

# Defense Support of Civil Authorities: Decision Points for the Employment of Forces in the Domestic Operational Environment

A Monograph

by

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2020

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<b>REPORT DOCUMENTATION PAGE</b>					<i>Form Approved</i> <b>OMB No. 0704-0188</b>	
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<b>1. REPORT DATE (DD-MM-YYYY)</b> 21-05-2020		<b>2. REPORT TYPE</b> Master's Thesis			<b>3. DATES COVERED (From - To)</b> JUN 2019 - MAY 2020	
<b>4. TITLE AND SUBTITLE</b> Defense Support of Civil Authorities: Decision Points for the Employment of Forces in the Domestic Operational Environment					<b>5a. CONTRACT NUMBER</b>  <b>5b. GRANT NUMBER</b>  <b>5c. PROGRAM ELEMENT NUMBER</b>  <b>5d. PROJECT NUMBER</b>  <b>5e. TASK NUMBER</b>  <b>5f. WORK UNIT NUMBER</b>  	
<b>6. AUTHOR(S)</b> MAJ Dennis R. Bittle					<b>8. PERFORMING ORGANIZATION REPORT NUMBER</b>  	
<b>7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES)</b> U.S. Army Command and General Staff College ATTN: ATZL-SWD-GD Fort Leavenworth, KS 66027-2301					<b>10. SPONSOR/MONITOR'S ACRONYM(S)</b>  <b>11. SPONSOR/MONITOR'S REPORT NUMBER(S)</b>  	
<b>9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)</b> Advanced Military Studies Program						
<b>12. DISTRIBUTION/AVAILABILITY STATEMENT</b> Approved for Public Release; Distribution is Unlimited						
<b>13. SUPPLEMENTARY NOTES</b>  						
<b>14. ABSTRACT</b> Although Defense Support of Civil Authorities continues to be considered a mission essential task for many Army units, there is very little emphasis on the proper employment of forces in the domestic environment. The Global War on Terrorism has forced most operational-level planning to focus on deploying forces outside of the continental United States. This has created a gap in the understanding of how to integrate and employ forces within the constraints of a multi-state, domestic operational environment. This study examined the operational constraints founded in law and national policy that planners must consider. This study assessed the key decisions of joint task force commanders, their integration of Title 10 and Title 32 forces, and the impacts those decisions made during the Hurricane Katrina and Hurricane Sandy responses. These large-scale natural disaster response cases illuminate the range of decisions required to employ an operational force in the domestic environment. The findings of this study extend beyond a hurricane response, and are applicable to similar large-scale domestic events such as earthquakes, pandemics, and terrorist attacks.						
<b>15. SUBJECT TERMS</b> Defense Support of Civil Authorities, DSCA, Domestic Operations, Civil Support, Natural Disaster, Stafford Act, Posse Comitatus, Dual Status Commander, Homeland Defense						
<b>16. SECURITY CLASSIFICATION OF:</b>			<b>17. LIMITATION OF ABSTRACT</b>  (U)	<b>18. NUMBER OF PAGES</b>  39	<b>19a. NAME OF RESPONSIBLE PERSON</b> MAJ Dennis R. Bittle	
a. REPORT (U)	b. ABSTRACT (U)	c. THIS PAGE (U)			<b>19b. TELEPHONE NUMBER (Include area code)</b>	

## Monograph Approval Page

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## Abstract

Defense Support of Civil Authorities: Decision Points for the Employment of Forces in the Domestic Operational Environment, by MAJ Dennis R. Bittle, 39 pages.

Although Defense Support of Civil Authorities continues to be considered a mission essential task for many Army units, there is very little emphasis on the proper employment of forces in the domestic environment. The Global War on Terrorism has forced most operational-level planning to focus on deploying forces outside of the continental United States. This has created a gap in the understanding of how to integrate and employ forces within the constraints of a multi-state, domestic operational environment. This study examined the operational constraints founded in law and national policy that planners must consider. This study assessed the key decisions of joint task force commanders, their integration of Title 10 and Title 32 forces, and the impacts those decisions made during the Hurricane Katrina and Hurricane Sandy responses. These large-scale natural disaster response cases illuminate the range of decisions required to employ an operational force in the domestic environment. The findings of this study extend beyond a hurricane response, and are applicable to similar large-scale domestic events such as earthquakes, pandemics, and terrorist attacks.

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## Acknowledgements

I want to thank my monograph director, Dr. Justin Kidd for guiding me through the completion of this monograph. His instruction and encouragement turned an otherwise incredibly difficult task into an exciting learning opportunity. I would also like to thank my Seminar Leader, COL David Meyer who encouraged me to pursue this topic with enthusiasm and a sense of duty. Two National Guard Bureau officers contributed to my collection of information, MAJ Colin Falkenstein and CPT Duffy Cavanaugh, who took the time to ensure that I had accurate and up-to-date information. Lastly, I thank my wife, Missy who endured the entire research process with me. Her incredible patience and sacrifice bought me the time to focus on the task at hand, and it is to her that I owe the most gratitude.

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# Introduction

## Background of the Study

Since the post-Civil War reconstruction period, the Army has supported civil authorities in the domestic operating environment including distributing commodities during extreme weather events.<sup>1</sup> Extensive domestic use of the Army by President Grant forced Congress to pass the Posse Comitatus Act of 1878, restricting the federal use of the Army. This became a point of separation between federal and state authorities concerning responsibilities involving the total force.<sup>2</sup> The resulting federalist construct provided specific federal and state roles, enabling coordination between the two while recognizing the sovereignty of both.<sup>3</sup> The current legislation for providing federal aid for disaster relief is the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act).<sup>4</sup> The Stafford Act established the framework to request federal assistance once state resources become overwhelmed, and reinforced a bottom-up approach to major disaster response.<sup>5</sup> Over thirty-five major disaster declarations are made each year, mostly for natural disasters such as severe storms. The annually increasing number of major disaster declarations indicates an increased role for active duty and reserve forces in response to large-scale disasters in the future.<sup>6</sup> Large-scale natural disaster events expose the disparity

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<sup>1</sup> Gaines M. Foster, *The Demands of Humanity: Army Medical Disaster Relief* (Washington, DC: Center of Military History, 1983), 13, Office of Medical History, US Army Medical Department, accessed October 30, 2019, <https://history.amedd.army.mil/booksdocs/misc/disaster/ch2.htm>.

<sup>2</sup> James A. Wombell, *Long War Series Occasional Paper 29: Army Support During the Hurricane Katrina Disaster* (Fort Leavenworth, KS: Combat Studies Institute Press, 2009), 10.

<sup>3</sup> Frances Townsend, *Federal Response to Hurricane Katrina: Lessons Learned*, Report by the Assistant to the President for Homeland Security and Counterterrorism, February, 2006, 11, accessed December 1, 2019, <http://library.stmarytx.edu/acadlib/edocs/katrinawh.pdf>.

<sup>4</sup> Bruce R. Lindsay and Francis X. McCarthy, *Stafford Act Declarations 1953-2014: Trends, Analyses, and Implications for Congress*, Congressional Research Service, Report for Congress, July 14, 2015, R42702, 2, accessed October 31, 2019, <https://fas.org/sgp/crs/homesec/R42702.pdf>.

<sup>5</sup> Townsend, *Federal Response to Hurricane Katrina*, 12.

<sup>6</sup> Lindsay and McCarthy, *Stafford Act Declarations*, 11-14.



between the National Response Framework and the military response. Policy and doctrine changes have attempted to clarify roles and responsibilities for the military during a disaster response, but recent historical cases indicate that mistakes continue to be made in integrating active duty and National Guard forces to support civil authorities.

Hurricane Katrina devastated the Gulf Coast region in 2005, making landfall in Mississippi and severely flooding New Orleans. The Hurricane Katrina disaster was followed by reports of government mismanagement at the state and federal levels.<sup>7</sup> The military's response suffered from a lack of unity of command, unspecific capabilities requests, and an overall uncoordinated response.<sup>8</sup> Then in October 2012, Hurricane Sandy made landfall in New Jersey, devastating the heavily populated North East region. Prior to Sandy, major policy and doctrine overhauls were introduced to better streamline the federal response and to better integrate the total force. With hindsight from Hurricane Katrina, the Hurricane Sandy response was better coordinated, yet still suffered some of the same challenges.

There is a gap in the literature describing the key decision points that must be addressed during the design phase of domestic disasters response planning. Total force responses to large-scale natural disasters continue to face problems concerning command and control, mission assignments, and the deployment of assets. What lessons should planners of Defense Support of Civil Authorities operations take away from past events? While most disaster response literature focuses on how federal agencies and the Department of Defense performed once those resources were introduced, what is lacking is an assessment of decision points within the layered response framework starting at the state level and leading to federal intervention.

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<sup>7</sup> Donald P. Moynihan, "From Forest Fires to Hurricane Katrina: Case Studies of Incident Command Systems," IBM Center for the Business of Government, 2007, accessed October 11, 2019, <http://businessofgovernment.org/search/node/hurricane%20katrina>.

<sup>8</sup> Committee on Homeland Security and Governmental Affairs, *Hurricane Katrina: A Nation Still Unprepared*, 109<sup>th</sup> Cong., 2<sup>nd</sup> sess., 2006, Senate Rep. 109-322, 524-526.

The purpose of this study was to close the gap in literature in assessing the total force response to natural disasters by analyzing two large-scale natural disaster events that required federal intervention to examine how policy and doctrine effected decisions for such intervention. It will further assess how those decisions shaped the organization and command relationships of the military response during each event.

The significance of this study is that it not only examines the military's role during large-scale disaster events, but also addresses the constraints of policy and doctrine. Although the study only explored natural disaster events, the applicability of the lessons learned have a greater reach. Due to their novelty and scale, large-scale natural disaster events provide insight into how the military might support civil authorities during other domestic emergencies such as pandemics and earthquakes that have similar attributes.<sup>9</sup>

This study includes references to specific key terms and concepts throughout the paper that are associated with Army and Joint doctrine. Therefore, Army and Joint doctrine serve as the primary reference for the definition of the majority of the terms used throughout the study.

### Defense Support of Civil Authorities

Defense Support of Civil Authorities (DSCA), as defined in Joint Publication 3-28, *Defense Support of Civil Authorities*, is support provided by federal military forces; DOD civilians; DOD contract personnel; and DOD component assets, to include National Guard forces, in response to a request for assistance from civil authorities for domestic emergencies, cyberspace incident response, law enforcement support, and other domestic activities or from qualifying entities for special events.

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<sup>9</sup> Arnold M. Howitt and Herman B. Leonard, "Beyond Katrina: Improving Disaster Response Capabilities," Center for Public Leadership Working Paper Series, 06-02 (Cambridge, MA: Massachusetts Institute of Technology Libraries), 19.

## Dual Status Commander

A Dual Status Commander is a commander appointed to direct the actions of both title 10 federal forces and title 32 state forces within a particular state, to ensure unity of effort during a national-level, multiagency response or national security special event. Dual status command is unique to DSCA and is used to integrate federal and state forces in an effort to reduce duplication of effort and increase situational awareness.<sup>10</sup>

## National Response Framework

The National Response Framework is the federal guide to response that contains doctrinal principles, partner roles, and structures for coordinating a national response. The National Response Framework is a Federal Emergency Management Agency document that provides the basic guide for response planning and process development.<sup>11</sup>

## The Total Army

The Total Army, also referred to as the Total Force, consists of three components: The Regular Army, The Army National Guard, and the Army Reserve. Title 10, US code establishes the role of The Regular Army and the Army Reserve, while Title 32, US code establishes the role of The National Guard. The Regular Army and Army Reserve serve under the command of the President while National Guard forces serve under the command of their respective governors.<sup>12</sup>

## Research Questions

One primary and three secondary research questions guided this study. The primary question: what are the key decision points that lead to successful integration of state and federal assets during a domestic large-scale disaster response effort? The secondary questions are: what

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<sup>10</sup> US Department of the Army, Army Doctrine Publication (ADP) 3-28: *Defense Support of Civil Authorities* (Washington, DC: Government Printing Office, 2019), 3-12.

<sup>11</sup> US Army, *ADP 3-28*, 1-7.

<sup>12</sup> US Department of the Army, Army Doctrinal Publication (ADP) 1, *The Army* (Washington, DC: Government Printing Office, 2019), 1-3—1-4.

actions were required to make a large-scale disaster relief response effective? How did policy and doctrine guide the response effort? What were the command and support relationships, and how did those relationships affect the Joint Force's response efforts? This study answers these questions by comparing the key decision points during large-scale natural disaster events that required the integration of state and federal assets to gain and maintain stability.

Although the two case studies examined consider large-scale disasters encompassing more than one state, to thoroughly investigate the response efforts of all affected states of each case is beyond the scope of this paper. Therefore, the study is limited to the decisions made that affected only a particular state as part of a larger, multistate disaster.

This study focused on hurricane natural disaster response cases specifically due to the large-scale, multi-state nature of the event. Additionally, each case study encompassed a period from the point of the national emergency declaration to thirty days post declaration in order to focus on the decisions leading to, and actions taken during the integration of military forces. A final delimitation is the analytical framework of the Doctrine, Organization, Training, Materiel, Leadership and Education, Personnel, Facilities, and Policy (DOTMLPF-P) structure that prescribes a variety of checkpoints to analyze a system. This study focused only on the doctrine, organization, and policy components of the framework.

This study relied on two assumptions. First, state response plans for large-scale disaster events require the integration of federal Department of Defense assets, up to and including active duty military force projection. This intervention is required because the scope and scale of novelty crisis such as hurricanes cross multiple state and regional boundaries, and quickly overwhelm local and state response efforts. Second, the lessons learned from the case studies involved are applicable to other domestic emergencies that might require the projection of military forces in response to a request from civil authorities or in response to a Presidential emergency or disaster declaration.

This study is organized in six sections. Section one contains the background of the study, statement of the problem, purpose of the study, definition of terms, theoretical framework, research questions, limitations and delimitations, and the assumptions of the study. Section two presents a review of the extant literature, concentrating on the relationship of policy and doctrine to a joint force response to domestic emergencies. Section three explains the methodology applied for the research, describing the case study approach and subsequent analysis. Section four comprises the research of the chosen case studies to attempt to answer the research questions. Section five organizes the findings of the case study comparison for analysis. Finally, section six provides a summary conclusion of the research, assessment of the findings, implications for future planners and doctrine, and recommendation for further research.

## Review of the Literature

### National Policy, Federal Law, and Defense Support of Civil Authorities

After action accounts of Hurricanes Katrina and Sandy highlighted the impact of national policy and laws regarding the structure and implementation of the national response framework mechanisms. A post-Katrina special report by the Committee on Homeland Security highlighted needed reform in laws such as the 1996 Emergency Management Assistance Compact (EMAC). This is a mutual aid interstate compact by which National Guard forces deploy to support member states. The report found that the process was overwhelming and cumbersome, forcing the National Guard Bureau to forgo the formal request process.<sup>13</sup> In his account, Lieutenant General Honoré, former commander of Joint Task Force-Katrina, criticized states' overreliance on the Emergency Management Assistance Compact.<sup>14</sup>

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<sup>13</sup> Committee on Homeland Security and Governmental Affairs, *Hurricane Katrina*, 10.

<sup>14</sup> Russell Honoré and Ron Martz, *Survival: How a Culture of Preparedness Can Save You and Your Family from Disasters* (New York, NY: Atria Books, 2009), 193.

After-action reports of the responses to Hurricanes Katrina and Sandy provided a great deal of information regarding the effectiveness of state-level emergency plans required by federal law. Congressional reports from Hurricanes Katrina revealed that the State of Louisiana was overdue for reviews and updates of the state emergency plans in accordance with the Disaster Mitigation Act of 2000.<sup>15</sup> The law incentivized states to coordinate mitigation plans with the Federal Emergency Management Agency and update their plans every five years.<sup>16</sup> As for Hurricane Sandy, after action reports identified that plans were in place as required, but were either unused or unavailable during the response.<sup>17</sup> The lack of planning and preparation required by law likely contributed to reactionary decision making in both cases.

After Hurricane Katrina, several federal policy updates emerged. In 2006, Congress passed the Post-Katrina Emergency Management Reform Act of 2006, which enhanced the Federal Emergency Management Agency responsibilities and recognized its autonomy within the Department of Homeland Security. The act also granted the Federal Emergency Management Agency more authority for disaster response management.<sup>18</sup> In 2008, the Department of Homeland Security created the National Response Framework to better partner with state, local, and tribal governments to create tailored operational plans based on prevention and response requirements.<sup>19</sup> A final piece of legislation important to this research was the National Defense Authorization Act (NDAA) of 2012. The 2012 NDAA identified the dual status commander as

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<sup>15</sup> Committee on Homeland Security and Governmental Affairs, *Hurricane Katrina*, 2006, 13.

<sup>16</sup> “Hazard Mitigation Plan Requirement,” Hazard Mitigation Planning, FEMA.gov, accessed October 29, 2019, <https://www.fema.gov/hazard-mitigation-plan-requirement>.

<sup>17</sup> “Hurricane Sandy FEMA After-Action Report,” Media Library, FEMA.gov, July 1, 2013, 15, accessed October 30, 2019, [https://www.fema.gov/media-library-data/20130726-1923-25045-7442/sandy\\_fema\\_aar.pdf](https://www.fema.gov/media-library-data/20130726-1923-25045-7442/sandy_fema_aar.pdf).

<sup>18</sup> Thomas Carper, et al., *National Preparedness: Actions Taken by FEMA to Implements Select Provisions of the Post-Katrina Emergency Management Reform Act of 2006* (Washington, DC: US Government Accountability Office, 2013), 1-2.

<sup>19</sup> “National Response Framework: Fourth Edition,” Media Library, FEMA.gov, October 28, 2019, 3, accessed October 30, 2019, [https://www.fema.gov/media-library-data/1572366339630-0e9278a0ede9ee129025182b4d0f818e/National\\_Response\\_Framework\\_4th\\_20191028.pdf](https://www.fema.gov/media-library-data/1572366339630-0e9278a0ede9ee129025182b4d0f818e/National_Response_Framework_4th_20191028.pdf).

the customary command structure for major disaster response missions.<sup>20</sup> The dual status command structure was employed during the Hurricane Sandy response, the first use of this command arrangement during a disaster response.<sup>21</sup> Burke and McNeil highlighted several successes of this command construct during Hurricane Sandy, but also identified deficiencies in integrating federal and state organizations under one unified structure.<sup>22</sup>

## Modern DSCA Doctrine

Most doctrinal changes related to large-scale natural disaster response have taken place only after an event identified the need for improved or clarified procedures. The leading Army doctrine during the Hurricane Katrina response was Field Manual (FM) 100-19, *Domestic Support Operations*, dated July 1993. Key highlights from the text included the concept of the tiered response structure and the emphasis on the military's supporting role to civilian authority during domestic operations.<sup>23</sup> Missing from the text, however, was specific tactical-level tasks designed for units conducting defense support of civil authorities, and formalized command structure options to facilitate coordination between active duty and National Guard forces.<sup>24</sup> The leading joint publication during this time was Joint Publication (JP) 3-26, *Homeland Security*. Similar to Field Manual 100-19, the text highlighted the military's supporting role to civilian authorities, but only vaguely outlined command relationships, mentioning only that Title 32 and Title 10 forces remain subordinate to their respective chains of command.<sup>25</sup>

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<sup>20</sup> Disaster Relief Act of 1974, Public Law 93-288, *US Code 42* (1974), § 515.

<sup>21</sup> Ryan Burke and Sue McNeil, *Maturing Defense Support of Civil Authorities and the Dual Status Commander Arrangement through the Lens of Process Improvement* (Carlisle, PA: US Army War College Press, 2015), 9.

<sup>22</sup> Ryan Burke and Sue McNeil, *Toward a Unified Military Response: Hurricane Sandy and the Dual Status Commander* (Carlisle, PA: US Army War College Press, 2015), 29-45.

<sup>23</sup> US Department of the Army, Field Manual (FM) 100-19, *Domestic Support Operations* (Washington, DC: Government Printing Office, 1993), 3-6.

<sup>24</sup> US Army, FM 100-19, (1993), 4-1.

<sup>25</sup> US Department of Defense, Joint Staff, Joint Publication (JP) 3-26, *Homeland Security* (Washington, DC: Government Printing Office, 2005), II-3.

Post-Katrina doctrine better aligned Department of Defense resources with federal policy. The 2008 version of FM 3-0, *Operations*, acknowledged civil support operations as an element of full spectrum operations and identifies specific civil support operations tasks.<sup>26</sup> The 2010 version of FM 3-28, *Civil Support Operations*, further clarified the Army's role during domestic operations and clarifies the National Guard's role in disaster response under State Active Duty, Title 32, and federalized Title 10 response statuses.<sup>27</sup> The latest addition to doctrine important to this study is the 2013 revision of Joint Publication 3-28, *Defense Support of Civil Authorities*. It provides clarification for roles and authorities of the military in support of civil authorities, and identifies key considerations for the appointment of a dual-status commander.<sup>28</sup>

## Command and Support Relationships

Three days after the August 27, 2005 presidential declaration of a state of emergency in Louisiana, Northern Command established Joint Task Force (JTF)-Katrina, and designated LTG Honoré its commander.<sup>29</sup> However, this only gave Honoré command authority over the active duty troops in the area. National Guard soldiers remained under a separate chain of command, answerable to the state's adjutant general and the governor. As the situation in New Orleans deteriorated, President Bush presented three options to Louisiana Governor Blanco to unify the command structure; all of which were eventually rejected.<sup>30</sup> Those options included federalizing the National Guard, invoking the Insurrection Act, or commissioning Honoré in the Louisiana National Guard, which would have allowed him dual-status command authority.<sup>31</sup> As Wombwell

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<sup>26</sup> US Department of the Army, Field Manual (FM) 3-0, *Operations* (Washington, DC: Government Printing Office, 2008), 3-17.

<sup>27</sup> US Department of the Army, Field Manual (FM) 3-28, *Civil Support Operations* (Washington, DC: Government Printing Office, 2010), 2-1.

<sup>28</sup> US Department of Defense, Joint Staff, Joint Publication (JP) 3-28, *Defense Support of Civil Authorities* (Washington, DC: Government Printing Office, 2018), C 1-7.

<sup>29</sup> Honoré and Martz, *Survival*, 97.

<sup>30</sup> Committee on Homeland Security and Governmental Affairs, *Hurricane Katrina*, 520-525.

<sup>31</sup> *Ibid.*, 513-523.



points out, the resulting parallel command and control system during Hurricane Katrina utilized two separate chains of command under two different commanders, Major General Landreneau for the National Guard, and LTG Honoré for the active duty troops.<sup>32</sup>

Hurricane Sandy made landfall near Brigantine, NJ, on October 29, 2012. President Obama signed emergency declarations for eight states and Washington, DC. This enabled the Federal Emergency Management Agency to deploy assets to those areas and allowed affected states to request federal assistance.<sup>33</sup> Almost immediately, New York Governor Andrew Cuomo requested a dual-status command structure to direct operations within the state. This arrangement tied state and federal forces to one commander, Brigadier General Michael Swezey, unifying two separate chains of command under the operational control of Joint Task Force-Sandy. Ultimately, active duty forces reported to Northern Command, and National Guard forces reported to Governor Cuomo through the state's Adjutant General, Major General Patrick Murphy. Answering to two chains of command, but coordinating both efforts separately, BG Swezey provided unity of effort between active and National Guard forces. Additionally, US Army North established a separate Joint Coordination Element (JCE) within the Title 10 federal chain of command to provide coordination between active duty forces deployed across state lines.<sup>34</sup> Hurricane Sandy was the Department of Defense's first application of the dual-status command construct during a disaster response, and its first experience applying the construct across multiple states.<sup>35</sup>

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<sup>32</sup> Wombwell, *Army Support During the Hurricane Katrina Disaster*, 5-6.

<sup>33</sup> Burke and McNeil, *Toward a Unified Military Response*, 28.

<sup>34</sup> *Ibid.*, 31

<sup>35</sup> Donna Miles, "Sandy Response Reaffirms Value of Dual-Status Commanders," US Department of Defense News, January 11, 2013, accessed November 10, 2019, <https://archive.defense.gov/news/newsarticle.aspx?id=118975>.

## Limitations and Constrains of Active Duty and National Guard Forces

Important to this study is an understanding of the limitations and constraints of state and federal forces during a disaster response. Most of the literature identified that these limitations, which affect task assignments, unity of effort, timing, size, and shape of the response are regulated by law.

Regarding tasks assignments during domestic operations, National Guard troops on state active duty or under Title 32 are not subject to the Posse Comitatus laws that limit Title 10 troops from performing law enforcement tasks. Therefore, some active duty commanders embedded National Guard soldiers into their formations during the Hurricane Katrina response as a means to allow their units to perform law enforcement activities.<sup>36</sup> Similarly, during Hurricane Sandy, BG Swezey recognized that US code authorized federal agencies to conduct debris clearance (from roads and waterways), but not debris removal (disposal of the debris).<sup>37</sup> Therefore, Marines were tasked to engage in debris clearance activities only, allowing the Federal Emergency Management Agency to contract private companies to engage in debris removal.<sup>38</sup> These examples demonstrate the complexity of coordinating mission assignments and how operational-level decisions can affect tactical-level actions.

Both Hurricane Katrina and Hurricane Sandy revealed constraints related to the National Guard and the Emergency Management Assistance Compact process. The compact requires fulfillment of standing agreements between states before requesting additional federal support.<sup>39</sup> This required an understanding of available Title 32 and Title 10 resources to make the right call. The congressional after action report from Hurricane Katrina reveals that a lack of specificity of

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<sup>36</sup> Wombwell, *Army Support During the Hurricane Katrina Disaster*, 170.

<sup>37</sup> Disaster Relief Act of 1974, Public Law 93-288, *US Code* 42 (1974), § 407.

<sup>38</sup> Burke and McNeil, *Toward a Unified Military Response*, 50.

<sup>39</sup> *Ibid.*, 38.

capability requests led to confusion as to the number and types of units deployed.<sup>40</sup> During the Sandy response, as Burke and McNeil point out, BG Swezey recognized the need for dewatering assets that were beyond the National Guard's capabilities, and subsequently requested those assets from the Department of Defense.<sup>41</sup> This was an important decision because of the political implications involved with balancing the tasking of National Guard versus active duty forces.<sup>42</sup>

The current body of knowledge indicates that policy and doctrine changes have attempted to keep up with the increasingly complex domestic operational environment when it comes to Defense Support of Civil Authorities. However, federalism and state sovereignty remain key factors in the bottom-up approach to disaster response, putting the onus on state and territory governments to determine critical capability shortages and requirements based on their understanding of the situation. Planners must identify the internal and external constraints imposed by the domestic environment, and consider a variety of options to employ the best possible operational approach.

## Research Methodology

The purpose of this study was to identify the crucial decision points that determine an effective Department of Defense response to large-scale natural disasters. National policy and doctrine attempt to balance a swift federal response while maintaining the bottom-up response framework. This study assumed that because of the layered approach to large-scale disaster response required by the National Response Framework, state-level decisions were key in determining the success or failure of the overall response.

This study used a qualitative methodology to examine multiple sources of information to answer the research questions; what actions were required to make a large-scale disaster relief

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<sup>40</sup> Committee on Homeland Security and Governmental Affairs, *Hurricane Katrina*, 505.

<sup>41</sup> Burke and McNeil, *Toward a Unified Military Response*, 37.

<sup>42</sup> *Ibid.*, 38.

response effective? How did policy and doctrine guide the response effort? What were the command and support relationships, and how did those relationships affect the Joint Force's response efforts? The collective answers to these secondary questions answered the primary research question; what are the key decision points that lead to successful integration of state and federal assets during a domestic large-scale disaster response effort? John Creswell describes this type of case study research as an exploration of similarly bounded cases with the aim of reporting a case description.<sup>43</sup> The study isolated the key decision points from each case that provided the context for the study, what Creswell describes as an analysis of themes.<sup>44</sup> The study relied on congressional reports and after action reviews to identify shortfalls and successes for each case. Secondary sources such as monographs, thesis, and books were essential to isolating the variables related to the mechanisms employed during each event.

The case studies chosen for this research, the 2005 Hurricane Katrina response and the 2012 Hurricane Sandy response, are instances of what Howitt and Leonard describe as novelty crisis, referring to the uncommon characteristics of scale, destruction, and timing. Because these cases display events that are beyond the scope and scale of routine emergencies, they present a set of challenges that require a high degree of involvement from multiple agencies and levels of response.<sup>45</sup> The Hurricane Katrina case represented the largest deployment of military resources on US soil since the Civil War, making this case ideal for studying large-scale disasters.<sup>46</sup> The second case study, Hurricane Sandy, highlights the response effort of the second costliest hurricane to strike the United States since 1900.<sup>47</sup>

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<sup>43</sup> John W. Creswell, *Qualitative Inquiry & Research Design: Choosing Among Five Approaches* (Thousand Oaks, CA: Sage Publications, 2007), 73.

<sup>44</sup> Ibid., 75.

<sup>45</sup> Howitt and Leonard, "Beyond Katrina," 19.

<sup>46</sup> Committee on Homeland Security and Governmental Affairs, *Hurricane Katrina*, 476.

<sup>47</sup> Eric S. Blake, Todd B. Kimberlain, Robert J. Berg, John P. Cangialosi, and John L. Beven II, "Tropical Cyclone Report: Hurricane Sandy, AL182012" (Miami, FL: National Oceanic and Atmosphere

## Hurricane Katrina

By the time Hurricane Katrina struck the Gulf Coast on August 29, 2005, the category 3 storm had produced the energy equivalent to one hundred thousand atomic bombs, and sustained winds upward of 120 miles per hour.<sup>48</sup> The thirty foot storm surge created an after effect that pushed water over the New Orleans levees some fourteen hours after the storm had passed. This forced residents to flee with little notice, and with no means of evacuation immediately available.<sup>49</sup> Due to the overwhelming magnitude of the catastrophe, Hurricane Katrina has remained an important case study in natural disaster response. In this case, I examine the key aspects of the joint force response, and how policy and doctrine shaped decisions at each level.

### Pre-landfall Decisions

US Northern Command issued warnings to the states expected to be affected by Hurricane Katrina, and on Friday, August 26, Louisiana Governor Kathleen Blanco declared a state of emergency. Major General (MG) Bennett Landreneau, The Adjutant General of the Louisiana National Guard, called up a total of 4,000 National Guardsmen to state active duty began preparations for the response.<sup>50</sup> On Sunday, August 29, MG Landreneau established Task Force Pelican, a state-level Joint Task Force, to provide command and control of the state response. He also named Brigadier General (BG) Gary Jones the task force commander. Under Task Force Pelican, five subordinate tasks forces were organized in an effort to control the functional operations of aviation, engineering, search and rescue, logistics, and security.<sup>51</sup>

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Administration, 2013), 1, National Hurricane Center, accessed December 17, 2019, [www.nhc.noaa.gov/data/tcr/AL182012\\_Sandy.pdf](http://www.nhc.noaa.gov/data/tcr/AL182012_Sandy.pdf).

<sup>48</sup> Ivor van Heerden and Mike Bryan, *The Storm: What Went Wrong and Why During Hurricane Katrina- the Inside Story from One Louisiana Scientist* (New York, NY: Viking Penguin, 2006), 13.

<sup>49</sup> Heerden and Bryan, *The Storm*, 2-3.

<sup>50</sup> Lynn E. Davis, Jill Rough, Gary Cecchine, Agnes Gereben Schaefer, and Laurinda L. Zeman, *Hurricane Katrina: Lessons for Army Planning and Operations* (Santa Monica, CA: RAND, 2007), 16.

<sup>51</sup> Wombell, *Army Support During the Hurricane Katrina Disaster*, 46.

That same day, active component defense coordinating officers moved to Louisiana and Mississippi to begin coordination efforts with the Joint Field Offices. Their role included identifying potential staging areas for response forces.<sup>52</sup> Due to Stafford Act and Posse Comitatus Act constraints, typical protocol for deploying federal assets, such as the Defense Coordinating Officers, was to wait for a formal request from the Federal Emergency Management Agency. In the event that no official Federal Emergency Management Agency request materialized, the Department of Defense would have no legal basis for reimbursement of expenses.<sup>53</sup> In this case, First and Fifth Armies exercised Title 10 authority to move federal military personnel to the Joint Field Offices under the pretext of conducting training exercises. This allowed them to begin coordination efforts prior to landfall rather than waiting for formal requests after the fact.<sup>54</sup> LTG Honoré's staff submitted a capabilities request to US Northern Command to determine what assets would be available in case First Army headquarters was mobilized for the response. However, lacking a formal request from the affected state, the capabilities request was left unresolved.<sup>55</sup> During an update brief prior to landfall, it appeared that the hurricane would impact between Mississippi and Louisiana, splitting the First and Fifth Army areas of responsibility. LTG Honoré suggested that US Northern Command establish a joint operations area to unify the command focus on the storm's most likely path. However, by landfall on August 29, US Northern Command had not made a decision on the establishment of an official joint operations area.<sup>56</sup>

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<sup>52</sup> Committee on Homeland Security and Governmental Affairs, *Hurricane Katrina*, 476.

<sup>53</sup> Honoré and Martz, *Survival*, 72.

<sup>54</sup> *Ibid.*, 80-83.

<sup>55</sup> Wombwell, *Army Support During the Hurricane Katrina Disaster*, 148.

<sup>56</sup> Honoré and Martz, *Survival*, 84.

## Post-landfall Decisions

By the time Katrina made landfall, almost all of Louisiana's available National Guard units were on state active duty status.<sup>57</sup> With Louisiana's 256 Brigade Combat Team deployed to Iraq, approximately 3,800 troops were unavailable, limiting the state's ability to respond.<sup>58</sup> This led MG Landreneau to exercise the next step of the Louisiana Emergency Operations Plan, which was to request additional National Guard assets through the Emergency Management Assistance Compact.<sup>59</sup> Task Force-Pelican and state emergency management personnel requested external resources, particularly for security assistance, engineering support, and aviation assets, as well as a general call for additional troop support.<sup>60</sup> Two days later, LTG Blum, director of the National Guard, solicited assistance from all fifty-four states and territories for additional assets, forgoing the approval process in response to the need for immediate support.<sup>61</sup> Several states responded, and eventually the number of National Guard troops deployed to Louisiana reached over 30,000, with the vast majority belonging to other states.<sup>62</sup>

With the influx of National Guard units from across the country, the National Guard Bureau mobilized the 35 Infantry Division Headquarters from Kansas, designated Task Force Sante Fe, to serve as the headquarters for all out-of-state forces.<sup>63</sup> The addition of Task Force Sante Fe immediately improved the overall command and control of the National Guard forces.<sup>64</sup> In addition to more National Guard forces, Governor Blanco made a direct request for

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<sup>57</sup> Davis, et al., *Hurricane Katrina*, 19-20.

<sup>58</sup> Wombwell, *Army Support During the Hurricane Katrina Disaster*, 115.

<sup>59</sup> Committee on Homeland Security and Governmental Affairs, *Hurricane Katrina*, 447.

<sup>60</sup> Davis, et al., *Hurricane Katrina*, 23.

<sup>61</sup> *Ibid.*, 24.

<sup>62</sup> Bowman, Kapp, and Belasco, CRS RL33095, *Hurricane Katrina: DOD Disaster Response*, 11.

<sup>63</sup> Wombell, *Army Support During the Hurricane Katrina Disaster*, 70.

<sup>64</sup> Committee on Homeland Security and Governmental Affairs, *Hurricane Katrina*, 2006, 512

“significant resources” to Andrew Card, President Bush’s chief of staff.<sup>65</sup> The unclear nature and informal manner of the Governor’s request only added confusion to the process. When later questioned as to whether she needed more National Guard forces or wanted federal troops to supplement those forces, she responded, “It was both. We needed troops.”<sup>66</sup>

As Northern Command continued to debate on whether or not to establish a joint operations area, LTG Honoré, under Title 10 authority, moved the First Army command element to Camp Shelby, MS on Tuesday, August 30. This permitted him to position his headquarters to respond directly, once an official order to respond was published.<sup>67</sup> First Army prepared to utilize the approximately 3,000 federalized National Guard troops at Camp Shelby if required. One drawback to this is that federal forces serving on domestic soil under Title 10 cannot perform law enforcement missions due to the limitations of the Posse Comitatus Act, a constraint that the National Guard is not normally subject to.<sup>68</sup> LTG Honoré decided to use only a portion of the mobilized troops at Camp Shelby so that the majority could focus on their primary mission of training for deployment to Iraq.

A full day after landfall, the Department of Defense had yet to receive any requests for assistance from the State of Louisiana through the Federal Emergency Management Agency. At that time, Deputy Secretary of Defense Gordon England issued a verbal command for Northern Command and the service chiefs to lean forward and pre-position resources in anticipation of requests for assistance, and that the “necessary paperwork would follow later.”<sup>69</sup> On August 30, Northern Command issued the order establishing Joint Task Force-Katrina and named LTG

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<sup>65</sup> Committee on Homeland Security and Governmental Affairs, *Hurricane Katrina*, 514-515.

<sup>66</sup> *Hearing before the Committee on Homeland Security and Governmental Affairs*, S. Hrg. 109-84, Hurricane Katrina: The Role of the Governors in Managing the Catastrophe, 109 Cong., 2d sess., February 2, 2006, 27.

<sup>67</sup> Honoré and Martz, *Survival*, 93.

<sup>68</sup> Bowman, Kapp, and Belasco, *Hurricane Katrina*, 9.

<sup>69</sup> Committee on Homeland Security and Governmental Affairs, *Hurricane Katrina*, 485-486.



Honoré as its commander.<sup>70</sup> This order gave First Army command of all Title 10 forces in the area regardless of which state they were operating in, and laid the ground work for a coordinated response. The order enhanced freedom of maneuver for active component forces, allowing them to respond more rapidly once a request for assistance was approved and a mission assigned. The order also created a joint operations area that encompassed both Louisiana and Mississippi, and expanded the reach of all commanders operating in the area to be able to respond via their immediate response authority.<sup>71</sup> Immediate Response Authority is a Department of Defense policy that provides local commanders the authority to respond immediately to threats to life and property.

On August 30, Lieutenant General Amos, Commander of the II Marine Expeditionary Force, ordered 150 Marines to fly to Naval Air Station Belle Chasse in Louisiana under this authority. His intent was to position the Marines to be available to respond under Northern Command's expanded immediate response authority. However, Joint Task Force-Katrina and Northern Command did not have full awareness of their move.<sup>72</sup> The scale of the crisis, along with Deputy Secretary England's verbal order to lean forward, created similar unintended actions like example of the Marines above. Some units coordinated their moves with Joint Task Force-Katrina, many others did not.<sup>73</sup>

## Command and Control

Northern Command's establishment of Joint Task Force-Katrina allowed all responding Title 10 forces to be unified under a single command, although the issue of unity of command and unity of effort between Title 32 and Title 10 forces was still unresolved.<sup>74</sup> Governor Blanco

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<sup>70</sup> Committee on Homeland Security and Governmental Affairs, *Hurricane Katrina*, 490.

<sup>71</sup> Wombell, *Army Support During the Hurricane Katrina Disaster*, 152.

<sup>72</sup> Committee on Homeland Security and Governmental Affairs, *Hurricane Katrina*, 494.

<sup>73</sup> *Ibid.*, 486-487.

<sup>74</sup> Davis, et al., *Hurricane Katrina*, 40.

repeatedly expressed the need for increased federal assistance, but made clear she did not want to federalize the response. Instead, she conveyed her intent to for the state to remain in command of the National Guard while the Department of Defense would remain in command of all federal forces.<sup>75</sup> Thus, the command relationships of active and National Guard entities lent to a parallel structure with separate and distinct chains of command for both (see figure 1). Operations between state and federal forces were coordinated primarily through informal liaison arrangements using the Emergency Preparedness Liaison Officers.<sup>76</sup>

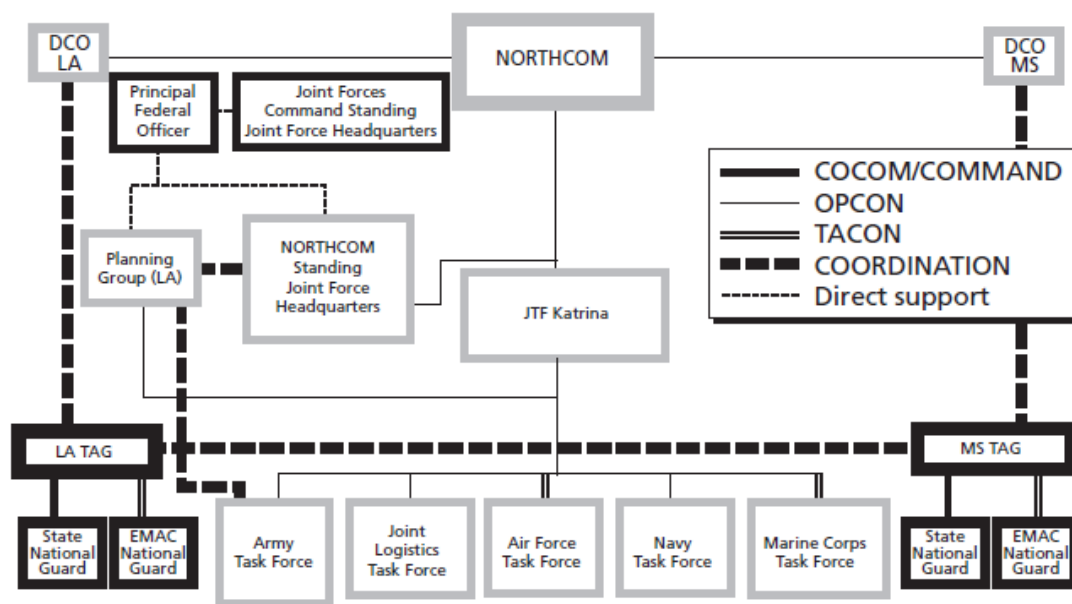


Figure 1. Hurricane Katrina Response Command Structure. Davis, et al., *Hurricane Katrina: Lessons for Army Planning and Operations* (Santa Monica, CA: RAND, 2007), 43.

The complexity of the parallel command approach became evident when Louisiana officials faced the overwhelming task of evacuating over 30,000 displaced civilians from the Superdome, and the adjacent Ernest N. Morial Convention Center.<sup>77</sup> With resources stretched thin, senior Federal Emergency Management Agency representatives again advised state leaders

<sup>75</sup> Committee on Homeland Security and Governmental Affairs, *Hurricane Katrina*, 514.

<sup>76</sup> Davis, et al., *Hurricane Katrina*, 40.

<sup>77</sup> Honoré and Martz, *Survival*, 99.

to request federalizing the response to increase unity of effort. Governor Blanco again rejected giving up control of state resources, including the National Guard. MG Landreneau requested federal assistance through Joint Task Force-Katrina to evacuate the Superdome.<sup>78</sup> LTG Honoré did not have the troop numbers required at his disposal for such an operation, and legally had to allow the Federal Emergency Management Agency to request troops for missions based on assessments by state officials. Honoré determined that with almost 3,000 National Guard troops in the area, and thousands more on the way, the deployment of more active duty forces would only exacerbate an already overwhelmed logistical situation. Instead, he estimated that the thousands of National Guard troops already on their way would be adequate to perform immediate search-and-rescue and evacuation. If required, additional active duty troops would be better suited for the follow-on recovery phases.<sup>79</sup> This marks one of the first impartial assessments of the response effort and to effectively arrange operations. Until this point, the state and local leadership had neglected to properly understand the problem and attempt to match available capabilities with operational and tactical requirements.

The separate Title 10 and Title 32 commands caused additional friction for civilian authorities requesting Department of Defense assets. In a domestic disaster response, a Defense Coordinating Element is deployed in support of the interagency Joint Field Office to receive and process such requests. During the Katrina response, the parallel command structure caused the Defense Coordinating Element to receive requests that should have gone to the National Guard. Most civilian officials had difficulty distinguishing Title 10 and Title 32 forces and functions, and which headquarters controlled them. This confusion caused some redundancy in effort during the initial surge of search-and-rescue operations.<sup>80</sup>

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<sup>78</sup> Committee on Homeland Security and Governmental Affairs, *Hurricane Katrina*, 512.

<sup>79</sup> Honoré and Martz, *Survival*, 107.

<sup>80</sup> Wombwell, *Army Support During the Hurricane Katrina Disaster*, 158.

As for National Guard forces, allocation of resources became a hindrance at times due to organizational issues. Task Force Sante Fe, a division-level headquarters, did not control aviation or engineer assets. Those capabilities remained under the operational control of Task Force Pelican, the Louisiana State Joint Task Force. Units subordinate to Task Force Sante Fe had to pass aviation requests through multiple higher level headquarters, adding undue complexity, resulting in many requests going unfilled.<sup>81</sup>

The overwhelming need for improved command and control caused federal officials to urge the state's government to request federalization of the response to allow the Department of Defense to take a more active role in coordinating logistics and mission assignments.<sup>82</sup> For several reasons however, the state leadership rejected full federalization of the disaster response on multiple occasions. For his part, President Bush decided not to invoke the Insurrection Act, a move that would have allowed him to use federal forces to restore order and engage in other law-enforcement activities.<sup>83</sup> The President proposed to Governor Blanco the option of commissioning LTG Honoré into the Louisiana National Guard, and appointing him as the dual-status commander.<sup>84</sup> At the time, the dual status command construct was not established in doctrine, and had not yet been implemented during a natural disaster response.<sup>85</sup> It was believed that this construct would better unify efforts and "improve coordination and speed the delivery of federal assets." This proposal was also rejected, however, because it appeared to resemble federalization, something that Governor Blanco adamantly opposed.<sup>86</sup>

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<sup>81</sup> Wombwell, *Army Support During the Hurricane Katrina Disaster*, 80.

<sup>82</sup> Committee on Homeland Security and Governmental Affairs, *Hurricane Katrina*, 498-514.

<sup>83</sup> *Ibid.*, 470.

<sup>84</sup> *Ibid.*, 519-520.

<sup>85</sup> US Department of the Army, Field Manual (FM) 3-28, *Civil Support* (Washington, DC: Government Printing Office, 2010), 7-4. The dual status command construct was not formalized in doctrine until 2010 when, following a Joint Action Planning Conference, the concept was adopted into doctrine as a means to improve unity of effort and ensure a rapid response.

<sup>86</sup> Committee on Homeland Security and Governmental Affairs, *Hurricane Katrina*, 522-523

The Hurricane Katrina response represented the type of large-scale mobilization of forces distinguishable from routine emergency response conditions.<sup>87</sup> Significant operational level coordination required leaders at the state and federal levels to find ways to integrate assets as efficiently as possible. The sheer volume of activity required all headquarters to understand both the situation on the ground, the capabilities available, as well as the legal and doctrinal means to deploy those capabilities effectively. During much of the response, unclear chains of command, uncoordinated or loosely coordinated activities, and a general lack of situational understanding created friction between authorities that constrained the relief effort. State and federal forces were eventually able to overcome most deficiencies through informal coordination and respond beyond the framework prescribed in the National Response Plan.

## Hurricane Sandy

Hurricane Sandy devastated the heavily populated areas of New York, New Jersey, and several surrounding states in October and November 2012. The storm led to the deaths of dozens of people and left millions in the region without power for days and weeks following the storm.<sup>88</sup> The size of the storm, coupled with the fact that it made landfall near one of the most densely populated regions in the US Northeast, caused catastrophic effects. The storm surge that accompanied Sandy caused widespread flooding that prolonged recovery operations as local, state, and federal authorities scrambled to respond. The Federal Emergency Management Agency, along with local and state agencies, prepositioned assets ahead of the storm in preparation of the massive response effort that was to come.<sup>89</sup> The initial damage estimates of \$50 billion placed Hurricane Sandy as one of the costliest disasters to hit the US in recent history, second only to

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<sup>87</sup> Howitt and Leonard, “Beyond Katrina,” 19.

<sup>88</sup> Christina Ng and Alyssa Newcomb, “Superstorm Sandy: Death Toll up to 50, but Some Steps Toward Recovery,” ABC News, October, 2012, accessed December 2, 2019, [https://abcnews.go.com/US/superstorm-sandy-33-dead-estimated-million-power/story?id=17594562#.UJAFFG\\_WIm8](https://abcnews.go.com/US/superstorm-sandy-33-dead-estimated-million-power/story?id=17594562#.UJAFFG_WIm8).

<sup>89</sup> Federal Emergency Management Agency, “Hurricane Sandy FEMA After-Action Report,” iii.

Hurricane Katrina.<sup>90</sup> With the hindsight of the Hurricane Katrina response, the Federal Emergency Management Agency and the Department of Defense coordinated efforts ahead of Sandy's landfall to pre-position resources for future operations. The Department of Defense response mobilized over 20,000 troops, including both Title 10 and Title 32 forces, making it the second largest mobilization of forces in response to a domestic disaster in the US.<sup>91</sup>

## Pre-landfall Decisions

Tropical Storm Sandy became Hurricane Sandy on October 24, prompting the Federal Emergency Management Agency to begin initial coordination efforts with states expected to be impacted.<sup>92</sup> Following the first few days of the storm's increased activity as the projected path became clear, Northern Command issued warning orders on October 27 in preparation of conducting Defense Support of Civil Authorities operations in the Northeast.<sup>93</sup> The Department of Defense activated their Defense Coordinating Officers and Defense Coordinating Elements to the Federal Emergency Management Agency Regions I (New England), II (Northeast), and III (mid-Atlantic). In anticipation of states activating dual status commanders, Northern Command identified active duty officers to serve as deputies to facilitate active component assets if required.<sup>94</sup> In addition to activating Defense Coordinating Officers and publishing warning orders to prepare additional active component personnel for deployment, Northern Command activated multiple basing locations for use by the Federal Emergency Management Agency for staging

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<sup>90</sup> Blake, et al., "Tropical Cyclone Report," 1.

<sup>91</sup> Federal Emergency Management Agency, "Hurricane Sandy FEMA After-Action Report," 5.

<sup>92</sup> Blake, et al., "Tropical Cyclone Report," 2.

<sup>93</sup> Burke and McNeil, *Toward a Unified Military Response*, 28.

<sup>94</sup> NORAD and US Northern Command Public Affairs, "US Northern Command's Support to Hurricane Sandy," US Northern Command, October 29, 2012, accessed December 10, 2019, <https://www.northcom.mil/Newsroom/Article/563655/us-northern-commands-support-to-hurricane-sandy/>.

locations. These locations included Westover Air Base, Massachusetts; Joint Base McGuire-Dix-Lakehurst, New Jersey; and Dover Air Force Base, Delaware.<sup>95</sup>

One day prior to landfall, New York Governor Andrew Cuomo directed the activation of 1,175 Army and Air Force National Guardsmen to respond to Hurricane Sandy.<sup>96</sup> After assessing the need for additional troops and equipment, Governor Cuomo requested additional support through the Emergency Management Assistance Compact and received over 850 out-of-state National Guardsman, along with equipment, to fill gaps in coverage.<sup>97</sup> States in the affected region deployed over 11,000 National Guard personnel, most of which supported response efforts in New York and New Jersey.

Prior to landfall, President Obama authorized emergency declarations for Connecticut, the District of Columbia, Maryland, Massachusetts, New Jersey, and New York. On the day of landfall, the President declared states of emergency for Delaware, Pennsylvania, Rhode Island, Virginia, and West Virginia. Six states received authorization to establish dual status commanders under the provisions of the 2012 National Defense Authorization Act, but only two, New York and New Jersey, exercised that authority. New Jersey appointed Brigadier General Bud Grant as their dual status commander, and Governor Andrew Cuomo appointed Brigadier General Michael Swezey as the dual status commander for the response effort in the state of New York.<sup>98</sup>

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<sup>95</sup> NORAD and US Northern Command, “Support to Hurricane Sandy,” October 29, 2012.

<sup>96</sup> New York State, “Governor Cuomo Directs New York Army and Air National Guard to Mobilize for Hurricane Sandy,” October 28, 2012, accessed December 10, 2019, <https://www.governor.ny.gov/news/governor-cuomo-directs-new-york-army-and-air-national-guard-mobilize-hurricane-sandy>.

<sup>97</sup> New York State, “Governor Cuomo Announces More than 850 Out-of-State National Guard Members to Arrive in New York for Hurricane Response Efforts,” November 4, 2012, accessed December 10, 2019, <https://www.governor.ny.gov/news/governor-cuomo-announces-more-850-out-state-national-guard-members-arrive-new-york-hurricane>.

<sup>98</sup> Burke and McNeil, *Toward a Unified Military Response*, 28.

## Post-landfall Decisions

On October 29<sup>th</sup>, 2012, Hurricane Sandy made landfall near Brigantine New Jersey.<sup>99</sup> President Obama authorized major disaster declarations for New York and New Jersey. A total of twelve states received similar authorizations for major disaster declarations.<sup>100</sup> The Presidential declarations provided the named states access to available federal resources, including Department of Defense resources, by authorization of the Stafford Act.<sup>101</sup> Due to New York and New Jersey's complex urban terrain, and the failure of critical infrastructure in the area, a significant amount of assistance was required from Title 10 forces to supplement the state response.<sup>102</sup>

Immediately following landfall, Northern Command deployed a Joint Coordination Element to Joint Base McGuire-Dix-Lakehurst to synchronize all Title 10 forces deployed within the joint operations area. Joint Base McGuire-Dix-Lakehurst became the hub of Title 10 force inflows.<sup>103</sup> With the President's October 30 message that he wanted "... every agency to lean forward and to make sure that we are getting the resources [where they're needed] as quickly as possible," Northern Command directed all installations to support local community requests for assistance.<sup>104</sup> Northern Command coordinated with Transportation Command and the Defense

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<sup>99</sup> Blake, et al., "Tropical Cyclone Report," 3.

<sup>100</sup> Federal Emergency Management Agency, "Hurricane Sandy FEMA After-Action Report," 5.

<sup>101</sup> Disaster Relief Act of 1974, Public Law 93-288, *US Code* 42 (1974), § 501.

<sup>102</sup> Thomas Carper, Tom Coburn, and Susan Collins, *Civil Support: Actions are Needed to Improve DOD's Planning for a Complex Catastrophe*, GAO-13-763 (Washington, DC: Government Accountability Office, 2013), 20.

<sup>103</sup> NORAD and US Northern Command, "Support to Hurricane Sandy," October 29, 2012.

<sup>104</sup> Matt Compton, "Update on Hurricane Sandy," President Obama Whitehouse Archives, October 30, 2012, accessed February 16, 2020, <https://obamawhitehouse.archives.gov/blog/2012/10/30/update-hurricane-sandy>



Logistics Agency to stage assets in the joint operations area in anticipation of requests for assistance from state officials.<sup>105</sup>

## Command and Control

With the deployment of Defense Coordination Elements and the activation of multiple staging bases, Northern Command established a joint operations area prior to landfall.<sup>106</sup>

According to Northern Command, the reason for establishing the Joint Coordination Element at Joint Base McGuire-Dix-Lakehurst was to serve as the “command and control node for all military support activities, and as a central point for equipment and supplies.”<sup>107</sup> The Joint Coordination Element was an effort to bridge the coordination of Title 10 resources across state lines.

The 2012 National Defense Authorization Act made the use of the dual status commander the “usual and customary command and control arrangement” for instances where both federal and National Guard forces are deployed simultaneously in response to a major disaster or emergency.<sup>108</sup> During Hurricane Sandy, both New York and New Jersey appointed dual status commanders to command their respective Joint Task Forces within their states. The finalized command structure included the New York State Joint Task Force, the New Jersey State Joint Task Force, a Joint Coordination Element, which was an extension of US Army North; and Defense Coordinating Elements, located at each state’s Joint Field Office (See figure 2).

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<sup>105</sup> NORAD and US Northern Command Public Affairs, “U.S. Northern Command’s Support to Hurricane Sandy,” US Northern Command, November 1, 2012, accessed December 10, 2019, <https://www.northcom.mil/Newsroom/Article/563655/us-northern-commands-support-to-hurricane-sandy/>.

<sup>106</sup> NORAD and US Northern Command, “Support to Hurricane Sandy,” October 29, 2012.

<sup>107</sup> NORAD and US Northern Command, “Support to Hurricane Sandy,” November 1, 2012.

<sup>108</sup> National Defense Authorization Act for Fiscal Year 2012, Public Law 112-81, *US Code 10* (2012), § 515.

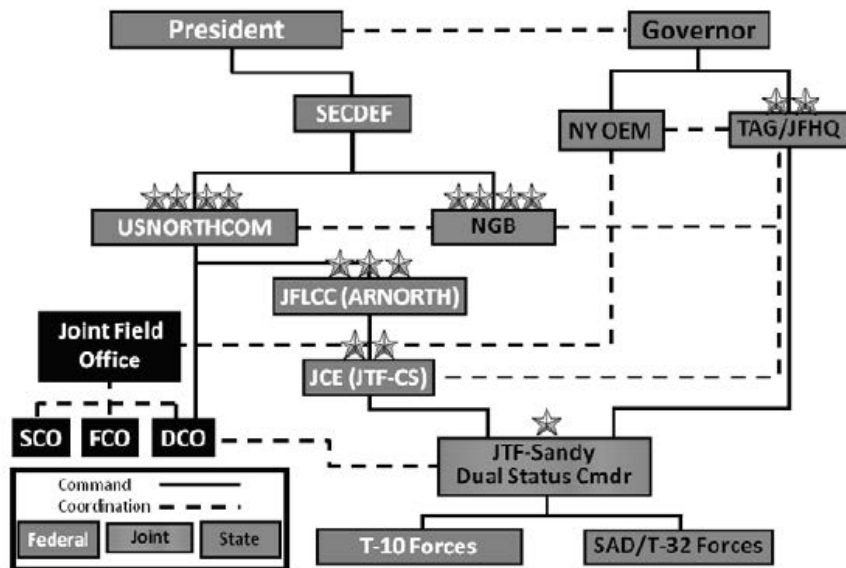


Figure 2. Hurricane Sandy Response Command Structure. *Burke and McNeil, Toward a Unified Military Response: Hurricane Sandy and the Dual Status Commander* (Carlisle, PA: US Army War College Press), 31.

Throughout the joint operations area, commanders exchanged liaison officers across multiple command posts to facilitate rapid coordination in an otherwise complex environment. Coordination efforts increased between the various operational elements with the exchange and establishment of liaison teams at multiple critical points. One example of the extensive use of liaison officers was with the Defense Logistics Agency’s Joint Logistics Operations Center located at Joint Base McGuire-Dix-Lakehurst. The Joint Logistics Operations Center exchanged over forty liaison officers across the joint operations area with critical partners to better support state and federal agencies.<sup>109</sup>

Under pressure from the President’s “no red tape” guidance, Northern Command issued guidance on November 2 to Title 10 forces deployed in the joint operations area to “go get

<sup>109</sup> Jacob Boyer, “Eye of the Storm,” *Loglines* (January-February 2013), 3-5, accessed December 17, 2019, [https://www.dla.mil/Portals/104/Documents/Headquarters/Logline%20Archives/Loglines%202013/DP\\_LoglinesJanuaryFebruary2013.pdf](https://www.dla.mil/Portals/104/Documents/Headquarters/Logline%20Archives/Loglines%202013/DP_LoglinesJanuaryFebruary2013.pdf).

missions”, disregarding the mission assignment process.<sup>110</sup> This guidance caused some Title 10 forces to deploy assets to assist in legitimate requirements from the Federal Emergency Management Agency, but were not coordinated with the state’s dual status commander or Joint Task Force-Sandy. This caused redundancy of effort and an overall lack of situational awareness for Joint Task Force-Sandy.<sup>111</sup> With lessons learned from Hurricane Katrina still fresh, the propensity of the Department of Defense and Northern Command was to push resources down, rather than waiting to respond to requests from state and local authorities.

With the initial response framework in place, Joint Task Force-Sandy in New York began issuing mission assignments to National Guard units prior to, and immediately following landfall. The initial efforts of Joint Task Force-Sandy revolved around assisting with the evacuation of residents, high-water search and rescue operations, and conducting debris clearance.<sup>112</sup> As mission requirements rose, BG Swezey recognized the need to employ Title 10 forces to supplement the efforts of the state and local response. One major concern was the amount of flood water in subways and other low-lying areas in and around New York City. State and local resources, lacking enough personnel and equipment to combat the flooding, requested additional Department of Defense assets. Title 10 Joint Forces deployed as part of Task Force-Pump, lead by an active component engineer battalion and under tactical control of BG Swezey’s Joint Task Force-Sandy to remove water from six mass transit sites around New York City.<sup>113</sup> Title 10 forces

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<sup>110</sup> Nicholas E. Winters, “The DSCA CORPS: Bridging the Gap Between the Profession of Arms and Domestic Operations” (master’s thesis, Naval Postgraduate School, Monterey, CA, 2017), 51.

<sup>111</sup> Carper, Coburn, and Collins, *Civil Support*, 20-21.

<sup>112</sup> Jim Greenhill, “Hurricane Sandy: National Guard Saves Lives, Protects Communities, Supports Recovery,” November 1, 2012, National Guard Bureau, accessed December 14, 2019, <https://www.nationalguard.mil/News/Article-View/Article/574873/hurricane-sandy-national-guard-saves-lives-protects-communities-supports-recove/>.

<sup>113</sup> Bob Anderson, “Corps of Engineers Accelerates Water Removal Mission, Work Progressing at Critical Sites,” November 4, 2012, News Releases, US Army Corps of Engineers, accessed December 14, 2019, <https://www.nad.usace.army.mil/Media/News-Releases/Article/483820/corps-of-engineers-accelerates-water-removal-mission-work-progressing-at-critic/>.

were also used to assist in the transportation of supplies and the distribution of fuel during the initial response phase.<sup>114</sup>

Even though a command structure was designated, and the integration of multi-component forces provided some unity of effort, there were still some cases of units acting on their own authority and without oversight of the state's joint task force. The most notable of these incidents occurred when a Marine unit assigned to the 26 Marine Expeditionary Unit landed on Staten Island on November 4, apparently in response to a direct request from a New York Port Authority officer. Acting under the Immediate Response Authority, the Marines were unaware of the dual status command construct and the requirement to request approval from JTF-Sandy or at least to coordinate their actions upon arrival. Once BG Swezey became aware of the Marine unit's arrival, and discussed the issue with the Title 10 Joint Coordination Element, two decisions were made. The first was that while performing response activities on Staten Island, the Marines would be under the tactical control of the New York State dual status commander. The second was any further Title 10 forces deployed within the state must coordinate with, and obtain approval through, the dual status commander.<sup>115</sup>

Upon taking control of the Marine forces on Staten Island, BG Swezey, aware of the limitations of the Stafford Act, issued an official tasking for the Marine Unit to conduct debris clearance operations only. This allowed the separate task of permanent debris removal, a much longer process, to be undertaken by the various state and local government agencies through FEMA contracts. The Act allows federal agencies to conduct immediate debris removal only for the purposes of the greater public interest like opening lines of communication and allowing for power restoration.<sup>116</sup>

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<sup>114</sup> Burke and McNeil, *Toward a Unified Military Response*, 37.

<sup>115</sup> *Ibid.*, 42.

<sup>116</sup> Disaster Relief Act of 1974, Public Law 93-288, *US Code* 42 (1974), § 407.

New York saw another notable incident of inadequate coordination when an Army Reserve unit, the 401 Quartermaster detachment, acting under Immediate Response Authority and outside of the authority of JTF-Sandy, supported dewatering efforts on Long Island and Staten Island. Again, though the intentions were good, due to the 72-hour time constraint of the Immediate Response Authority, the unit was directed to redeploy on November 8.<sup>117</sup>

By November 9, Joint Task Force-Sandy had stabilized the command and control environment, and support to civil authorities missions were being carried out with consistency and unity of effort. The majority of missions continued to focus on debris removal; water, food, and fuel distribution; and dewatering operations. By November 11, most of the distribution and debris clearance operations came to an end and pumping operations were limited to the point that Northern Command began redeploying Title 10 units, leaving the National Guard as the preponderance of forces conducting operations in the joint operations area.<sup>118</sup>

For BG Swezey, one of the greatest challenges during the Hurricane Sandy response was balancing the internal and external pressures to “get missions” with the civil and fiscal constraints established in the National Response Framework. With a myriad of Title 10 resources prepositioned adjacent to the joint operations area, Joint Task Force-Sandy played a key role in managing mission assignments between state and federal forces within the limitations of the law. Although the role of Northern Command’s Joint Coordination Element was a source of great confusion for units trying to understand the command environment, it did highlight a key role in receiving, assigning, and distributing Title 10 resources across the joint operations area, and remains an important point of analysis.<sup>119</sup>

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<sup>117</sup> Burke and McNeil, *Toward a Unified Military Response*, 44-45.

<sup>118</sup> *Ibid.*, 46.

<sup>119</sup> Carper, Coburn, and Collins, *Civil Support*, 20.

## Findings and Conclusion

The Hurricane Katrina and Hurricane Sandy case studies reveal multiple lessons for future planners of domestic disaster response operations. Both events contained what Howitt and Leonard describe as a characteristic of novelty not normally witnessed in most disaster events.<sup>120</sup> One of the major considerations for applying these lessons is the fact that such events are not constrained by state boundaries or local municipalities, making the effective integration of Title 10 forces a requirement. With extreme weather patterns on the rise, and with the amount of state and federal assets required to provide a reasonable response, effective response plans become critical to national security. By analyzing the decisions made in response to these multi-state, large-scale natural disaster events, future planners can identify key elements of operational planning that if not addressed may degrade the effectiveness of their plan.

### What Actions Were Required to Make a Large-scale Disaster Response Effective?

In both the Katrina and Sandy cases, the decision to establish and define the joint operations area was critical. During Katrina, LTG Honoré recommended establishing a joint operations area because it “would focus on where the storm hit as opposed to recognizing the boundary between First and Fifth Armies.”<sup>121</sup> As described in Joint Publication 3-0, *Joint Operations*, establishing a joint operations area, would provide a temporary single boundary for improved command and control and mutual support.<sup>122</sup> This would allow the established active component joint task force to manage Title 10 resources across the area, regardless of permanent boundaries like state lines that delineate subordinate commands. During the Hurricane Sandy response, the joint operations area was established and Title 10 forces moved into the area prior

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<sup>120</sup> Howitt and Leonard, “Beyond Katrina,” 1-2.

<sup>121</sup> Honoré and Martz, *Survival*, 84

<sup>122</sup> US Department of Defense, Joint Staff, Joint Publication (JP) 3-0, *Joint Operations* (Washington, DC: Government Printing Office, 2017), xvi.

to landfall. This provided a menu of resources prepositioned for employment. The second reason for establishing and defining a joint operations area early is to facilitate freedom of action under the legal authority of title 10, U.S. Code. A well-planned joint operations area makes use of available bases and facilities, and positions units for immediate response.

Significant to both the Hurricane Katrina and the Hurricane Sandy cases was the timing and integration of federal (Title 10) forces and external National Guard (Title 32) forces. In both cases, the initial deployment of Title 10 assets was coordinated independently from the joint task force in charge of the response, causing a lack of unity of effort. In the case of Katrina, concerns over funding reimbursement and legal authorities delayed the deployment of federal assets. Although both state and federal leadership recognized the need for additional assets, and even positioned resources adjacent to the joint operations area, a lack of recognition of the limits of the forces available delayed the requests for additional federal assets. Joint Publication (JP) 5-0, *Joint Planning*, defines culmination as “that point in time and/or space at which the operation can no longer maintain momentum.”<sup>123</sup> Taking this definition, Joint Task Force-Pelican culminated long before federal assets were requested, employing all available units and quickly becoming unable to take on additional tasks. Additionally, external National Guard resources deployed through the Emergency Management Assistance Compact resulted not from a formal task analysis, but rather “consisted of the types considered ‘likely to be required’ by the outside states,” leading to redundancy.<sup>124</sup> A proactive capabilities assessment would have identified both the resource limitations and potential tasks early on, allowing for Joint Task Force-Pelican staff to identify additional federal assets required.

In the case of Hurricane Sandy, Northern Command was much more proactive in its approach to positioning federal forces within the joint operations area prior to landfall. However,

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<sup>123</sup> US Department of Defense, Joint Staff, Joint Publication (JP) 5-0, *Joint Planning* (Washington, DC: Government Printing Office, 2017), xxiii.

<sup>124</sup> Davis, et al., *Hurricane Katrina*, 24.

BG Swezey initially found it difficult to gain situational awareness of the myriad of Title 10 and Title 32 forces deployed in the area.<sup>125</sup> As with Katrina, an aggressive and detailed capabilities assessment coordinated with the federal joint coordination element would have allowed for systematic integration of federal assets to fill the capabilities gaps identified by the primary Joint Task Force. This would have given the joint task force commander decision space to more effectively manage the response as a whole rather than spending valuable time reacting to the overwhelming influx of incoming Title 10 and Title 32 forces.

### How Did Policy and Doctrine Guide the Response Effort?

The bottom-up approach of the National Response Framework allows states to maintain the lead during a domestic response event while providing a structured way to request additional resources. This design protects state interests, but if not carefully considered can stifle the response as a whole by slowing the deployment of external assets. As Lawson points out, these types of external constraints restrict the options available, but exist to ensure that the system functions as intended.<sup>126</sup> Planners must consider these constraints and be able to work with them. An example during Hurricane Katrina was the hesitation to send large amounts of federal forces to the area without requests from the states. LTG Honoré effectively positioned the Defense Coordination Officers and his headquarters under the legal authority of Title 10, US code, allowing them to be available prior to the initiation of a formal request for assistance. This is an example of understanding and considering the external constraints of policy, and planning accordingly.

During the response to Hurricane Sandy, Northern Command aggressively prepositioned active duty forces in the joint operations area in anticipation of follow on missions. Lessons learned from Hurricane Katrina led Army leaders to better understand the risk of delaying the

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<sup>125</sup> Burke and McNeil, *Toward a Unified Military Response*, 65-67.

<sup>126</sup> Bryan Lawson, *How Designers Think: The Design Process Demystified* (Amsterdam: Architecture Press, 2006), 98-100.



deployment of forces prior to the receipt of formal requests. With the myriad of forces positioned in the area and the political pressure to aggressively employ those forces, many local commanders acted on their own accord, or under their interpretation of the immediate response authority, leaving the joint task force to attempt to gain control over external units after their employment.<sup>127</sup> By understanding the external constraints that legal authorities place on forces to perform certain tasks, planners can anticipate how those constraints will affect mission assignments. This will allow more accurate requests for assistance, and better processes for mission assignments.

### What Was the Command and Support Relationships and How Did They Effect the Joint Force Response?

The National Response Framework fosters a bottom-up, or layered structure to disaster response allowing the state to exercise immediate authority of the initial effort. Federal assets and external National Guard resources may be deployed at the request of the affected state to complement the initial response. When a disaster event is localized and can be managed by the state's internal National Guard forces alone, command and control is relatively straightforward. However, when a disaster event covers a multi-state region, requiring capabilities beyond that of the affected states, command and control of Department of Defense resources becomes much more complicated.

During the Katrina response, military forces operated under a parallel command structure at the insistence of the state leadership. Still recognized in Army Defense Support of Civil Authorities doctrine, this type of command structure provides maximum separation of state and federal lines of authority. Under this type of command structure, success depends greatly on constant coordination between Title 10 active component, and Title 32 National Guard

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<sup>127</sup> Burke and McNeil, *Toward a Unified Military Response*, 40-42.

headquarters.<sup>128</sup> A glaring flaw of this type of command structure is that it does not provide for unity of command. As Army Doctrine Publication (ADP) 5-0, *The Operations Process* points out, unity of command ensures unity of effort under one responsible commander.<sup>129</sup> The two separate commands prevalent in Louisiana, Task Force-Pelican and Task Force-Katrina, were able to overcome an initially flawed execution and complete the mission due to MG Landreneau and LTG Honoré's close personal coordination. This need for continuous coordination required the collective efforts of both commanders to make decisions during execution rather than the preferred management of operations under a single unified command.

Hurricane Sandy was the first instance of the incorporation of a dual status commander during a disaster response and the integrated command structure that it permitted.<sup>130</sup> This command arrangement greatly increased unity of effort across the operational environment by placing all forces involved in the response under one command authority. Two major advantages came out of this command structure. The first was allowing mission assignments from the Federal Emergency Management Agency to be routed through one command. This eliminated the need for civil authorities to attempt to determine whether active component or National Guard forces should receive the mission. The requests could merely be routed to the joint task force and assigned to the proper unit based on availability. The second advantage was that it prevented redundancy in task assignment by reducing the requirement for continuous coordination between separate commands.

With one command element in charge of all military forces operating in the joint operations area, coordination was directed toward addressing requirements rather than redundant efforts, as was the case with Katrina. Northern Command's establishment of a Joint Coordination

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<sup>128</sup> US Army, ADP 3-28 (2019), 3-11.

<sup>129</sup> US Army, ADP 5-0 (2019), 2-3.

<sup>130</sup> Chad E. Thomas, "Employment of a Dual Status Commander in a Multi-state Disaster Operation" (master's thesis, US Army Command and General Staff College, Fort Leavenworth, KS, 2005), 30.

Element, a construct not found in doctrine, led to some confusion in the command and control of many of the Title 10 forces. Some units assumed that they were under the command authority of the Joint Coordination Element when in fact they were under the authority of Joint Task Force-Sandy and the dual status commander in charge of the response.<sup>131</sup> Because a functional component command such as a Joint Forces Land Component Command, does not have joint force command authority, it cannot establish a subordinate Joint Task Force.<sup>132</sup> The better option is for the geographic combatant command to establish the subordinate Joint Task Force. This headquarters can provide continuity between all active component forces and the separate state joint tasks forces in the joint operations area. This arrangement facilitates better management of Title 10 forces but requires close coordination between the state and the active component joint task forces to avoid confusion of command authorities.

As the Hurricane Katrina case reveals, the parallel command structure had several flaws. The distinct separation between active duty and National Guard chains of command only caused friction and required immense effort in coordination to bridge the gap. The current version of Army Doctrine Publication 3-28, *Defense Support of Civil Authorities*, states that “A parallel command structure enhances unity of effort, but its success depends on continuous coordination between all of its components.”<sup>133</sup> Although the second part of that statement is certainly true, success depended on continuous coordination. The events of Hurricane Katrina reveal that a parallel command structure eroded rather than enhanced unity of effort. In fact, Joint Publication 1, *Doctrine for the Armed Forces of the United States*, states that “Command is central to all military action, and unity of command is central to unity of effort.”<sup>134</sup> Joint Publication 3-28,

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<sup>131</sup> Burke and McNeil, *Toward a Unified Military Response*, 67-68.

<sup>132</sup> US Department of Defense, Joint Staff, Joint Publication (JP) 1, *Doctrine for the Armed Forces of the United States* (Washington, DC: Government Printing Office, 2013), II-9-II—II-11.

<sup>133</sup> US Army, ADP 3-28 (2019), 3-11.

<sup>134</sup> US Department of Defense, JP-1, xx.

*Defense Support of Civil Authorities*, emphasizes that “[Defense Support of Civil Authorities] planning will consider [command and control] options that emphasize unity of effort.”<sup>135</sup> This places current Army Defense Support of Civil Authorities doctrine in contradiction with current joint doctrine on the use of a parallel command structure. The major National Response Framework documents recognized the need for unity of command to clearly identify command and support relationships, reporting requirements, and to eliminate confusion of directives. The dual status command structure provides the optimal solution for command of a state Joint Task Force responding to a disaster event that may require additional Title 10 capabilities. This command structure permits the Joint Task Force in charge of the response to exercise command authority over both National Guard and federal active duty forces, effectively establishing unity of effort.<sup>136</sup>

The decisions made during the Hurricane Katrina and Hurricane Sandy responses reveal some key considerations for future planners when designing an effective total force response to future domestic disasters. External constraints founded in policy, such as the National Response Framework, provide immediate clues to effective task organization and arranging operations in harmony with the law. Internal constraints such as an affected state’s limited capabilities provide indicators of the initial response force’s operational reach and the additional forces and functions required to augment a response. Anticipation of mission requirements based on the threat can help planners align tasks with desired effects and likewise determine proper objectives and termination criteria for both Title 10 and Title 32 forces. By understanding the common desired end state conditions, Defense Support of Civil Authorities planners can effectively combine lines of operation and lines of effort that integrate both military and nonmilitary activities into an effective operational approach.

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<sup>135</sup> US Joint Staff, JP 3-28 (2018), II-13.

<sup>136</sup> Jeffery Burkett, “Command and Control of Military Forces in the Homeland,” *Joint Force Quarterly*, no. 51, (Winter, 2008), 134.

By establishing and clearly defining the joint operations area as early as possible, the responsible geographic combatant commander gives maximum freedom of maneuver to the responsible joint task force. The joint operations area will include those states affected by the disaster event, and can be expanded or contracted as necessary. Commanders can then pre-position active component resources within the established area under Title 10 authority in anticipation of task organization under a state-level joint task force, or employment under the federal Immediate Response Authority. If some of the pre-positioned forces are not immediately required by the state, they can be held in reserve until a determination is made regarding their employment.

To ensure unity of effort, affected states should establish a dual command structure early in the response. According to the National Guard Bureau, all states and territories have senior officers qualified under Northern Command's Dual Status Commander training program allowing states to request a dual status commander as soon as the scope of the disaster is understood.<sup>137</sup> Under the dual status command structure, requested federal forces can be immediately incorporated to specific state joint task forces with minimal effort. This requires the establishment of a Title 10 joint task force subordinate to the geographic combatant command. This joint task force would be responsible for managing all Title 10 units within the joint operations area not yet assigned to a state-level task force. Once units are assigned to a state joint task force, this headquarters would maintain operational control of those forces, but delegate tactical control to the state joint task force upon assignment.

Future planners of Defense Support to Civil Authorities operations can apply the lessons learned from Hurricane Katrina and Hurricane Sandy to address a host of potential short-notice or no-notice disaster events. The scope and scale of the Katrina and Sandy events go beyond the

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<sup>137</sup> CPT Donald Cavanaugh, Registrar, DSCA Training Force, email message to author, January 24, 2020.

typical routine emergencies, providing insight into how future Defense Support of Civil Authorities missions might be coordinated. These lessons apply not only to hurricane responses, but also to other potential multi-state disasters such as pandemics, earthquakes, and terrorist attacks. Events like these, referred to as “black swans” because of their low predictability and large impact requires planners to prepare for the risks of disaster that cannot be avoided by addressing the opportunities of planning ahead and understanding the environment in which they operate.<sup>138</sup> By understanding the unique challenges of the domestic operational environment, future planners can creatively design effective military responses to future disaster response events.

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<sup>138</sup> Nassim Nicholas Taleb, *The Black Swan* (New York, NY: Random House, 2007), 296.

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