The Domestic Coalition: The Command And Control Relationship Between Active Component And National Guard Forces In Defense Support Of Civil Authorities Operations (U)

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When confronted with any situation, the American military turns to doctrine to identify solutions and best practices. In this case, Joint Doctrine does provide a framework for effective C2 and coordination for domestic disaster response operations but it was not well utilized. This study uses the doctrinal framework to develop command authorities, relationships, and operational areas that allow the rapid response to crisis situations by all portions of our military.

With unity of effort, not unity of command, as the goal, the Parallel Command Model is a good fit for DSCA operations. Treating the active component and National Guard forces as a coalition is appropriate. Using the support relationship clearly delineates the responsibilities of all involved. As the final piece to our analysis of the doctrinal framework for DSCA operations, future plans must account for FEMA and State adherence to state boundaries. Smaller JTFs with an objective of supporting a single state, and a JOA drawn accordingly, prevent adding any extraneous confusion during already complex DSCA operations.

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THE DOMESTIC COALITION: THE COMMAND AND CONTROL RELATIONSHIP BETWEEN ACTIVE COMPONENT AND NATIONAL GUARD FORCES IN DEFENSE SUPPORT OF CIVIL AUTHORITIES OPERATIONS

by

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The contents of this paper reflect my own personal views and are not necessarily endorsed by the Naval War College or the Department of the Navy.

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ABSTRACT

The aftermath of Hurricane Katrina saw the largest military response ever undertaken by the United States. While the press highlighted the political clashes at the strategic level, there was also confusion at the operational level that led to a lack of efficiency. The command and control structure among the military forces was a constant irritant that degraded relief operations. This paper addresses the specific issue of the relationship between active component and National Guard forces during the Hurricane Katrina response operations.

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C2 of all support forces was a serious issue during recent disaster relief operations... the answer to “Who is in charge?” depended on to whom you posed the question. Lack of unity of effort led to overloaded support in some areas and not enough in others.

– Center for Army Lessons Learned, 06-11: Hurricanes Katrina and Rita

The images of Hurricane Katrina are still fresh in many minds. The world watched in awe as Mother Nature reminded us once again of her power. The water just never seemed to recede. America watched the victims and the heroes of the rescue operation with sorrow and shock but also with questions. Why couldn’t rescuers get to the victims faster? How would our Nation do better next time?

In his testimony before a Senate Armed Services subcommittee in March of 2006, Paul McHale, the Assistant Secretary of Defense for Homeland Defense, stated that the military response was the largest ever undertaken by the United States with over 72,000 service members.1 “DOD felt a sense of urgency and acted upon it,” said Mr. McHale.2 The military eventually responded to over ninety requests for assistance (RFAs) with 20 ships, 346 helicopters, and 68 fixed wing aircraft; providing over 26 million meals, treating 26,304 patients, and flying 16,525 sorties.3 Those service members responding to the disaster came from the active and reserve components of each of our Armed Services but predominantly they came from the National Guard. There were over 50,000 Guardsmen from every state and territory.4

The White House and GAO after action reports identified the relationship between state and federal authorities as an issue during Hurricane Katrina. The GAO’s preliminary report identified a need to clearly define leadership roles and “lines of authority” between federal and state agencies well in advance of a catastrophic incident.5 The GAO also notes that these same lessons had previously been identified after both Hurricanes Andrew in 1992 and Hugo in 1989. The press reported heavily on the conflicts and clashes between the federal and state political leaders during the Hurricane Katrina response. The picture at the tactical level was similarly confusing but units and agencies worked out solutions on their own initiative. In southwest Mississippi, the Commander of the 168th Engineer Group from the National Guard ordered his platoons to move out to the county emergency management centers, often clearing the roads en route. At the same time, the Commander of the 22nd Naval

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2 Ibid.
Construction Regiment, active duty and stationed in Gulfport, MS ordered his units to do the same thing. At multiple county EOCs leaders from both units met daily with county emergency managers to sort out what tasks each would accomplish.6

While the press highlighted the political clashes at the strategic level and tactical leaders took great initiative on the ground, there was confusion at the operational level that led to a lack of efficiency. The guardsmen were under the command of the Governors of Mississippi and Louisiana. The active component was under the command of the Commander, U.S. Northern Command (USNORTHCOM) and task organized under JTF-Katrina, formed from First Army. Even with all of its successes, the command and control structure among the military forces was a constant irritant that degraded relief operations. A force this large needed a clearly defined command and control structure in order to quickly accomplish the mission of saving lives and reducing suffering. This paper will address the specific issue of the relationship between active component and National Guard forces during the Hurricane Katrina response operations. When confronted with any situation, the American military turns to doctrine to identify solutions and best practices. In this case, Joint Doctrine did provide a framework for effective C2 and coordination for domestic disaster response operations but it was not well utilized. The challenge of this study is to use the doctrinal framework to develop a triad of command authorities, relationships, and operational areas that allow the rapid response to crisis situations by all portions of our military.

Before one can appreciate the complexity of C2 issues in a domestic disaster situation, it is important to understand the unique environment presented by operations within the United States. To this end, the first step is to define the correct terms as they apply to the given problem. This study will consider a review of current joint doctrine for command and control to include the Department of Homeland Security (DHS) and Federal Emergency Management Agency (FEMA) concepts of command and control from the National Response Plan. Finally, an appraisal of some of the lessons learned from Hurricane Andrew and JTF-Andrew will provide a contrast to the situation encountered during Hurricane Katrina.

The topic of disaster response operations in the United States is much too broad for this paper and therefore requires scoping the problem. While worthy of further investigation, this paper is not intended to address the strategic topic of interagency cooperation at the department level. Instead this study deals strictly with the uniformed services and more specifically with the active component, under Title 10, and the National Guard, under either State Active Duty status or under Title 32 and their respective roles in domestic operations.

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6 COL Larry Harrington and CAPT Eric Odderstol, “Katrina Lessons Learned” (panel discussion, NORAD and USNORTHCOM J4 Conference, Peterson AFB, CO, 21 March 2006).
Title 10 refers to the U.S. Code, Title 10 – Armed Forces. It is the portion of the U.S. Code that directs who constitutes the Federal Armed Forces, what missions they will conduct, and who they will work for. The National Guard falls under three different authorities. Once Federalized, the National Guard falls under the provisions of Title 10, which will be addressed later in the context of command and control structures as applied to domestic response operations. In the role as a state’s militia, the governor commands the National Guard and would use State Active Duty (SAD) status to respond to state requirements. Under SAD the state funds the National Guard forces. Title 32 refers to the U.S. Code, Title 32 – National Guard and is the portion of the U.S. Code that pertains to the federal organization, training, and, importantly, the funding of the National Guard. Title 32 provides Federal funding but it leaves the National Guard under the Governor’s command. Whether under SAD or Title 32, the states have Emergency Management Assistance Compacts (EMACs). Through the EMACs the National Guard forces of all states are available to an impacted Governor upon request. EMACs provide that if Mississippi needs a truck company that they do not have internal to their state, Tennessee can send their truck company to assist Mississippi. During Hurricane Katrina there were problems with the command and control of the National Guard forces deployed through the EMACs. In one of the more glaring examples, Mississippi and Louisiana were not prepared for the arrival of division headquarters from Kansas and Indiana. Again, this issue is outside the scope of this paper.

Reserve forces, unlike the National Guard, are part of the Title 10 force. Reserve forces, particularly the Army Reserves, are not considered in this paper in view of the small role they play in domestic operations as a result of their time-intensive mobilization requirements. While these units have tremendous logistics, engineering, and medical capabilities, DOD has statutory restrictions against calling them up for domestic natural disaster response. In fact, this is one of the two areas that the GAO recommended Congress consider changing in the aftermath of Hurricane Katrina.

In addition, while germane to the overall problem of domestic disaster response operations, the pros and cons of the Stafford and the Economy Acts, as well as the Posse Comitatus Act are beyond the scope of this investigation. An appreciation of the implications of the Posse Comitatus Act, however, is important since it...
forbids members of the active components of the Army and Air Force from enforcing laws. Current Title 10 of the U.S. Code extends the law to include all active component forces. For the purposes of this paper, the Posse Comitatus Act will simply be treated as restrictions on a portion of the available force; similar to the limitations that a national command authority could impose on its contribution to a multinational coalition force.

An analysis of how to organize to accomplish the military objectives should begin with current executive guidance. Homeland Security Presidential Directive (HSPD) #5 presents three important edicts relevant to this discussion. First, the President designates the Secretary of Homeland Security as the Principal Federal Official for domestic incidents. This includes responses to natural disasters and terrorist attacks. It also directs DHS to develop a national level plan and to work with the states in developing each of their respective plans. Second, the directive is clear in the primacy of the state and local officials in response operations while remaining mindful of the tremendous capability that the Federal Government can bring in support. Third, and most important to this study, the directive clearly lays out the command authority for military forces:

(9) nothing in this directive impairs or otherwise affects the authority of the Secretary of Defense over the Department of Defense, including the chain of command for military forces from the President as Commander in Chief, to the Secretary of Defense, to the commander of military forces, or military command and control procedures...The Secretary of Defense shall retain command of military forces providing civil support.

Defense Support of Civil Authorities (DSCA) is the DOD term that includes domestic disaster response operations. DSCA missions are executed primarily by the Commanders of U.S. Northern Command and U.S. Pacific Command within their respective areas of operation. The doctrine governing DSCA missions was recently published in Joint Publication (JP) 3-28, Civil Support, which outlines the three broad categories of domestic emergencies, designated law enforcement support and other activities. In the context of Hurricane Katrina, this paper will focus on the first category of domestic emergencies.

Since this analysis requires a review of federal law, joint doctrine, and DHS doctrine, it is critical to understand the definitions of key terms as they relate to command and control. Joint doctrine defines command as “the authority that a commander in the armed forces lawfully exercises over subordinates by virtue of rank or assignment.” Command and control is exercising that authority over the forces assigned under his command.

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16 Ibid.
19 Ibid.
The doctrinal definition of unity of effort is “coordination and cooperation toward common objectives, even if the participants are not necessarily part of the same command or organization – the product of successful unified action.”\textsuperscript{20} This term has become increasingly important in the DSCA mission areas. In fact, the White House lessons learned report on the Federal response to Hurricane Katrina identified the “Unity of Effort” between active component and National Guard forces as a solution to the insight of poor integration among military forces.\textsuperscript{21} However, before moving away from unity of command there are several options that are available and worth reviewing.

Could the two forces be under the direction of a single commander? Federal law under Title 10 directs that the chain of command for active component forces follow from the President to the Secretary of Defense and then to the commander of the appropriate combatant commander.\textsuperscript{22} The same section of the U.S. Code also provides the caveat of “unless otherwise directed by the President,”\textsuperscript{23} but based on the previous review of HSPD-5 the President has clearly stated his intent to retain command of the active component forces of the U.S. military. In order to consolidate both forces under the President it would require Federalizing the National Guard under Title 10. There are mechanisms in place to provide that command for domestic missions when required. However, Federal law specifically prohibits ordering reserve component forces, under Presidential command, for natural disasters.\textsuperscript{24} With current law and policy, the forces cannot be consolidated under the command of the same civilian leader.

There is precedent to place both active component and National Guard forces under a single military commander through the use of a \textit{Dual Status Commander}. Peter Topp, in his examination of domestic disaster C2, provides a detailed analysis of the advantages and disadvantages of this option.\textsuperscript{25} He gives examples from the Republican and Democratic National Conventions of 2004, where a National Guard officer commanded both the active component and the National Guard soldiers for each of these National Special Security Events (NSSE). The National Defense Authorization Act for Fiscal Year 2004 amended Title 32 to allow a National Guard officer to assume Federal duties without giving up his state National Guard status. It required approval of both the President and the respective Governor. After explaining these precedents, Topp reviews the events of Hurricane Katrina where President Bush proposed a similar option to Governor Blanco with an active duty commander under dual

\textsuperscript{20} Ibid., 568.
\textsuperscript{22} \textit{Armed Forces, U.S. Code}, Title 10, chapter 6, sec 162(b) (2005).
\textsuperscript{23} Ibid.
\textsuperscript{24} Ibid., chapter 1209, sec 12304(c).
\textsuperscript{25} Peter A. Topp, \textit{What Should Be the Relationship Between the National Guard and United States Northern Command in Civil Support Operations Following Catastrophic Events} (master’s thesis, Naval Postgraduate School, September 2006), 41-46.
status. The Governor refused for fear that she would lose control of her National Guard. While the dual status option is a good option it brings some problems. The approval process takes time, the proposal to Governor Blanco took five days, and this does not lend itself as well to the crisis mode of disaster response as to the deliberate planning involved in a NSSE.

Topp concludes that despite the possibility to use a dual status commander, the best option is the *Parallel Command Model*, where forces remain under their respective statutory authorities and work in cooperation. This is the model exercised most frequently and was in fact the model employed during Hurricane Katrina. Joint Operations describes the parallel C2 structure under the section about multinational participation. Given the sovereignty of the President and Governors, the picture of a coalition fits well. Unfortunately, the problems identified in all the lessons learned reports remain unresolved. If, as already stated in law and policy, unity of command is not attainable then the goal must be unity of effort. In the doctrinal framework, the next pieces of the triad art to be examined are command relationships and the designation of the operational area.

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26 Ibid., 42.
28 Topp, *Relationship Between the National Guard and United States Northern Command*, 45.
In preparation for the hurricane season of 2007, the Commander of USNORTHCOM visited most of the Governors and their State Adjutants General (TAGs) of the eastern and southern coastal states. He carried the message of supported/supporting relationships and the message was well received. Since USNORTHCOM has no assigned forces, the Commander would normally be given Operational Control (OPCON) of any units provided to NORTHCOR for DSCA missions, since the transfer would be temporary. Among the authorities that OPCON provides the commander, is the authority to organize, employ and to designate coordinating authorities. Support is a command authority and designed for a superior commander to designate between subordinate commanders, but it is intentionally flexible. The Secretary of Defense often uses the support command authority when he designates a supported/supporting relationship between two combatant commanders. The designation always comes with a directive that provides details on the extent of the relationship. In the DSCA case, the state could task active component forces designated to provide support while the combatant commander would retain command. The unit would be responsible for determining what they would need and how to accomplish the mission. This arrangement places the troop to task analysis to ensure the efficient use of forces squarely on the state. Figure 1 is an organizational diagram of a potential Parallel Command Model with Support Relationships.

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30 The author attended meetings in his capacity as the Executive Assistant to the Commander of USNORTHCOM in May 2007 where this topic was discussed.
32 Ibid., IV-10.
There are four categories of the supported/supporting relationship that could be available to the commander and two of them are worthy of further examination for DSCA operations. General Support is given to a force as a whole.\textsuperscript{33} Medical support is commonly provided as General Support. Medical units are assigned to a geographic area and they take care of all patients within that area, regardless of the patient’s unit. A commander would use Direct Support to specify that a portion of his force is to work directly for another unit or organization. U.S. Army engineer and fire support units are often in direct support. This allows the supporting unit to be an integral part of the planning and to focus their efforts to respond to the taskings of the supported unit. These further categories of support provide a closer relationship between the supported and the supporting units while inherently reducing the flexibility of the higher headquarters.

The final piece of this analysis is the designation of the operational area and how this doctrinal concept ties in with command and control. An operational area “facilitates the coordination, integration, and deconfliction of operations among joint force components and supporting commands.”\textsuperscript{34} The Joint Operating Area (JOA) is the geographic area designated for a JTF to operate within. Normally, the joint force commander has an objective to accomplish within the JOA and he has all of the resources to accomplish that objective.\textsuperscript{35} The nature of the support missions of DSCA require an understanding of how DHS, as the lead federal agency, and FEMA operate the larger mission.

Based on the sovereignty of the States, DHS and FEMA organize their response operations within state boundaries.\textsuperscript{36} DHS’s foundation document is the National Response Plan (NRP) and the National Incident Management System provides the management system and structure to implement it. Conceptually the system design is a series of over-flowing cups, starting with the local first responders and moving up through the county, state and finally up to the federal level. FEMA establishes a Joint Field Office where the federal response forces, including active component military forces, would coordinate with the state response forces, including the National Guard.\textsuperscript{37} The Joint Field Office has three critical positions: the Federal Coordinating Officer (FCO), the State Coordinating Officer (SCO), and the Defense Coordinating Officer (DCO). Fifth Army now owns all ten DCOs and stations one of them with each of the ten FEMA Regions. These U.S. Army Colonels, and a small staff, work with

\begin{itemize}
\item \textsuperscript{32} Ibid., IV-11.
\item \textsuperscript{34} JP 3-0, \textit{Joint Operations}, II-15.
\item \textsuperscript{35} Ibid., II-17.
\item \textsuperscript{37} Ibid.
\end{itemize}
For Hurricane Katrina, FEMA established Joint Field Offices in Baton Rouge, Louisiana; Jackson, Mississippi; and Montgomery, Alabama. Each of the FCOs had authority to coordinate with their respective states and with all of the Federal agencies providing support. At the time of Hurricane Katrina, FEMA had no provisions to establish a Joint Field Office below the state level. The fact that FEMA was not flexible enough to establish one office specifically for New Orleans became a major lesson learned. Once Secretary Chertoff appointed VADM Thad Allen, USCG, as the PFO, Allen moved his headquarters to the USS *Iwo Jima* at New Orleans. In contrast with the FEMA structure that used three operational areas, the JOA for JTF-Katrina was the entirety of the States of Louisiana and Mississippi. The JTF located its headquarters at Camp Shelby, Mississippi and eventually established a command post with the PFO on the USS *Iwo Jima*. From these two locations the JTF headquarters oversaw the more than 22,000 active duty service members operating over two states. The size of the operational area was much different than the designated area for JTF-Andrew thirteen years earlier.

The hurricane season of 1992 started with a wallop to south Florida. Hurricane Andrew was the first hurricane of the season and it tore into Florida as a category-5 storm with winds in excess of 165 miles per hour. FEMA was the lead Federal agency and employed the Federal Response Plan, predecessor to the NRP. Second Army headquarters formed the active component JTF to “exercise operational control over all military forces involved in relief operations in south Florida.” JTF-Andrew contained units from the 82nd Airborne Division, the 10th Mountain Division, a USMC Task Force from Cherry Point, North Carolina, SeaBees, and even Canadian Engineers to build a force of over 22,000 service members. In addition, though not under the JTF’s command, the

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38 The author participated in Exercise ARDENT SENTRY 2007 in his capacity as the Executive Assistant to the Commander of USNORTHCOM in May 2007 where he observed several DCOs.
42 Ibid., 47.
44 Jerold Brown, “Humanitarian Operations in an Urban Environment: Hurricane Andrew, August-October 1992,” in *Block by Block: The Challenges of Urban Operations*, ed. William G. Robertson et al. (Fort Leavenworth, KS: U.S. Army Command and General Staff College Press, 2003), 421. While the winds were not measured higher because the gauge broke at 165 mph, several estimates place the wind well above 200 mph.
46 Ibid., 428
Florida National Guard was also present with a force of 5,703 guardsmen. The military response to Hurricane Andrew was considered to be very successful. It was the largest in our Nation’s history until Hurricane Katrina.

Reviewing the doctrinal framework between these two major operations shows one major similarity and one major distinction. For all of the discussion about needing unity of command for Hurricane Katrina, the command authorities were the same during Hurricane Andrew. JTF-Andrew was under the command of the U.S. Army’s Forces Command and the National Guard remained under the command of the Governor. Immediately after Hurricane Andrew passed over Florida, National Guard forces were on the scene with the first responders. They provided both law enforcement and humanitarian support. The active component forces did not begin to arrive until four days after landfall. As the active JTF arrived and began providing humanitarian support, the National Guard forces focused almost exclusively on law enforcement.

Thus, by not federalizing the Florida National Guard during the crisis, each force was able to concentrate on separate but mutually supporting roles in the Hurricane Andrew humanitarian operation.

There were no mentions in the GAO Reports or the Army Lessons Learned report of friction between the JTF leadership and the Florida National Guard during Hurricane Andrew.

A significant difference between Hurricanes Andrew and Katrina was the breadth of the damaged area. Hurricane Andrew crashed into south Florida, hard, and then it passed into the Gulf of Mexico. Ironically, it continued as a hurricane and made landfall in Louisiana as a category-3 storm, although with minimal damage. Hurricane Katrina impacted three states and caused the breach of the levees protecting New Orleans. JTF-Andrew had one major objective of providing civil support to Florida. JTF-Katrina had at least the two major objectives of providing civil support to Louisiana and to Mississippi. In addition, providing civil support to the city of New Orleans should have been an additional objective, requiring a distinct force to accomplish that objective and a separate operating area.

Joint Doctrine clearly does provide a framework for effective C2 and coordination for DSCA operations. As Topp concluded, unity of effort, not unity of command, should be the goal. To that end, the Parallel Command Model is a good fit. Treating the active component and National Guard forces as a coalition is appropriate. As with Hurricane Andrew, such a command relationship has worked very well in the past and it is part of the current exercise program which is critical to future responses. The addition of the support relationship should make it very

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49 Brown, “Hurricane Andrew”, 428.
50 Topp, Relationship Between the National Guard and United States Northern Command, 46.
clear to all involved who has what responsibilities. Allowing a single headquarters, the State’s Joint Forces Headquarters, to have the overall responsibility to sort out taskings and determine the most efficient use of the forces available will resolve many of the lessons learned. The paper explored the additional categories of Support, particularly General Support and Direct Support. No compelling requirement has been identified for a Combatant Commander to designate a JTF be under either of these categories. Certainly, there are many examples where it would be useful for the JTF Commander to use of them either with subordinate units within a particular state. As the final piece to our analysis of the doctrinal framework for DSCA operations, future plans must account for FEMA and State adherence to state boundaries. Smaller JTFs with an objective of supporting a single state, and a JOA drawn accordingly, prevent adding any extraneous confusion during already complex DSCA operations. Figure 2 shows a comparison of the actual JTF Katrina JOA with a proposed option of two smaller JTFs designated along state borders.

Figure 2. Actual and Proposed JOAs

There are two areas that warrant further research. The first is the use of reserves in DSCA missions. As mentioned during the discussion of Title 10, the President is not authorized to order reserves to active duty for natural disasters. The GAO recommended in their reports after both Hurricane Andrew and Hurricane Katrina that Congress change these laws. Bringing the capabilities of the reserves to bear on a disaster response could save
many lives. Assigning them to USNORTHCOM would also give the combatant commander with a force that he could use immediately. The other area that needs more research is the internal command and control measures that the National Guard uses for EMAC forces. This was outside the scope and topic of this paper but it was identified as a critical flaw in most of the lessons learned reports. EMAC provides a tremendous capability and it was critical to the National Guard response to Hurricane Katrina. After this test of the system, the next step is to research and make changes to the command and control system.

Hurricane Katrina was the largest military DSCA response in our country’s history. Over seventy thousand service members responded from every branch of service and from the active component and the National Guard. While original estimates of the death toll were in the tens of thousands, the heroics of these service members helped keep the final losses down to 1,330.51 With those heroics in mind, it is important to review all of the lessons learned and make the next response even better. Command and control is an area that is well documented across all of joint doctrine. Establishing the command and control structure is a critical part of joint planning and, due to the complexities of domestic disaster responses, it is even more important in DSCA operations. As outlined in this study, the answer is in the doctrine.

———. U.S. Code. Title 10, chapter 6, sec 162(b) (2005).


