are we organized to respond to crisis on U.S. soil? To better understand today's MSCA, let us review the current organization and applicable documents that guide these efforts.

As previously mentioned, contemporary policy on federal response to domestic emergencies is rooted in the Stafford Act of 1988. The Federal Response Plan (FRP) is the base document that prescribes how the federal government prepares for and responds to domestic emergencies. Specifically, the FRP is to "facilitate the delivery of all types of federal response assistance to states to help them deal with consequences of significant disasters."<sup>21</sup> It delineates twelve Emergency Support Functions (ESFs) and designates the lead federal agency for each function. DOD finds itself the lead agency in only one of the twelve ESFs (Public Works and Engineering), but provides significant support in the remaining eleven.<sup>22</sup>

DOD Directive 3025.1, "Military Support to Civil Authorities", published in January 1993, is considered the basis for all DOD support to civil emergencies. It establishes procedures for DOD components to plan for and respond to actual and anticipated civil emergencies. It designates the Secretary of the Army as the DOD Executive Agent for MSCA. He executes these duties through his action agent the Director of Military Support (DOMS). The DOMS staff has the responsibility to plan, coordinate, and manage the full range of MSCA operations. It is the primary contact for all military support requests during periods of domestic civil emergencies or disaster response.

Per the Goldwater - Nichols Act of 1986, the CINCs are also an integral part of this process. CINC Atlantic Command (ACOM) serves as the DOD planning agent for MSCA for all DOD components within the continental United States, Puerto Rico, and the Virgin Islands. Likewise, CINC Pacific Command (PACOM) serves similarly for Alaska, Hawaii, and U.S. possessions and territories. Finally, Commander, Forces Command (FORSCOM), as the Army component command to ACOM, is charged with maintaining liaison with FEMA and other federal agencies to facilitate cooperative military and civil planning and training for MSCA missions.<sup>23</sup>

Recently, FORSCOM appointed two standing Response Task Forces (RTF) using Army Headquarters at Ft Sam Houston Texas

(RTF-West) and at Ft Gillem Georgia (RTF-East) to address consequence management from WMD effects and to coordinate interagency efforts in this area.<sup>24</sup> This is extremely significant in that these three star commanders are routinely accountable and responsible for the training of the Army Reserves and National Guard within their areas. These are the same units that have been given the mission of "first response" and will be discussed later. Of significance is the notion that the Army recognized the importance of this mission and has established the command and control structure to begin necessary coordination and relationship building.

Additional command and control guidance for incidents involving WMD is promulgated in Presidential Decision Directives (PPD) 39 and 62. They identify two levels of control and management. The first level is crisis management, defined by DOD as measures to identify, acquire, and plan the use of resources needed to anticipate, prevent, and/or resolve a threat or act of terrorism.<sup>25</sup> PDD 39 identifies the Department of Justice (DOJ), specifically the Director of the FBI, as the Lead Agent for crisis management. The second level is consequence management, defined by DOD as measures to protect public health and safety, restore essential government services, and provide emergency relief to governments, businesses, and individuals affected by the consequences of terrorism.<sup>26</sup> PDD 39 identifies

the Director of FEMA as the Lead Agent responsible for the FRP to ensure adequate response to the consequences of terrorism directed against large populations in the U.S.

Significant in the above discussion is the fact that the military is relegated in most instances to a support role in MSCA operations. However, military core competencies and capabilities (engineering, logistics, medical support, etc.) are greatly valued in the federal response to emergency situations. One General Accounting Office report concluded after the federal response to Hurricane Andrew, " that for large, catastrophic disasters, the military has the capability to respond to the immediate needs of disaster victims in a highly effective manner."<sup>27</sup> In fact, the military may find itself the *de facto* lead agency, at least initially, in order to ease the pain and suffering of a population by virtue of its ability to respond rapidly with the required support.

How does the military get involved? When a domestic disaster occurs, the local police, fire departments, and rescue organizations provide the first relief assistance. Depending on the severity of the disaster, the next level of aid is normally through state disaster relief organizations. The governor will appoint a State Coordinating Officer and often places the National Guard on state active duty. When local needs exceed state resources, the governor may request help from the

President.<sup>28</sup> At the federal level, after Presidential declaration of an emergency, a Federal Coordinating Officer (FCO), who may also be known as the Senior Civilian Representative of the Attorney General (SCRAG), is appointed. The FCO is usually the FEMA or DOJ regional director who coordinates all federal agencies supporting state and local authorities in the assistance effort. He heads the Emergency Response Team (ERT) which assimilates all ESF representatives including the Defense Coordinating Element (DCE). Correspondingly, DOD appoints a Defense Coordinating Officer (DCO) who leads the DCE and serves as DOD's on-scene single point of contact for DOD resources. He coordinates and tasks all DOD resources provided in response to a natural disaster or civil emergency. DCOs are pre-designated for each state as a key member of the federal response team. Normally, they are active duty Colonels multi-hatted as Training Support Brigade Commanders and as advisors to the State Adjutants General.<sup>29</sup>

When significant forces from more than one service are deployed in support of a domestic emergency, a Joint Task Force (JTF) will be formed for command and control of the operation. Recent examples of JTFs include the Los Angeles riots (1992), Hurricane Andrew (1992), and the Atlanta Olympics (1996). As previously mentioned, RTFs are formed to support federal responses to terrorist incidents which involve WMD. Elements of

RTFs were pre-positioned during the Olympics and at the last presidential inauguration.<sup>30</sup>

#### **WAKE-UP CALL**

Despite the widespread acceptance that America's greatest threat today is the use of WMD on U.S. soil, what is it going to take to energize U.S. citizens and their government to eschew complacency? Many believe that a major terrorist act resulting in large-scale destruction and death is the only event that will ignite American concern about this issue. Certainly, the world trade center bombing (1993), the Oklahoma City bombing (1995), and the most recent bombing during the Atlanta Olympics illustrates that America is vulnerable to attack and ill prepared to defend or respond to such attack. Legislation, presidential decision directives, and meticulous interagency coordination as previously discussed have enhanced DOD effectiveness. Yet, there is much to improve as demonstrated by the November 1996 exercise "Wild Atom: Nuclear Terrorism."

"Wild Atom" was a wargame simulation sponsored by the center for strategic and international studies (CSIS) in conjunction with the National Defense University. The project supported the notion that the country does not have an effective means to counter the threat of WMD and offered suggestions for dealing with the threat. CSIS officials resolved that the U.S.

should immediately upgrade consequence management preparedness domestically and internationally. It was noted that during the exercise U.S. agencies appeared unaccustomed to each other's roles and competencies. Observers noted that "valuable time was spent sorting out jurisdictions and priorities, ignoring tasks at hand."<sup>31</sup> Former senator Sam Nunn in response to "Wild Atom" stated, " we must forge closer partnerships between our national security and domestic agencies and devise an integrated, nationwide strategy to improve the capacity of regional, state, and local communities to both prevent and manage the consequences of terrorism involving nuclear, chemical, or biological weapons. On the plus side, the game demonstrated that our national leadership has made considerable progress in addressing areas of U.S. vulnerability, especially in law enforcement and intelligence."<sup>32</sup>

The major theme in all the recommendations resulting from "Wild Atom" is the need to increase interagency cooperation and synchronization in these complex operations. The project called for congressional funding for training and exercises that would bring officials from defense, law enforcement, and industry together to develop and institute better working relationships. Officials also noted that the roles and missions of domestic

agencies and national security organizations are far apart, and must be clearly delineated and aligned.<sup>33</sup>

#### **RECENT INITIATIVES - TRAINING, EXERCISES AND THE NATIONAL GUARD**

Fortunately, incidents such as the Oklahoma City bombing, the World Trade Center bombing, and the Atlanta Olympics along with the exercise "Wild Atom", have not fallen on deaf ears. Our government is addressing the new challenges posed by domestic terrorism. The Clinton administration inherited an interagency system for managing terrorist incidents, but its focus was on detecting, preventing and defeating terrorism abroad. However, since 1993 the work of the interagency has broadened to incorporate two new dimensions in its combating terrorism efforts: the prospect of an incident involving WMD and the possibility of a terrorist incident on American soil.<sup>34</sup>

The Nunn-Lugar-Domenici Amendment to the FY 97 National Defense Authorization Act provided the essential authority to address our domestic vulnerabilities. With DOD in the lead, over \$40 million were allocated to implement domestic preparedness programs authorized by legislation, using existing interagency systems as the foundation.<sup>35</sup>

The Atlanta Olympics provided an outstanding venue by which DOD developed and evaluated the federal capacity to provide

coordinated and integrated assistance to state and local authorities. The primary lesson learned from the Atlanta experience was the need for an integrated systems approach. This approach must: ensure state and local first responders, hospitals, transportation systems, and communication networks are equally prepared for a WMD incident; improve coordination between the people that handle the crisis response with those that manage the consequences; develop a cooperative relationship between federal, state, and local authorities, ideally achieving unity of command; integrate roles and responsibilities; and facilitate local and state authorities access to expert advice and technical assistance of federal agencies.<sup>36</sup>

Within the framework of the WMD Act of 1996, the Nunn-Lugar-Domenici legislation, and by incorporating input from state and local authorities along with the Atlanta experience, DOD developed a domestic preparedness program. The program consists of three major components: training, access to federal assistance, and exercises. The centerpiece of this program is training. Although an interagency effort, DOD has been given the lead on this training because of the extensive expertise possessed by the military. Currently, the federal government offers a number of training opportunities to state and local agencies on different aspects of responding to a WMD attack.

Additionally, a multiyear training program designed to provide a basic response capability for first responders for the 120 most populated cities was implemented. The DOMS, as the action agent for MSCA in DOD, spearheads the training support and coordination for these cities.<sup>37</sup> Although an extremely complex and comprehensive task, the training program facilitates the assessment of federal, state, and local capabilities and provides a program to enhance interagency cooperation (DOD, FEMA, DOJ) and first responder competencies.

Finally, a regular exercise program has been designed to test capabilities and further evaluate the training program. Exercises are conducted after a city completes the first responder training. These exercises allow for immediate reinforcement of the training, provide feedback to the participants, and assists DOD in evaluating the effectiveness of the training program. Additionally, the interagency counter-terrorism exercise program now incorporates numerous scenarios involving WMD use on U.S. soil. The goal is to ensure cross-participation among the different exercise programs and maximize synergies, improve coordination, and increase efficiencies between crisis and consequence managers, among federal, state, and local agencies, and among local jurisdictions.<sup>38</sup>

Although the jury is still out on the overall effectiveness of these training and exercise efforts, it is noteworthy that

resources have been allocated and Congress has directed this effort to bolster preparedness for acts of terrorism or use of WMD on U.S. soil. With DOD in the lead, this program falls into the MSCA mission category under the purview of the Secretary of the Army and the DOMS. This conundrum will be addressed later in the command and control recommendations portion of this study.

Another significant initiative to enhance capability and effectiveness in responding to WMD or terrorist attacks on the homeland emerged when Secretary of Defense, William S. Cohen, announced early in 1998 that the National Guard would become the first military responder to attacks inside U.S. borders.<sup>39</sup> Although controversial, the logic for this decision is sound. The National Guard is the only military force with the experience to deal with civilian sector agencies in a time of national crisis. When disaster strikes at home, it is the Guard that is called out by the governor. It is the Guard that leads the initial military assistance to civilian agencies in crisis management during the disaster and during the clean up phase. The Adjutant General of North Dakota, Major General Keith Bjerke, may have said it best, "We are forward deployed. We are in all the communities in America. We are the local, immediate military responders to a domestic situation. We bring immediacy to a situation."<sup>40</sup>

At the cornerstone of the DOD plan is the establishment of ten National Guard rapid assessment and initial detection (RAID) teams that will be the first military responders to a WMD scene. These teams are aligned with the ten FEMA regions across the country and are intended to support each region with rapid deployment to the sight of the attack. The three major tasks the RAID teams will perform are: detect the agent used; assess the overall severity of the situation; and provide technical advice and recommend further DOD support to the local incident commander. Augmenting these RAID teams will be 65 decontamination teams, 22 reconnaissance teams, and 100 medical personnel. These teams will be pulled from existing Guard units that possess these combat skills.<sup>41</sup>

The new Consequence Management Integration Office within DOMS has the sole responsibility of overseeing the integration of the Guard into the DOD WMD response plan. The DOD response plan will be implemented in phases over the next five years beginning in FY99 with the training and equipping of the RAID, decontamination, reconnaissance teams and medical personnel. The estimated cost to sustain this program each year is \$49 million and has been included in DOD's input to the president's FY99 budget.<sup>42</sup>

## SO WHAT?

We have reviewed the threat, the policies and legislation, the organization, and current initiatives in the area of MSCA and Homeland Defense. As stated, it is a complex interagency process that requires an integrated, synchronized systems approach to achieve maximum efficiency in times of crisis response.

Current U.S. policies appear viable for the near term future. Implementation is another issue. Policy implementation is lacking given the primacy of the issue. Having identified the threat of WMD on U.S. soil as the number one threat to our national security, the requisite emphasis is lacking and our ends, ways, and means are not aligned with stated objectives.

Upon review of the literature and case studies on MSCA and Homeland Defense, one can identify many potential issues for study and revision. None are more prominent than the command and control/unity of effort problems and the existing dilemma now facing our National Guard in supporting MSCA and Homeland Defense missions. Specific recommendations are offered to address these dysfunctional issues.

Unity of effort must be achieved in executing MSCA and Homeland Defense. As previously mentioned, legislation, PDDs, results from "Wild Atom" and lessons from the Atlanta Olympics all allude to this overarching requirement to integrate,

coordinate, and synchronize interagency efforts. Yet, we have not achieved this synergistic state of unity.

Despite well-intentioned efforts to clearly state who is in charge through PDDs and legislation, this remains the number one challenge and deterrent to achieving unity of effort. PDDs pronounced FEMA and DOJ as lead agencies in consequence management and crisis management respectively, while legislation directed DOD to develop a domestic preparedness and training program. Is this not an obvious source of friction with the increased probability of asynchronous efforts?

At a lower level, is it not obvious that the system that designates the Secretary of the Army as the executive agent and the DOMS the action agent for all MSCA is archaic and not aligned with current DOD organization and function? The Secretary of the Army and a Director on the Army Staff have no business coordinating a DOD support effort across all the services. The Goldwater-Nichols Act of 1986 gave us the solution; we simply failed to implement it. The answer is to give a Unified Commander Title 10 authority for this mission.

It is time to move out on the edge and aggressively address our number one threat to national security. Color in the continental United States on the next Unified Command Plan (UCP) and give the task of MSCA and Homeland Defense to CINC ACOM. Despite the historical enmity of the U.S. people toward the

federal Army to be overtly and perpetually involved in domestic affairs, the time is now. Concerns of *Posse Comitatus* remain valid, yet if Americans see their cities and infrastructure destroyed and thousands perish, this concern will diminish as we struggle for security and preservation- a Maslow's hierarchy of needs situation. Additionally, the task in the Joint Strategic Capabilities Plan (JSCP) must clearly delineate the defensive nature of this Homeland Defense mission and allay any fears of the American people that a warfighting CINC is not preparing campaign plans against them.

There are numerous reasons for this recommendation. CINC ACOM, through his Army component commander, Commander FORSCOM, "owns" all Army forces in the Continental United States. These are the same forces that are used in support of domestic emergencies to include the National Guard (our designated first responders). Since the FORSCOM Commander is responsible for the training and readiness of his soldiers, he becomes the agent responsible for ensuring that his forces are capable of performing MSCA and responding to WMD. With CINC ACOM in the direct line of responsibility, priorities across the services stand a better chance of remaining aligned and focused with potential visibility in the Joint Requirements Oversight Council (JROC) and the CINC's Integrated Priority List (IPL) process.

Additionally, with CINC ACOM the executive agent for MSCA, command relationships would align and mirror wartime functions. CINC ACOM works with the Chairman of the Joint Chiefs of Staff and answers directly to the National Command Authority (NCA). Clear lines of authority and responsibility are understood and well established by law. To ensure a resourced mission transfer, the DOMS function should be transferred to ACOM Headquarters with all associated resources. This will facilitate the coordination of all DOD assets from a joint headquarters that has visibility on continental military forces. Finally, it will allow for a resourced, joint headquarters to coordinate and integrate DOD efforts within the interagency to include training, exercises, and the full spectrum of the domestic preparedness program.

The National Guard dilemma is less intricate and more succinct. Without question, they are ideal as the military first responders to domestic crisis situations and there is little debate across the board on this recent official designation. There is little question that the Guard understands this and they are clearly moving out in executing their portion of the domestic preparedness program (RAID, decon, recon, teams, etc.).

However, conversations with a few of our State Adjutants General and excerpts from the Director of the National Guard

Bureau briefing clearly illustrates that our ends, ways, and means are not aligned with our stated objectives. These senior leaders within the National Guard still view their main mission as readiness for combat. They point to their responsibilities to be ready to perform JSCP missions as their primary function and consider the first responder mission an ancillary task with little significance or priority. One can detect much frustration from these senior leaders as they accurately describe this mission as yet another unfunded mandate. In fact, they are quick to point out that their budgets are shrinking and they are programmed to lose another twenty five thousand soldiers in force structure in FY99.<sup>43</sup>

The concerns expressed by these senior leaders, although many for sound reasons, is troubling in that DOD and the Army are relying heavily on the National Guard for this mission. To detect extensive consternation by those leaders in accepting this mission causes concern on the level of commitment of the Guard in execution. We must unify this effort now. In fact, we must ensure that the requirements are resourced. We should also consider adjusting mission apportionment in the JSCP for the National Guard if they are overburdened with this critical mission of MSCA and Homeland Defense first response.

Finally, first responder missions and duties are predominantly combat service and combat service support heavy.

Over time, the Army has transferred the majority of these functions into the U.S. Army Reserve, while keeping combat capabilities in the National Guard. However, the Reserves are not the ideal first military responders as they must be federalized and called to active duty, which takes valuable time and creates concerns of *Posse Comitatus*. Serious thought and consideration must be given to some realignment of these functions to ensure the Guard has the appropriate force structure and competencies to perform their designated mission.

#### **CONCLUSION**

MSCA and Homeland Defense is complex business. In light of the increasing threat of a possible WMD attack on U.S. soil, we must organize and prepare now, more than ever, to deter or respond to such an event. As stated, there is a renewed energy across the entire government to address this concern. Resources and rhetoric from our national leaders now bolster this energy. Our recent urgency is at least a major step in the right direction. But, is it too little too late? Is the training of our cities and the RAID team efforts adequate?

Unfortunately, these questions cannot be answered until the ultimate test ensues. History and contemporary political scientists tell us that it is only a matter of time. Our current exercises continue to illustrate that we are ill

prepared. We must use this time to better deter and better  
prepare for the inevitable.

Word Count: 6,233



## ENDNOTES

<sup>1</sup> David L. Grange and Rodney L. Johnson, "Forgotten Mission: Military Support to the Nation," Joint Force Quarterly (Spring 1997): 108.

<sup>2</sup> Ibid, 110.

<sup>3</sup> Joint Publication 3-07.7, Joint Tactics, Techniques, and Procedures for Domestic Support, II-11, III-1.

<sup>4</sup> The White House, A National Security Strategy for a New Century (Washington D.C.:U.S. Government Printing Office, October 1998). Hereafter cited as National Security Strategy 1998. 1-3.

<sup>5</sup> Institute for National Strategic Studies National Defense University, Strategic Assessment 1996 (Washington D.C.: U.S. Government Printing Office), 63-67.

<sup>6</sup> Senator Bob Graham, D-Florida, as quoted by Cathy Booth, "Disaster 101", Time, 14 September 1992, 43.

<sup>7</sup> The White House, A National Security Strategy for a New Century (Washington D.C.:U.S. Government Printing Office, May 1997), 12-14.

<sup>8</sup> Thomas R. Lujan, "Legal Aspects of Domestic Employment of the Army," Parameters (Autumn 1997), 83.

<sup>9</sup> William S. Cohen, Report of the Quadrennial Defense Review (Washington, D.C.: U.S. Government Printing Office, May 1997), 8.

<sup>10</sup> Grange, 4.

<sup>11</sup> Information attributable to a senior level officer within the Director of Military Support Office, Department of the Army Staff.

<sup>12</sup> National Security Strategy 1998, 6-7.

<sup>13</sup> Ibid, 19.

<sup>14</sup> Institute for National Strategic Studies, National Defense University, 1998 Strategic Assessment: Engaging Power for Peace, (Washington, D.C: U.S. Government Printing Office), 169.

<sup>15</sup> Dale Blackburn, Gregory Boyette, Robert Brannum, Tommy Dickson, William Napolitano, Dwayne Turmelle, Elise Vander Vennet, and Steven Williams, "A National Policy for Deterring the Use of Weapons of Mass Destruction," Research Paper at the Air Command and Staff College, April 1996, 4-5.

<sup>16</sup> James K. Campbell, "Weapons of Mass Destruction and Terrorism: Proliferation by Non-State Actors," Terrorism and Political Violence, Volume 9 (Summer 1997), Number 2: 28.

<sup>17</sup> "Concerns Heightened about Russian Weapons," USA Today, 22 October 1997, 10.

<sup>18</sup> Bill Gertz, "Cohen Details Threats Posed by Baghdad," Washington Times, 26 November 1997, 1.

<sup>19</sup> National Security Strategy 1998, 5, 8, 20.

<sup>20</sup> Ibid, 8-15.

<sup>21</sup> Federal Emergency Management Agency, The Federal Response Plan (for Public 93-288), FEMA 229(FEMA: April 1992), vii.

<sup>22</sup> Ibid, 14.

<sup>23</sup> This information is from DOD Directive 3025.1,.12 and the Department of Defense Manual for Civil Emergencies, DOD 3025.1-M, June 1994, 1-6 to 1-7.

<sup>24</sup> Information obtained from a senior level officer in the Director of Military Support, Department of the Army Staff.

<sup>25</sup> Secretary of the Army Togo West, "Military Support to Civil Authorities During Weapons of Mass Destruction Incidents," memorandum for all CINC's and affected DOD agencies, Washington, D.C., 31 January 1998.

<sup>26</sup> Ibid.

<sup>27</sup> Paul D. Miller, "The Interagency Process: Engaging America's Full National Security Capabilities," National Security Paper 11 (Cambridge, MA: Institute for Foreign Policy Analysis, 1993), 6.

- <sup>28</sup> Grange, 2.
- <sup>29</sup> DOD Manual 3025.1-M, 1-5, 4-1 to 4-3.
- <sup>30</sup> Grange, 3.
- <sup>31</sup> Joshua A. Kutner, "Nuclear Terrorism Threat Overwhelms U.S. Shield," National Defense (May/June 1998), 30-31.
- <sup>32</sup> Ibid, 31.
- <sup>33</sup> Ibid, 30.
- <sup>34</sup> H. Allen Holmes, "Defending America Against a New Breed of Terror," Defense Issues (Volume 12, Number 31, 1997), 21.
- <sup>35</sup> Ibid, 21.
- <sup>36</sup> Ibid, 21.
- <sup>37</sup> Ibid, 22.
- <sup>38</sup> Ibid, 22.
- <sup>39</sup> Colleen Wolfe, "Guarding the Homeland," National Guard (Volume 52, Number 52, May 1998), 16.
- <sup>40</sup> Ibid, 16-18.
- <sup>41</sup> Ibid, 18-19.
- <sup>42</sup> Ibid, 18-19.
- <sup>43</sup> This information was obtained from State Adjutants General and a senior officer from the National Guard Bureau during their visit to the Army War College, October 1998.



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