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The Evolution of DoD Domestic Policy and Roles and Missions of the Army Components in Military Operations in the Homeland

Chairman Ham and distinguished members of this National Commission, thank you for the opportunity to address you today on the future of the United States Army and its role in the Department of Defense's homeland defense and Defense Support of Civil Authorities (DSCA) missions. I am the Deputy Assistant Secretary of Defense for Homeland Defense Integration and DSCA.

I would like to emphasize four key points for you, as they relate to my responsibilities in the area of homeland defense and DSCA:

1. DoD is better prepared to execute its homeland defense and DSCA missions than ever before.
2. Preparedness and operations in the homeland are a shared national responsibility.
3. DSCA is a mission for all of DoD, including the three components of the Army.
4. Homeland defense, DSCA, and State missions are distinct and have different programming and budgeting requirements.

The Department has evolved since September 11, 2001 in how it postures itself and conducts homeland defense and DSCA. We have made substantial investments to be better prepared for both of these responsibilities. There is a correlation between military readiness and national preparedness and both contribute to our homeland defense and DSCA responsibilities. The challenges in the national security environment are compounded by the current fiscal environment.

The National Security Environment

Our Nation is facing the emergence of state and non-state actors competing for influence resulting in regional instability. In addition, we face the proliferation of dangerous weapons and materials, cyber-attacks, terrorism, and transnational criminal organizations that further complicate the national security environment. All of these factors impact homeland defense and DSCA.

Other factors that influence the national security environment, especially homeland defense and DSCA, are climate change and changing U.S. demographics. Climate change causes rising sea levels, more frequent and severe storms, water shortages, and extreme temperatures that can lead to instability. Our demographics are changing as our population grows older, becomes more ethnically diverse, and moves into known hazardous areas, such as hurricane prone coastal regions, on fault lines, and in the wildland urban interface that put people

at greater risk. Growing urban areas also present additional challenges such as stress on aging infrastructure.

DoD faces a challenging fiscal environment, which means that our program and budget decisions must be focused on our most urgent defense priorities.

DoD is Better Prepared

DoD is better prepared to execute its homeland defense and DSCA missions than ever before. We have embraced both missions, evolved our understanding, and made investments to be prepared.

Homeland defense and DSCA are now part of DoD strategic guidance. The first of three strategic pillars in the *Quadrennial Defense Review* is “Protect the homeland, to deter and defeat attacks on the United States and to support civil authorities in mitigating the effects of potential attacks and natural disasters.”¹ This builds on the *National Defense Strategy of 2012* which assigns “Defend the homeland and provide support to civil authorities” as one of the ten primary missions of the U.S. Armed Forces.² The *Unified Command Plan* also assigns DSCA as a core mission for two Geographic Combatant Commands (U.S. Northern Command and U.S. Pacific Command).³ *Defense Planning Guidance for Fiscal Years 2017-2021* prioritizes the capabilities, capacities, and readiness of the Joint Force to perform homeland defense and DSCA missions.⁴

DoD has an Assistant Secretary of Defense for Homeland Defense and Global Security who advises the Secretary of Defense and other senior DoD officials on homeland defense and DSCA, as well as cyber, space, combatting weapons of mass destruction, mission assurance, and continuity programs. The Under Secretary of Defense (Policy) office has published foundational policy guidance – the *Strategy for Homeland Defense and DSCA* and numerous directives and instructions – that direct and inform how DoD Components perform both missions.

To enhance DoD preparedness, the Department has invested in deliberate planning, training, and exercises for homeland defense and DSCA. These are primarily conducted by U.S. Northern Command and U.S. Pacific Command. These investments are further enhanced by the partnerships we have built with Federal, State, and local stakeholders. There are several Secretary of Defense-approved standing execute orders that delegate specific authorities to perform these missions, such as Operation Noble Eagle, maritime homeland defense, DSCA, and Chemical, Biological, Radiological, and Nuclear (CBRN) response. We have postured forces in the homeland to execute these specific missions in support of our homeland defense mission or in support of a lead Federal agency for our DSCA mission.

¹ *2014 Quadrennial Defense Review*, March 4, 2014.

² *Sustaining U.S. Global Leadership: Priorities for 21st Century Defense*, January 2012.

³ *Unified Command Plan*, September 12, 2011.

⁴ *Defense Planning Guidance for Fiscal Years 2017-2021*, March 4, 2015.

Homeland Defense

DoD defines homeland defense as the “protection of United States sovereignty, territory, domestic population, and critical defense infrastructure against external threats and aggression or other threats as directed by the President.” DoD is postured daily to deter, defend against, and defeat threats to the United States homeland in the air, maritime, and land domains.

Air Domain. Operation Noble Eagle defends the United States by surveilling our airspace and air approaches. We also position dedicated fighter aircraft and crews on alert throughout the country to respond to threats.

The Army plays a crucial role in the defense of U.S. airspace. Army National Guard personnel under U.S. Northern Command execute the National Capital Region Integrated Air Defense System. Army National Guard personnel under U.S. Northern Command and U.S. Strategic Command operate the ground-based, mid-course defense of the National Missile Defense mission.

Maritime Domain. Naval forces, along with the Coast Guard, are available to respond along the east and west coasts to protect the homeland in the maritime approaches.

Land Domain. The Army provides rapid response forces, as well as standing joint force headquarters in the National Capital Region and Alaska, available to respond to provide for the land defense of the United States.

Defense Support of Civil Authorities

DoD defines DSCA as “support provided by U.S. Federal military forces, Department of Defense civilians, Department of Defense contract personnel, Department of Defense component assets, and National Guard forces (when the Secretary of Defense, in coordination with the Governors of the affected States, elects and requests to use those forces in title 32, U.S.C., status) in response to requests for assistance from civil authorities for domestic emergencies, law enforcement support, and other domestic activities, or from qualifying entities for special events.”⁵

DoD generally provides DSCA within three broad categories: (1) support to law enforcement, (2) support to public health and medical, and (3) support for Federal disaster response. The Army is heavily involved in each of these areas.

Support to Law Enforcement. Examples include: Supporting Customs and Border Protection and Immigration and Customs Enforcement along the Southwest border, explosive ordnance disposal for the recovery and disposition of unexploded military ordnance, counter-narcotics support by Joint Force Headquarters-North, and support during National Special Security Events.

⁵ DoD Directive 3025.18, *Defense Support of Civil Authorities*, Change 1, September 21, 2012.

Support to Public Health and Medical. Examples include: Support to the Department of Health and Human Services for pandemic planning, support in responding to the Ebola outbreak, medical countermeasure distribution, support to Federal Medical Shelters, mass fatality management, patient evacuation and movement, and DoD lab network support.

Support for Federal Disaster Response. Examples include: Support to the Federal Emergency Management Agency (FEMA) and the *National Response Framework* Emergency Support Functions (ESFs) that manage Federal resources for disaster response. DoD supports all 14 ESFs. Examples include strategic transportation, logistics, search and rescue, and temporary power generation.

A Shared National Responsibility

Preparedness and operations in the homeland are a shared national responsibility. Federal, State, and local governments, and the private sector, recognize this and have made significant investments in meeting their responsibilities. In Presidential Policy Directive-8 (PPD-8),⁶ the President directed that the heads of all executive departments and agencies with roles in prevention, protection, mitigation, response, and recovery are responsible for national preparedness efforts.⁷ Through our national security and military readiness responsibilities, DoD contributes significantly to this shared effort.

In 2012, the Secretary of Defense approved the Complex Catastrophe Initiative that better prepares DoD Components by:

Improved Integrated Regional Planning. The Department continues to contribute to a FEMA-led process to ensure integrated regional plans are in place for each of the ten FEMA Regions. DoD works closely with FEMA, as well as the State and local levels, to integrate planning efforts and identify both response requirements and coordination challenges during major disasters. National Guard Joint Force Headquarters-State play a key role in developing State military plans.

Better Use of DoD Installation Capabilities. DoD installations play a critically important role at all levels of preparedness and response. FEMA relies heavily on our installations to provide support as Intermediate Staging Bases for disaster capabilities and resources. They serve as entry points into affected areas for DoD and other Federal capabilities by providing airfields, secure staging areas, emergency management capability, and other key supporting infrastructure. They can also provide life-saving immediate response capabilities and have developed mutual aid agreements with the local community to provide fire, emergency medical services, and hazardous material support, when requested. Army installations play a key role in

⁶ Presidential Policy Directive (PPD)-8, *National Preparedness*, March 30, 2011.

⁷ PPD-8 defines national preparedness as “actions taken to plan, organize, equip, train, and exercise to build and sustain the capabilities necessary to prevent, protect against, mitigate the effects of, respond to, and recover from those threats that pose the greatest risk to the security of the nation.”

DSCA, such as immediate response helicopter support from Fort Carson, Colorado during wildland fires near Colorado Springs in 2013.

Improved Access to the Service Reserves. In 2012, Congress authorized the President and the Secretary of Defense the authority to involuntarily mobilize more than 365,000 members of the Service Reserves for domestic disasters and emergencies. The Army Reserve provides a significant portion of the Total Army's capabilities, including mortuary affairs (75 percent), quartermaster (65 percent), medical (59 percent), transportation (44 percent), and engineer (31 percent) capabilities.

Enhanced Defense Coordination and Liaison. DoD has forged strong, direct, day-to-day relationships with the Department of Homeland Security (DHS), including full-time DoD liaisons in DHS Headquarters, Defense Coordinating Officers (DCO) and Defense Coordinating Elements (DCE) at each of the 10 FEMA regional headquarters, as well as liaisons at FEMA Joint Field Offices during major disasters. The ten DCOs are Army Colonels and DCE personnel are Army officers and enlisted personnel, as well as Army civilians.

There are also Emergency Preparedness Liaison Officers who are senior Reserve officers from each of the Military Services. They are assigned to each FEMA region and each of the States and territories to coordinate DoD capabilities and to educate military and civilian officials about DSCA. Joint Regional Medical Planners are assigned to U.S. Northern Command to assist military and civilian medical and public health officials in their planning efforts.

Use of Pre-Scripted Mission Assignments (PSMAs). FEMA PSMAs translate civilian support requirements into military tasks to speed the request for assistance process. PSMAs request those critical capabilities that FEMA needs early in a disaster. DoD may source these with capabilities from all the Military Services, including the three components of the Army.

Published DSCA Execute Order. The Secretary of Defense-approved Standing DSCA Execute Order (EXORD) that provides Combatant Commanders delegated authority to provide critical life-saving and life-sustaining capabilities.

Dedicated Chemical, Biological, Radiological, and Nuclear (CBRN) Response. DoD established a CBRN Enterprise of about 18,000 military personnel to rapidly support civil authorities in the event of a CBRN incident. It consists of Active, Service Reserve, and National Guard personnel, mostly from the Army.

The CBRN Response Enterprise provides critical capabilities, including detection and assessment, search and extraction, decontamination, emergency medical, fatality management, patient movement, security, command and control, engineering logistics, and ground and air transportation.

Improved Exercises. DoD fully supports the FEMA-led National Exercise Program. DoD also hosts numerous exercises involving Federal, State, and local partners, including the Chairman's Exercise Program.

DSCA Leverages All DoD Components and Their Capabilities

DSCA is a mission for all of DoD, including the three components of the Army. When the President declares a major disaster, DoD responds with all of its capabilities as part of the Federal response. The DoD response includes military personnel, DoD civilians and contractors, as well as other organizations in the Department, such as the Defense Logistics Agency, U.S. Army Corps of Engineers, and the National Geospatial-Intelligence Agency, and with capabilities on its installations, as mentioned earlier.

States play the primary role in coordinating and employing their capabilities, including coordinating capabilities from other States under regional and bilateral mutual aid agreements, as well as the Emergency Management Assistance Compact (EMAC), a national agreement. A primary responder within a State is the National Guard performing duties in militia status (State Active Duty). While in militia status, National Guard volunteers conduct missions directed by their Governors and Adjutants General. The Army National Guard may play a significant role in this State response.

When the State response capabilities are exceeded and the President issues a disaster declaration at the request of the Governor, FEMA coordinates the Federal response in accordance with the Stafford Act.⁸ In addition to coordinating the Federal response, FEMA reimburses a State for not less than 75 percent of its costs to respond to a disaster.

The Department has made a tremendous investment in the readiness of the National Guard. The Army National Guard is manned, trained, equipped, and experienced at historically high levels. At the end of Fiscal Year 2014, total Equipment On Hand was up to 93 percent.⁹

Programming and Budgeting for Homeland Defense and DSCA

The distinction between homeland defense, DSCA, and State missions is critical to DoD programming and budgeting requirements.

Homeland Defense. The Military Services are organized, trained, and equipped to perform their national defense mission and to meet the operational requirements of the Combatant Commanders. DoD makes force structure decisions to meet these force requirements.

DSCA. The Secretary of Defense can use DoD capabilities when requested by Federal departments and agencies or directed by the President. While the Department is informed through analysis of DSCA demand, generally, force structure is not developed for DSCA. Rather, most of the capabilities used in DoD missions, including homeland defense, can also be used for DSCA, as they are dual use. Approximately 80 percent of the U.S. Armed Forces are based in the United States and can provide a tremendous amount of DoD resources and capabilities, when needed in support of a lead Federal agency.

⁸ Robert T. Stafford Act for Disaster Relief and Emergency Assistance (42 U.S.Code, §§ 5121–5206).

⁹ *National Guard and Reserve Equipment Report for Fiscal Year 2016*, March 2015.

State missions. Congress does not appropriate funds to DoD for State missions. DoD stays informed about State missions and the needs of the Governors through senior DoD civilian and military leadership (Chief, National Guard Bureau is a critical advisor) and through a budget consultation process with the Council of Governors, which helps identify capabilities that are dual use.¹⁰ Federal, State, and local integrated planning and analysis, as well as DoD planning and operational analysis, help to inform these decisions.

There is tremendous National Guard capability within States. The Army National Guard has over 350,000 personnel (60,000 are full-time, and organized into eight division headquarters and 28 brigade combat teams with supporting capabilities) available to Governors, when not deployed to an overseas contingency.¹¹ Governors also have 105,000 Air National Guard personnel (37,000 full-time, organized into 89 wings and 188 geographically separated units) available.¹²

Assessments of military capabilities used for State disaster and emergency response should be made in aggregate. These assessments should examine State military capabilities by also considering the significant amount of support that can be immediately provided by EMAC and other State-to-State agreements, as well as by available Service Reserves and Active Component forces. Accounting for *all* DoD capabilities is essential to understanding programming and force structure requirements for homeland defense and DSCA.

Conclusion

The Department of Defense is better prepared to execute homeland defense and DSCA missions than ever before. We recognize that there is no greater mission responsibility for the Defense Department than protecting and responding to Our Nation's citizens.

Thank you, again, Mr. Chairman and distinguished Members of the National Commission for the opportunity to contribute to your comprehensive review of the future of the U.S. Army. I commend you for your leadership and thank you all for your continued service to our Nation.

¹⁰ The Council of Governors (CoG) *State-Federal Consultative Process for Programming and Budgetary Proposals Affecting the National Guard* is a process developed by DoD and the CoG that strengthens the strategic dialogue between Governors and the National Guard Bureau for DSCA missions.

¹¹ *Fiscal Year 2015 National Defense Authorization Act*, Section 411-415.

¹² *2015 National Guard Posture Statement*.