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**15 May 2014**

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## **Abstract**

As the Department of Defense's primary command for Defense Support to Civil Authorities, NORTHCOM faces significant challenges in meeting the DOD's requirements associated with DSCA operations. While only a decade old, NORTHCOM has had the opportunity to develop itself through hard lessons-learned in multiple large-scale DSCA operations. Severe response timelines, convoluted authorities, and complex conditions are the hallmark challenges of DSCA operations. In order for NORTHCOM to carry the torch for the Department of Defense in achieving its objectives of unity with state and federal agencies and preparedness to respond to a complex catastrophe, NORTHCOM must overcome these challenges and continue to increase its ability to command, deploy, and employ the nation's federal forces.

## **Introduction and Background**

For over a decade, NORTHCOM has made great strides to integrate into the national response plan for catastrophes and disasters as the primary entity responsible for executing the Department of Defense's Defense Support to Civil Authorities (DSCA) mission. But, as evidenced by efforts in relatively large-scale DSCA employments such as Hurricane Katrina and Hurricane Sandy, there is still room for improvement. These experiences coupled with a greater focus on DSCA capabilities increases the urgency and scope of improvements needed to ensure NORTHCOM is capable of accomplishing its mission.

Historical shortfalls in the actual employment of the DOD in DSCA capacities are generally associated with command and control and the deployment and employment of forces.<sup>1</sup> NORTHCOM must implement measures to improve command and control capabilities, modifying methods of sourcing forces for DSCA operations, and emphasize readiness and DSCA as core competencies for certain forces to improve its efficiency and effectiveness in achieving its DSCA objectives.

Since its inception in 2002 when President Bush signed a new Unified Command Plan bringing NORTHCOM into existence, one of its primary roles has been to coordinate Defense Support to Civil Authorities.<sup>2</sup> Listed as one of two priority missions for NORTHCOM, the Department of Defense's *2013 Strategy for Homeland Defense and Defense Support of Civil Authorities* clearly highlights the importance of the DSCA mission. In the forward of the same document, then Secretary of Defense Panetta, in referring to the DOD's strategic approach outlines the priority efforts, "The Strategy also highlights the

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<sup>1</sup> NORTHCOM, "NORTHCOM Sandy AAR (excerpt)." November 26, 2012, items 17557, 17568, 17570

<sup>2</sup> Congressional Research Service, *CRS Report for Congress: Homeland Security: Roles and Missions for United States Northern Command*, June 3, 2008, summary page

Department’s priority efforts to expand unity of effort with State and local first responders; achieve an integrated planning approach with Federal and State authorities; ensure the continuous performance of DOD’s mission essential functions in an all-hazards environment; protect and improve the resilience of the Force; and bridge gaps in preparedness for catastrophic events.”<sup>3</sup>

Achieving the priorities outlined by Secretary Panetta meets with immediate and evident friction in planning and even more so when plans shift toward execution. DSCA by its very nature is fraught with friction between local, state, and national efforts regarding authorities and prioritization, deployment of forces on an extremely tight timeline to a geographic location unknown prior to the disaster, and employment of forces in a capacity that is widely foreign to the services.

Addressing Secretary Panetta’s points that pertain specifically to DSCA—unity of effort with state and local first responders, integrated planning with Federal and State authorities, and bridging gaps in preparedness—it becomes evident that major challenges for NORTHCOM and the DOD remain.<sup>4</sup> Concerning unity of effort, by both law and design, often-confusing and overlapping authorities and responsibilities are dispersed between local, state, and federal levels of government, and in some cases dispersed within the DOD itself.<sup>5</sup> Integrating planning efforts between echelons of government and across agencies faces similar challenges as achieving unity of effort in the employment of the force. Finally, bridging gaps in preparedness is difficult as NORTHCOM faces challenges with the

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<sup>3</sup> U.S. Department of Defense, *Strategy for Homeland Defense and Defense Support to Civil Authorities*, February 2013, forward

<sup>4</sup> Government Accounting Office, *Civil Support: Actions Are Needed to Improve DOD’s Planning for a Complex Catastrophe* (GAO-13-763), September 2013, 14-20

<sup>5</sup> U.S. Department of Defense, *Joint Publication 3-28: Defense Support of Civil Authorities*, July 31, 2013, executive summary (x)

deployment of forces in a time constrained environment, access to DSCA-trained forces, and the employment of the forces it would likely command in response to a DSCA request. Addressing gaps in each of these areas will allow NORTHCOM to better accomplish its DSCA mission.

### **Improving Unity of Effort**

Unity of effort, an underpinning of all U.S. Military operations, is challenging to achieve in any operation and especially so in DSCA operations. Unique characteristics of DSCA introduce challenges to unity of effort that the DOD does not typically encounter in traditional combat operations. First, in all but the most extreme circumstances, DOD is operating in a supporting role to another federal agency—most likely the Department of Homeland Security (DHS) through the Federal Emergency Management Agency (FEMA), DHS’s operational element for federal disaster management. Second, typical disaster response missions result in federal agencies and entities assisting but also competing with state and local authority to set objectives and prioritization of efforts.<sup>6</sup>

Codifying this concept for the employment of armed forces, the 2012 National Defense Authorization Act (NDAA) states that a dual-status commander—authorized control of both state and federal forces—should be the default construct for command and control of forces during DSCA operations. A dual-status commander is under the purview of Title 10 and Title 32, federal active duty and state active duty, and reports to the President and respective state governor in each capacity.<sup>7</sup>

Friction in unity of effort emerges when the parameters of the NDAA encounter NORTHCOM’s default concept for DSCA command and control. For DSCA support,

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<sup>6</sup> U.S. Department of Defense, *Joint Publication 3-28: Defense Support of Civil Authorities*, July 31, 2013, viii

<sup>7</sup> U.S. Congress, *House Resolution 1540: National Defense Authorization Act 2012*, January 05, 2011, section 101(a)(13)(B), 98

NORTHCOM would traditionally delegate operational control of federal forces to one of its functional component commands, in most cases the Joint Forces Land Component Command (JFLCC), Army North (ARNORTH).<sup>8</sup> ARNORTH would then develop or employ existing subordinate task forces as needed based upon conditions and objectives. The introduction of a dual-status commander controlling federal forces effectively eliminates NORTHCOM's operational level of command traditionally established through the JFLCC. Instead of a JFLCC controlling federal forces for DSCA purposes, the dual status commander directs their activities and reports directly through NORTHCOM, undermining the JFLCC's command authority and NORTHCOM's ability to synchronize operations and the employment of forces across multiple states.<sup>9</sup>

National Level Exercise 2011, an exercise designed around an earthquake affecting eight states within the New Madrid Seismic Zone, highlighted challenges stemming from the lack of a NORTHCOM multi-state operational command and control element. While NORTHCOM typically makes its determinations on the deployment and employment of forces based upon FEMA priorities, it acknowledged that during the exercise it could not maintain situational awareness, nor could it make informed decisions on the employment, efficiency or effectiveness of forces already deployed.<sup>10</sup>

During Hurricane Sandy, the lessons learned in the National Level Exercise 2011 manifested themselves. By 31 October 2012, six states had nominated and received approval for dual-status commanders.<sup>11</sup> In efforts to synchronize federal forces operations across

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<sup>8</sup> Government Accounting Office, *Civil Support: Actions Are Needed to Improve DOD's Planning for a Complex Catastrophe* (GAO-13-763), September 2013, 15

<sup>9</sup> Ibid. 16-17

<sup>10</sup> Ibid. 19

<sup>11</sup> Armed Forces Press Service, "Defense Department Continues Supporting Storm Response." October 31, 2012.

multiple states, NORTHCOM deployed the Joint Task Force – Civil Support (JTF-CS), a standing two-star headquarters designed for DSCA operations, to function as the Joint Coordination Element (JCE) for the JFLCC.<sup>12</sup> Unfortunately, neither the roles of the JCE nor the JFLCC in relation to the dual-status commanders were clearly defined. As a result, while the JCE initially improved situational awareness, any benefit was offset by the ensuing confusion of its roles and authorities in the direction of priorities and employment of forces.<sup>13</sup>

Based on principles of Joint doctrine for command and control and empirical evidence from exercises and real-world employment of the force, DOD and NORTHCOM should modify their standard model to include a component command as the operational level of command for DSCA operations when states employ dual status commanders. Considering its constraints, JTF-CS performed admirably in its role as the JCE, but it was neither properly staffed nor granted proper authority to execute its mission of synchronizing multi-state operations. The JFLCC, with a staff of over 800 active duty service members is best positioned to function as an operational command in the event of multi-state disasters, capable of organizing and commanding subordinate task forces and monitoring, synchronizing, and allocating forces across multiple states considering FEMA and state priorities.

Nothing within the NDAA 2012 precludes the establishment of an operational-level federal command for DSCA operations, or prevents a dual-status commander reporting through a component command subordinate to NORTHCOM. In fact, the NDAA states that, “nothing shall be construed to preclude or limit, in any way, the authorities of the President,

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<sup>12</sup> PO1 Brian Dietrick, “Joint Task Force Civil Support Returns Home After Command and Control of Units Assisting with Hurricane Relief Efforts.” November 21, 2012.

<sup>13</sup> Government Accounting Office, *Civil Support: Actions Are Needed to Improve DOD’s Planning for a Complex Catastrophe* (GAO-13-763), September 2013, 20

the Secretary of Defense, or the Governor of any State to direct, control, and prescribe command and control arrangements for forces under their command.”<sup>14</sup>

With the JFLCC as an operational-level command for NORTHCOM, it could then better employ both JTF-CS and TF-51, a subordinate standing task force under ARNORTH, as regional command and control elements responsible for employing federal forces not allocated under the authority of dual status commanders. In total, this would allow a more coordinated effort and synchronization from the strategic requisition and delivery of supplies from the source to the end user in need, and the efficient management of forces to satisfy requirements of state authorities through better distribution and management of forces.

### **Bridging the Gaps in Preparedness for Catastrophic Events**

Events requiring DSCA support as described by the Department of Defense and FEMA come in a variety of guises. On the extreme low end are routine seasonal requirements, such as wild fire assistance, that NORTHCOM routinely tasks through FORSCOM to Army forces in the form of a “be-prepared-to” execute mission.<sup>15</sup> On the extreme high end is the requirement for federal forces to respond to a complex catastrophe, defined by the Secretary of Defense in a 2013 memorandum as “Any natural or man-made incident, including cyberspace attack, power grid failure, and terrorism, which results in cascading failures of multiple, interdependent, critical, life-sustaining infrastructure sectors and causes extraordinary levels of mass casualties, damage or disruption severely affecting the population, environment, economy, public health, national morale, response efforts,

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<sup>14</sup> U.S. Congress, *House Resolution 1540: National Defense Authorization Act 2012*, January 05, 2011, section 101(a)(13)(B), 98

<sup>15</sup> Joint Task Force Centennial Public Affairs, “Rarely Used Military Asset Proves Extremely Valuable for Wildfire Response.” July 04, 2012

and/or government functions.<sup>16</sup> As can be expected, as crises ascend the scale toward complex catastrophe, more gaps in DOD's preparedness emerge, and those gaps become deeper and wider in proportion to the severity of the catastrophe.

NORTHCOM faces challenges in its ability to satisfy the DOD's requirements to bridge gaps in preparedness along two primary seams: deployment of the force in a time-constrained environment, and employment of the force in support of DSCA operations. The NORTHCOM Commander, GEN Charles Jacoby Jr., has often been quoted, "NORTHCOM cannot be late to need."<sup>17</sup> While this is true, NORTHCOM currently has little say about the readiness rates or deployment capabilities of the wide majority of federal forces likely to be employed in a DSCA capacity, and limited say over which forces would be selected by the services to provide that support in the event it is required. Additionally, showing up is only part of the equation. Once forces arrive at the JOA, to be most effective they must know how to successfully integrate with state and local authorities, an area in which most federal forces have limited or no experience. In almost all DSCA disaster situations, organizations will develop ad hoc with command elements unfamiliar with DSCA and subordinate forces unfamiliar with operating in the United States, and undergo multiple changes based upon emerging and shifting requirements. Both of these seams create challenges for NORTHCOM in achieving its DSCA objectives.

### ***Preparedness through Broader Access***

Currently, NORTHCOM has an extremely limited standing allocation of forces to execute DSCA operations. It has within its component commands the potential for

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<sup>16</sup> U.S. Department of Defense, *Joint Publication 3-28: Defense Support of Civil Authorities*, July 31, 2013, II-12

<sup>17</sup> Claudette Roulo, "NORTHCOM, NORAD Stand Ready to Defend Nation, Commander Says." March 13, 2014

operational command organizations. It also has two standing task forces appropriate for tactical control of federal forces in a DSCA environment in JTF-CS and Task Force 51. For actual trained forces prepared to execute DSCA, NORTHCOM has an allocation of approximately 9,000 service members across active, guard, and reserve components under the construct of the Defense CBRN Response Force (DCRF), and the Command and Control CBRN Response Element (C2CRE)-A and C2CRE-B. While the potential exists to employ these forces under general DSCA support, they were specifically created and task organized to function as independent federally-controlled organizations designed to respond to a CBRN incident.<sup>18</sup> Key characteristics of these organizations are rapid deployment capabilities—24 hours from notification in the case of JTF-CS, and 96 hours from notification for C2CRE—and requirements to maintain “1” statuses within the Defense Readiness Reporting System (DRRS). They also participate in several exercises throughout the year such as Vibrant Response and Ardent Sentry, integrating with FEMA, title 32 forces, and state agencies to simulate a disaster response.<sup>19</sup>

These forces, on paper and in discussion, appear to be comprehensive solutions to CBRN-related or complex catastrophe requirements. While impressive in their ability to maintain readiness and respond to a DSCA requirement (CBRN or otherwise), the deployment of these forces is not as easy or as effective as it initially seems for several reasons including dispersion of forces, deployment requirements, and effectiveness on the objective upon reaching the Joint Operating Area.

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<sup>18</sup> M.A. Collins, JTF-CS, “JTF-CS and Domestic CBRN Response (Brief).” February 09, 2012

<sup>19</sup> SFC Christopher DeHart, SSG Corey Baltos, “Army North prepares for Vibrant Response 13.2.”

First the ready force—the DCRF, for example—is comprised of over XX separate organizations with XX originating installations.<sup>20</sup> It appears to be a formidable answer to an unpredictable CBRN or complex catastrophe problem. JTF-CS, when discussing the DCRF, claimed that “spreading out the personnel under DCRF has allowed them to cut their response time to any particular incident from 48 hours to 24 hours [in comparison to the CCMRF it replaced].”<sup>21</sup> While what they described is technically correct, this same geographic dispersion of forces and associated rapid response of some elements of the DCRF is a guarantee that other forces within the DCRF will take significantly longer to arrive. Any CBRN event or complex catastrophe that would mandate the activation of the DCRF for DSCA would be geographically separated from the majority of the allocated force mandating a deployment over long distances.

The deployment of the allocated force over distance is a monumental challenge. Despite increased levels of personnel and equipment readiness and data updates into the Joint Operational Planning and Execution System (JOPES), the units associated with the DCRF (company-level specifically) face significant challenges in getting to the Joint Operating Area (JOA). For example, a medium truck company sourced for the DCRF is expected to deliver sixty Palletized Loading Systems as part of its equipment set.<sup>22</sup> Air lifting these vehicles is highly improbable; due to their weight and volume they are not C-130 transportable. Additionally, the sixty air missions it would take to deliver these systems would require aircraft better suited to transport higher-priority immediate use cargo. The result is the requirement for a ground deployment either by line-haul or self deployment.

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<sup>20</sup> M.A. Collins, JTF-CS, “JTF-CS and Domestic CBRN Response (Brief).” February 09, 2012

<sup>21</sup> Kelly Vlahos, “Public Safety Today: CBRN Protection—From CCMRF to DCRF: Changing Letters for Better Results.” July 03, 2012

<sup>22</sup> HHC, 553 CSSB, “DCRF - Task Force Logistics Capabilities Update.” July 20, 2012

Line-haul is time consuming in sourcing commercial assets and loading equipment. Self-deployment is problematic due to the attrition of the vehicles and fatigue of forces en-route to the JOA. These challenges are not unique to the medium truck company, as other units within the allocated forces are also equipment-heavy, such as engineer, chemical, and to a lesser extent, medical units. These challenges diminish the value of the extreme levels of readiness maintained by these allocated, purpose-driven forces at NORTHCOM's disposal for DSCA operations.

In order to reduce gaps in responsiveness, NORTHCOM should regionally source units for DSCA employment—those in close proximity to the disaster—rather than rely on a standing force. Some argue that only a standing force can achieve a level of deployability and readiness necessary to respond to a no-notice complex catastrophe or CBRN event. However, regionally-sourced forces, regardless of directed readiness status, have proven capable of responding with amazing speed to no-notice deployment requirements. During Hurricane Sandy, for example, many of DOD federal forces employed in DSCA capacities were not associated with any standing “be prepared to” mission, or flagged as rapid deployment elements. Despite this, regionally-sourced DOD forces were capable of deploying within the timeframes associated for the DCRF and C2CRE. As an example of this responsiveness, a 23-person torch party from the 82<sup>nd</sup> Sustainment Brigade, sourced to function as a logistics headquarters element, had manifested and initiated movement to Joint Base McGuire-Dix-Lakehurst (MDL) within twelve hours of notification. The entire brigade element comprised of 83 personnel had initiated movement within 24 hours of notification, meeting the deployment requirements for the DCRF.<sup>23</sup> At the company level, the 108<sup>th</sup>

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<sup>23</sup> 1LT John Lanzafame, “Outload Execution to Support Hurricane Sandy Relief Effort.” November 28, 2012.

Quartermaster from Fort Lee, VA, deployed with extensive equipment within 24 hours of notification, demonstrating that the capability exists, and in most cases will match or beat the deployment timeline of a dedicated, geographically distance alternative.<sup>24</sup>

To further increase the effectiveness of a regional employment plan, NORTHCOM should request from the services that the types of units most likely to be employed in a DSCA capacity—engineer units, chemical units, logistics units (transportation, supply, maintenance, fuel), and medical units—take measures to improve deployability, including routinely updating Unit Equipment Lists (UELs) in JOPEs, and reporting UEL updates in conjunction with their DRRS monthly report. Accurate and current Level IV UEL data, basic equipment and personnel data by type and quantity, uploaded into JOPEs, would further close the gap between an allocated force’s ability to deploy compared to a regionally-sourced unit’s ability to deploy by assisting TRANSCOM in coordinating transportation assets, be it line-haul, rail, or air. If the unit self-deploys, as would be preferable for those in close proximity to the incident, this routine maintenance of the UEL would also assist in readying them for movement. This new requirement would have minimal impact in its application. All units have inherent capability of entering this data (the Unit Movement Officer/NCO in the case of the Army), it is not resource or personnel intensive, and the cost to the force would be minimal.

Finally, the likelihood that any pre-sourced force such as the DCRF or C2CRE could satisfy the DSCA requirements of a complex catastrophe is highly unlikely. This was made evident in the DOD’s response to Katrina—not a complex catastrophe—that saw the deployment of over 22,000 federal forces operating in a DSCA capacity.<sup>25</sup> The measures

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<sup>24</sup> Stephen Baker, “Quartermaster Soldiers New York-Bound to Aid Citizens.” November 02, 2012.

<sup>25</sup> U.S. DOD, “Help at Home: Military Tackles Relief Efforts in Gulf Coast Region.” December 2005

outlined here would ensure that NORTHCOM could draw from a ready, responsive force pool to satisfy the Nation's needs in the event of a severe CBRN incident or complex catastrophe, and reduce the gap in preparedness identified by Secretary Panetta.

### ***Preparedness through DOD DSCA Training***

Arriving in the JOA in time to save lives and reduce suffering is of unquestionable importance. However, forces that arrive unprepared to operate in the unique DSCA environment will be operating inefficiently at best, and at worst may actually hinder rescue and relief operations. In order to further reduce the gaps, NORTHCOM must have access to a well-trained force.

While DSCA occupies a relatively high priority in the DOD's strategic guidance, it is not well-incorporated into the services' training priorities. DSCA, for example, is not listed as a Mission Essential Task (MET) for the many of the unit types that would typically deploy in support of DSCA.<sup>26</sup> Going back the DOD response to Katrina, the sourced and trained standing organizations at NORTHCOM's disposal—DCRF and C2CRE—represent a fraction of the overall forces that would conduct DSCA operations for a complex catastrophe. Secretary of Defense Panetta stated in his memorandum dated 20 July 2012, "In a domestic complex catastrophe...the demand for Defense Support of Civil Authorities would be unprecedented."<sup>27</sup> While the DCRF and C2CRE would deploy with a certain level of DSCA familiarity and proficiency, the majority of forces supporting the response would be markedly less proficient or wholly untrained for DSCA operations. This training gap,

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<sup>26</sup> U.S. Army Force Management Website (FMSWEB), Mission Essential Tasks, select units.

<sup>27</sup> Secretary of Defense Leon Panetta, "Actions to Improve Defense Support in Complex Catastrophes." Memorandum dated July 20, 2012

however, is not insurmountable, and the level of training and specialization required to successfully conduct DSCA operations is less than it initially seems.

In most cases, federal forces conducting DSCA operations will be executing missions that are typically in-line with their doctrinal functions. For example, a transportation company, when employed in a DSCA role, will be responsible for transporting supplies. This is no different from what the transportation company does while deployed to Afghanistan or when it is conducting operations at its home installation. This is similar for engineers and other units that would likely be employed in a DSCA capacity. What does differ, however, is the environment in which they will be executing these functional missions.

Operating in the United States and its territories in support of American civilians and under the direction of other federal agencies or state agencies carries with it a host of challenges typically foreign to federal forces. While a service member typically follows Rules of Engagement when deployed OCONUS, while in a DSCA capacity they must operate under the Standing Rules for Use of Force (SRUF)—a concept governing conduct in relation to citizens and residents of the United States.<sup>28</sup> Another major difference contrasting DSCA with other operations is the process by which forces receive their missions. Military forces, regardless of branch, receive missions through the orders process. Under DSCA, the department of defense is executing operations on FEMA priorities, and under the construct of the FEMA Mission Assignment (MA) process.<sup>29</sup> The Mission Assignment process at the tactical level, while bearing some similarities to orders, is not nearly as directive. Finally,

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<sup>28</sup> U.S. Department of Defense, *Joint Publication 3-27: Homeland Defense*, July 29, 2013, I-8

<sup>29</sup> U.S. Department of Defense, *Joint Publication 3-28: Defense Support of Civil Authorities*, July 31, 2013, GL7

under DSCA operations, federal forces at the tactical level will be working on FEMA priority and subordinated to a local area commander for a particular MA, such as a fire chief or police chief. These differences in DSCA operations necessitate training in order to operate quickly, efficiently, and effectively. This is a major advantage of allocated forces such as the DCRF and C2CRE.

To properly employ a regional force for DSCA operations, NORTHCOM must request that the services modify training priorities for units likely to be employed in a DSCA capacity. Specifically, DSCA should become a Mission Essential Task with associated collective tasks related to the mission assignment process, operating under incident and area commanders, and understanding and operating under the SRUF. Because these required skills are associated with operating environment and conduct of the force rather than functions of the force, they are not resource or time intensive, and relatively easy to train. Most DSCA training and certifications for the DCRF and C2CRE already exists and are accessible via the internet.<sup>30</sup> Access to this training is available to all units for zero cost. Further training in SRUF and operations under an incident commander are also easily trained in a classroom setting, requiring limited or no field employment. The net result would be a general force pool at NORTHCOM's disposal capable of better integration into the national response plan for disaster relief.

A DSCA-trained general force capable of using the mission assignment process, operating under the direction of an incident commander, and abiding by the SRUF, is critical to ensuring the success of regional sourcing. These unobtrusive changes to training coupled

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<sup>30</sup> Defense Support to Civil Authorities Training Portal, main page

with the increased reporting and readiness requirements would significantly close the DOD's gaps in preparedness in employing the force in a DSCA capacity.

### **Integrating Planning with Federal and State Authorities**

The fact that the Department of Defense operates in a supporting role to federal and state authorities in DSCA employment requires the DOD to alter its plans to integrate with lead federal agencies and state plans, and support these entities' priorities. Added challenges emerge as each of the ten FEMA regions, fifty states, and five territories covered under DSCA may have differing ideas on the objectives of a disaster response plan, and how those objectives should be achieved.<sup>31</sup> Fortunately, several documents and concepts exist that provide guidance on integration, including the National Response Framework (NRF).

The NRF is one of five frameworks within the National Planning Framework. The NRF describes how the nation as a whole responds to disasters and emergencies, outlines authorities for incident management across the full spectrum from routine support to complex catastrophes, and describes concepts, responsibilities, roles and structures associated with a national response.<sup>32</sup> Also of note, the NRF is always "on" in that the principles guidelines are persistent and don't exist only in the event of an emergency. Based on circumstances, federal and state governments will make requests, grant authorities, and employ various concepts, principles, and structures within the NRF to address disastrous and catastrophic incidents.<sup>33</sup>

While the NRF does an excellent job of highlighting the menu of options available to all-echelons of government leadership and explaining the default hierarchical authorities for

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<sup>31</sup> U.S. Department of Defense, *Joint Publication 3-28: Defense Support of Civil Authorities*, July 31, 2013, II-11

<sup>32</sup> Department of Homeland Security, *Overview of the National Planning Frameworks*, May 2013, 4

<sup>33</sup> Department of Homeland Security, *National Response Framework, 2d ed.*, May 2013, 5

combined state and federal efforts, it is not scripted or prescriptive for any particular incident. Each response and each aspect of the NRF employed (or not) is specific to each incident. Unfortunately, the planning that occurs post-incident is largely “crisis-action” planning instead of deliberate planning, and subject to hurried, stove-piped efforts amongst the varied and numerous agencies struggling to respond to a multitude of overlapping demands.<sup>34</sup> Because of this NORTHCOM—as the DOD’s global synchronizer for DSCA—must ensure it develops comprehensive, flexible, plans integrated with other entities within the NRF to set conditions for a rapid response and to minimize the requirement for crisis-action planning post-incident.

The newest planning requirement is focused on the complex catastrophe. By formally defining a complex catastrophe, the Secretary of Defense generated a requirement for the Department of Defense to develop a detailed, specific response to the conditions defined. As the lead federal agency for disaster response, DHS tasked FEMA to develop plans to respond to circumstances similar to the DOD’s complex catastrophe, described by FEMA as all-hazards and regional and incident specific plans. To this end, FEMA estimates it will not have a completed response plan until 2018.<sup>35</sup> Unfortunately, NORTHCOM (and PACOM) have increased risk to the DOD’s response capability by delaying the development of their plans for complex catastrophe response until the LFA releases its overarching plan.

A GAO report suggests NORTHCOM has hedged this risk to some extent by developing a “plan that describes some general strategic-level complex catastrophe scenarios and identifies general force requirements.”<sup>36</sup> The report also claims that some of the DOD’s

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<sup>34</sup> Department of Homeland Security, *National Response Framework, 2d ed.*, May 2013, 32-35

<sup>35</sup> Government Accounting Office, *Civil Support: Actions Are Needed to Improve DOD’s Planning for a Complex Catastrophe* (GAO-13-763), September 2013, 11-12

<sup>36</sup> *Ibid.*, 11

Defense Coordinating Officers (DCOs)—the lead integrators of DOD efforts with other federal agencies, state, and local authorities within each FEMA region—have worked extensively to develop the regional response plans. Unfortunately, the report then dissuades optimism by highlighting NORTHCOM’s reservations regarding its general strategic-level assessments as it “will not identify DOD capabilities that could be provided to civil authorities . . . until FEMA completes its plans.” Also discouraging, the report states that “NORTHCOM . . . has not determined how it will incorporate information produced by [DCO and FEMA planning] efforts into its civil support plan.”<sup>37</sup>

In principle and time permitting, it is prudent to delay planning until higher authority releases its plan. However, disasters and enemies do not wait for the completion of response plans, and delays in developing a comprehensive DOD DSCA response to a complex catastrophe could result in excessive crisis-action planning and unnecessary delays in deploying and employing an efficient, effective DOD response. In order to best-posture the DOD to respond to a complex catastrophe, NORTHCOM must better-integrate the efforts of its regional DCOs, begin developing operational plans to support its general strategic-level plans concurrently with FEMA planning efforts, and provide more clarity regarding DOD capabilities for an all-hazards response to civil authorities, if only as planning factors.

### **Conclusion**

In an address to the House Armed Services Committee on March 20, 2013, the NORTHCOM Commander, GEN Charles Jacoby Jr., made three key points that underlined the urgency of meeting the DSCA priorities highlighted by the Secretary of Defense in the 2013 Strategy for Homeland Defense and Defense Support of Civil Authorities of expanding unity of effort, integrating planning, and bridging gaps in preparedness. First, he stated,

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<sup>37</sup> Ibid., 12

“Hurricane Sandy offered us a glimpse of what a complex catastrophe which spans several states and regions could look like.”<sup>38</sup> Next, he stated, “Our citizens have high expectations . . . NORTHCOM meets those expectations by leveraging the tremendous capabilities and capacities of the DOD to support a lead federal agency such as FEMA.”<sup>39</sup> Finally, he stated, “We are facing an increasingly complex and dynamic security environment.”<sup>40</sup>

The introduction of dual status commanders solved a host of unity of effort problems but introduced a set of problems that had not existed before the 2012 NDAA. NORTHCOM must continue to refine command organizations and relationships in order to ensure that the DOD can effectively employ its forces to successfully accomplish its DSCA missions. As DOD increases its efforts to address requirements associated with complex catastrophes, NORTHCOM must have access to a rapidly-deployable, regionally-accessible, and highly trained force. And finally, the increasingly complex and dynamic security environment makes integrated and immediate planning efforts more important than ever before.

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<sup>38</sup> General Charles Jacoby Jr., *Testimony during House Armed Services Committee No. 113-22*. March 20, 2013, transcript page 47.

<sup>39</sup> *Ibid.*

<sup>40</sup> *Ibid.*

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