

## SUBCHAPTER I—CIVIL DEFENSE

### PART 183—DEFENSE SUPPORT OF SPECIAL EVENTS

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AUTHORITY: 2 U.S.C. 1966, 2 U.S.C. 1970, 10 U.S.C. 372–374, 10 U.S.C. 377, 10 U.S.C. 2012, 10 U.S.C. 2553–2555, 10 U.S.C. 2564, 18 U.S.C. 1385, 18 U.S.C. 3056, 31 U.S.C. 1535–1536, 32 U.S.C. 502, 32 U.S.C. 508, Pub. L. 94–524, and Section 5802 of Pub. L. 104–208, as amended.

SOURCE: 77 FR 22671, Apr. 17, 2012, unless otherwise noted.

#### § 183.1 Purpose.

This part:

(a) Establishes DoD policy, assigns responsibilities, and provides procedures for support of civil authorities and qualifying entities during the conduct of special events in accordance with the authority in DoD Directive (DoDD) 5111.1 (see <http://www.dtic.mil/whs/directives/corres/pdf/511101p.pdf>) and the Deputy Secretary of Defense Memorandum, “Delegations of Authority,” November 30, 2006 (available by written request to Deputy Secretary of Defense, 1010 Defense Pentagon, Washington, DC 20301–1010). This support will be referred to as “support of special events.”

(b) Implements provisions of DoDD 5111.1; the Deputy Secretary of Defense Memorandum, “Delegations of Authority,” November 30, 2006; title 2, United States Code (U.S.C.), sections 1966 and 1970; title 10, U.S.C., sections 372–374, 377, 2012, 2553–2555, and 2564; title 18, U.S.C. sections 1385 and 3056; title 31, U.S.C., sections 1535–1536; title 32, U.S.C., sections 502 and 508; Public Law 94–524; Section 5802 of Public Law 104–208, as amended; and title 32, Code of Federal Regulations (CFR) part 185, addressing matters pertaining to Defense Support of Civil Authorities (DSCA) for special events, including support for qualifying entities.

#### § 183.2 Applicability and scope.

(a) Applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff (CJCS) and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, National Guard personnel providing support of special events in title 32, U.S.C., status, and all other organizational entities in DoD (hereinafter referred to collectively as the “DoD Components”).

(b) Does not apply to installation commanders or Heads of DoD Components providing localized support to a special event solely under the auspices of community relations, public outreach, or recruitment efforts pursuant to DoDD 5410.18 (see <http://www.dtic.mil/whs/directives/corres/pdf/541018p.pdf>) and DoD Instruction (DoDI) 5410.19 (see <http://www.dtic.mil/whs/directives/corres/pdf/541019p.pdf>) or other similar authority.

#### § 183.3 Definitions.

Unless otherwise noted, these terms and definitions are for the purpose of this part only.

*Civil Authorities.* Defined in Joint Publication 1–02 (see [http://www.dtic.mil/doctrine/new\\_pubs/jp1\\_02.pdf](http://www.dtic.mil/doctrine/new_pubs/jp1_02.pdf).)

*Integrated Federal Support Overview (IFSO).* A collaborative effort of the Special Events Working Group. The purpose of the IFSO is to inform the Secretary of Homeland Security and other appropriate senior Federal officials, including the Federal coordinator for the special event, of all the Federal activities and support in preparation for and execution of a special event. The IFSO facilitates the Federal coordinator’s ability to lead a unified coordination group initially in case of an incident to support the Secretary of Homeland Security’s incident management responsibilities. It also educates Federal interagency partners on Federal resources committed to the special event.

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*National Special Security Event (NSSE).* An event of national significance as determined by the Secretary of Homeland Security. These national or international events, occurrences, contests, activities, or meetings, which, by virtue of their profile or status, represent a significant target, and therefore warrant additional preparation, planning, and mitigation efforts. The USSS, FBI, and FEMA are the Federal agencies with lead responsibilities for NSSEs; other Federal agencies, including DoD, may provide support to the NSSE if authorized by law.

*NSSE Executive Steering Committee.* Established when the Secretary of Homeland Security designates a specific event to be an NSSE. The group, led by the USSS, comprises Federal, State, and local public safety and security officials whose primary responsibility is to coordinate and develop a specific security plan for the designated NSSE.

*Qualifying entity.* A non-governmental organization to which the Department of Defense may provide assistance by virtue of statute, regulation, policy, or other approval by the Secretary of Defense or his or her authorized designee.

*Special event.* An international or domestic event, contest, activity, or meeting, which by its very nature, or by specific statutory or regulatory authority, may warrant security, safety, and other logistical support or assistance from the Department of Defense. Event status is not determined by the Department of Defense, and support may be requested by either civil authorities or non-governmental entities. Support provided may be reimbursable.

*Special Event Working Group.* A single forum designed to ensure comprehensive and coordinated Federal inter-agency awareness of, and appropriate support to, special events. The Special Event Working Group is co-chaired by representatives from DHS (including the USSS and FEMA) and the FBI, and comprises representatives from more than 40 Federal departments and agencies, including the Department of Defense, the Departments of Homeland Security, Justice, State, Energy, Labor, Health and Human Services, and Commerce, the Office of the Director of National Intelligence, and the

Environmental Protection Agency. The Department of Defense representative on the Special Event Working Group is designated by the Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs (ASD(HD&ASA)).

### § 183.4 Policy.

It is DoD policy that:

(a) DoD capabilities may be used to provide support for international and domestic special events as authorized by law and DoD policy. DoD resources in support of special events may be provided only after the resources of all other relevant governmental and non-governmental entities are determined not to be available, unless there is a statutory exception or the Department of Defense is the only source of specialized capabilities. DoD support should not be provided if use of commercial enterprises would be more appropriate.

(b) DoD Components shall provide support to civil authorities or qualifying entities for special events only as authorized in this part.

(c) The Department of Defense may support such events with personnel, equipment, and services in accordance with applicable laws, regulations, and interagency agreements. Most support shall be provided on a non-interference basis, with careful consideration given to effects on readiness and current operations. Support for National Special Security Events (NSSEs) shall be in accordance with National Security Presidential Directive-46/Homeland Security Presidential Directive-15, Annex II.

(d) DoD security and safety-related support for an event shall have priority over logistics assistance. However, logistics assistance may be provided if deemed appropriate and necessary, consistent with applicable statutes and policy guidance.

(e) Funding for special events is subject to the following:

(1) The Department of Defense may receive separate funding or authority to provide support to specific special events.

(2) Support of special events for which the Department of Defense does not receive appropriations or for which DoD funds are not available for such

support must be approved by the Secretary of Defense and must be provided on a reimbursable basis in accordance with title 10, U.S.C., sections 377, 2553–2555, and 2564; title 31, U.S.C., sections 1535–1536; or other applicable statutes.

(3) Reimbursement for DoD support provided to civilian law enforcement agencies during special events is required, in accordance with title 10 U.S.C. 377, unless the Secretary of Defense elects to waive reimbursement after determining that the support:

(i) Is provided in the normal course of military training or operations; or

(ii) Results in a benefit to the personnel providing the support that is substantially equivalent to that which would otherwise be obtained from military operations or training.

(4) The DoD will provide support to NSSEs in accordance with HSPD 15/NSPD 46, as authorized by law and policy.

(5) Security and safety of special events are responsibilities shared by Federal, State, and local authorities. If Federal funds will be provided to State or local authorities to offset the costs of enhanced security and public safety for special events and if State or local officials request the employment of National Guard personnel in a Federal pay status, States shall be encouraged to use those funds to employ those National Guard personnel in a State pay status or to reimburse the Department of Defense for costs related to the employment of the National Guard personnel in a Federal pay status.

(f) DoD support of special events that includes support to civilian law enforcement officials must comply with DoDD 5525.5 (see <http://www.dtic.mil/whs/directives/corres/pdf/552505p.pdf>).

(g) DoD support of special events that includes support to civilian intelligence officials must comply with DoD 5240.1–R (see <http://www.dtic.mil/whs/directives/corres/pdf/524001r.pdf>).

#### § 183.5 Responsibilities.

(a) The Under Secretary of Defense for Policy (USD(P)) shall establish policy for and facilitate the interagency coordination of special events with Federal, State, and local agencies, and qualifying entities and the DoD Components, as required.

(b) The ASD(HD&ASA), under the authority, direction, and control of the USD(P), shall:

(1) In coordination with the CJCS, oversee the management and coordination of DoD support of special events including events covered under title 10, U.S.C., section 2564.

(2) Serve as the principal civilian advisor to the Secretary of Defense and the USD(P) on DoD support of special events.

(3) In accordance with DoDD 5111.13 (see <http://www.dtic.mil/whs/directives/corres/pdf/511113p.pdf>), approve requests for assistance from civil authorities and qualifying entities for DoD support of special events. Such requests shall be coordinated with appropriate offices within OSD, with the CJCS, and with the heads of appropriate DoD Components. The ASD(HD&ASA) will immediately notify the Secretary of Defense and the USD(P) when this authority is exercised.

(4) Coordinate, or consult on, special event support policy with other Federal departments and agencies (which may include the Department of Homeland Security (DHS), the Federal Bureau of Investigation (FBI), the U.S. Secret Service (USSS), and the Federal Emergency Management Agency (FEMA)) and with other qualifying entities as appropriate.

(5) Develop, coordinate, and oversee the implementation of DoD support of special events.

(6) Through the CJCS, monitor the activation, deployment, and employment of DoD personnel, facilities, and other resources involved in DoD support of special events.

(7) Coordinate DoD support of special events with the General Counsel of the Department of Defense (GC, DoD) and the Under Secretary of Defense (Comptroller)/Chief Financial Officer, Department of Defense (USD(C)/CFO).

(8) Coordinate with the Assistant Secretary of Defense for Public Affairs (ASD(PA)) to ensure that information relating to DoD support of special events receives appropriate dissemination using all approved media.

(9) Represent the Department of Defense regarding special events to other Federal departments and agencies,

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State and local authorities, and qualifying entities, including designating the Department of Defense representatives for the working groups identified in § 183.6(b) of this part.

(10) Manage, in conjunction with the USD(C)/CFO, the Support for International Sporting Competitions (SISC) Defense Account.

(11) In accordance with section 5802 of Public Law 104–208, as amended, notify the congressional defense committees of DoD plans to obligate funds in the SISC Defense Account.

(12) In accordance with title 10 U.S.C. 2564, submit an annual report to Congress, no later than January 30 of each year following a year in which the Department of Defense provides assistance under title 10 U.S.C. 2564, detailing DoD support to certain sporting competitions.

(c) The Under Secretary of Defense for Personnel and Readiness (USD(P&R)) shall coordinate on DoD support of special events and, in coordination with the CJCS, provide advice regarding the effect the requested support will have on readiness and military operations.

(d) The USD(C)/CFO shall:

(1) Coordinate on DoD support of special events, and provide advice regarding the effect on the DoD budget and on DoD financial resources.

(2) Maintain the SISC Defense Account in conjunction with the ASD(HD&ASA).

(e) The Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) shall coordinate on DoD logistical support of special events.

(f) The GC, DoD shall coordinate and provide legal counsel on DoD support of special events.

(g) The ASD(PA) shall provide policy guidance and review, coordinate, and approve requests for ceremonial and entertainment support for special events covered by this part, in accordance with DoDD 5410.18 (see <http://www.dtic.mil/whs/directives/corres/pdf/541018p.pdf>), DoDI 5410.19 (see <http://www.dtic.mil/whs/directives/corres/pdf/541019p.pdf>) and DoDD 5122.05 (see <http://www.dtic.mil/whs/directives/corres/pdf/512205p.pdf>).

(h) The Heads of the DoD Components shall:

(1) Designate and maintain an office of primary responsibility (OPR) for special events or a special events coordinator, and provide that OPR designation and contact information to the CJCS within 60 days of the publication of this part. Changes to OPR designation and contact information shall be provided to the CJCS within 30 days of the change.

(2) Provide personnel, equipment, and support of special events as directed.

(3) Ensure that personnel supporting special events comply with applicable antiterrorism and force protection training and standards.

(4) Provide other support of special events as directed.

(i) The CJCS shall:

(1) Provide planning guidance to DoD Components for all special events for which DoD support may require the employment of military forces or centralized command and control.

(2) Review all requests for DoD support of special events and, in coordination with the USD(P&R), provide advice on the effect that the requested support will have on readiness and military operations.

(3) Prepare, staff, and issue orders and messages on DoD support of special events that has been approved by authorized DoD officials.

(4) Issue guidance to the Combatant Commanders on the implementation of this part.

(5) Process requests for DoD support of special events.

(6) Maintain sufficient staff to manage the day-to-day operational aspects of DoD support of special events.

(7) Manage and maintain equipment that is procured to support DoD special events.

(i) Establish and operate a system for delivering DoD assets to authorized recipients and for recovering loaned assets at the conclusion of the event.

(ii) Ensure the civil authorities and qualifying entities authorized to accept DoD assets provide a surety bond or other suitable insurance protection to cover the cost of lost, stolen, or damaged DoD property.

(iii) Plan and program for the life-cycle replacement of special events

equipment procured under title 10 U.S.C. 2553, 2554, and 2564.

(iv) Procure goods and services through contracting, when necessary and authorized by law.

(8) Administer the expenditure of appropriated funds, and ensure that the Department of Defense is reimbursed for its support of special events when required by law or DoD policy.

(i) With the assistance of the DoD Components, provide cost estimates of DoD support to a special event that is under consideration for approval.

(ii) Upon approval, administer the execution of funding for DoD support of special events.

(iii) At the conclusion of DoD support to a special event, collect and provide a financial accounting for all DoD funds expended in support of that special event.

(9) Establish and maintain effective liaison with DoD Components for the timely exchange of information about special event projects.

(10) Provide other support of special events as directed.

(j) The Chief, National Guard Bureau (NGB), under the authority, direction, and control of the Secretary of Defense through the Secretary of the Army and the Secretary of the Air Force, shall:

(1) Serve as the channel of communications for all matters pertaining to the National Guard between DoD Components and the States in accordance with DoDD 5105.77 (see <http://www.dtic.mil/whs/directives/corres/pdf/510577p.pdf>).

(2) Report National Guard special event support of civil authorities or qualifying entities when using Federal resources, equipment, or funding to the National Joint Operations and Intelligence Center.

(3) Serve as an advisor to the Combatant Commanders on National Guard matters pertaining to the combatant command missions, and support planning and coordination for DoD support of special events as requested by the CJCS or the Combatant Commanders.

(4) Ensure that National Guard appropriations are appropriately reimbursed for special event activities.

(5) Advocate for needed special event capabilities.

(6) Develop, in accordance with DoDD 5105.77 and in coordination with the Secretaries of the Army and Air Force and the ASD(HD&ASA), guidance regarding this part as it relates to National Guard matters.

#### § 183.6 Procedures.

(a) *General Provisions.* (1) This section provides the basic procedures for DoD support to special events.

(2) As appropriate, amplifying procedures regarding DoD support to special events shall be published separately and maintained by the Office of the ASD(HD&ASA) and released as needed in the most effective medium consistent with DoD Directive 8320.02 (see <http://www.dtic.mil/whs/directives/corres/pdf/832002p.pdf>).

(b) *Special Event Process.* (1) *Engagement.* (i) Engagement may be initiated by the Department of Defense, civil authorities, or qualifying entities. If the initial engagement is not a written request for assistance (RFA), representatives of the ASD(HD&ASA) and the Joint Staff will confer to determine actual requirements.

(ii) Engagement may involve informational briefings and meetings between DoD representatives and special event organizers, civil authorities, or qualifying entities. These informal engagements may result in non-DoD entities submitting an RFA to the DoD Executive Secretary, requesting DoD support for a special event.

(iii) Once an RFA is received, it will be sent to the ASD(HD&ASA) and the CJCS simultaneously for staffing and recommendation. Additional engagement with the requestor may be required to quantify the scope and magnitude of the support requested.

(2) *Planning.* (i) The direction and focus of DoD special-event planning will depend on the nature of the event and scope and magnitude of the support requested or anticipated. International events may require additional planning, procedures, and coordination with the government of the host country.

(ii) For National Special Security Events (NSSEs) and events that may require the employment of military forces and centralized command and control, the CJCS will issue a planning

order requesting a Combatant Commander to initiate planning and notify potential supporting commands or organizations and the Chief, NGB, as appropriate. When possible, established CJCS-directed planning procedures will be used for the Combatant Commander to provide an assessment and request for forces.

(A) The NSSE designation process generally is initiated by a formal written request to the Secretary of Homeland Security by the State or local government hosting the event. In other situations where the event is federally sponsored, an appropriate Federal official will make the request.

(B) Once the request is received by DHS, the USSS and the FBI will send an NSSE questionnaire to the responsible host official for completion. The request, completed questionnaires, and other supporting information are reviewed by the NSSE Working Group (which includes a non-voting DoD member), which provides a recommendation to the Secretary of Homeland Security regarding NSSE designation.

(C) The Secretary of Homeland Security makes the final determination to designate an event as an NSSE pursuant to Homeland Security Presidential Directive 7 (see <http://www.gpo.gov/fdsys/pkg/PPP-2003-book2/pdf/PPP-2003-book2-doc-pg1739.pdf>).

(iii) There are numerous events where DoD support should be anticipated and a planning order issued to the appropriate Combatant Commander. These include, but are not limited to:

(A) The President's State of the Union Address or other addresses to a Joint Session of Congress.

(B) Annual meetings of the United Nations General Assembly.

(C) National Presidential nominating conventions.

(D) Presidential inaugural activities.

(E) International summits or meetings.

(F) State funerals.

(G) The National Boy Scout Jamboree.

(H) Certain international or domestic sporting competitions.

(iv) There are other events that the Department of Defense supports that

do not involve the assignment of military forces or centralized command and control by Combatant Commanders, which include planning requirements by the host organizations. These include, but are not limited to:

(A) Military Department or Service-sponsored events, such as:

(1) The Marine Corps Marathon.

(2) The Army 10-Miler.

(3) Navy Fleet Weeks.

(4) Installation or Joint Service Open Houses.

(5) Service or Joint Air Shows.

(B) Community relations activities authorized in accordance with DoDI 5410.19.

(v) The Department of Defense may provide support to certain sporting events that are included under subsection (c) of section 2564 of title 10, U.S.C., by providing technical, contracting, and specialized equipment support. These events may be funded by the SISC Defense Account pursuant to title 10 U.S.C. 2564 and include:

(A) The Special Olympics.

(B) The Paralympics.

(C) Sporting events sanctioned by the United States Olympic Committee (USOC) through the Paralympic Military Program.

(D) Other international or domestic Paralympic sporting events that are held in the United States or its territories, governed by the International Paralympic Committee, and sanctioned by the USOC:

(1) For which participation exceeds 100 amateur athletes.

(2) In which at least 10 percent of the athletes participating in the sporting event are either members or former members of U.S. Military Services who are participating in the sporting event based upon an injury or wound incurred in the line of duty or veterans who are participating in the sporting event based upon a service-connected disability.

(vi) Planning for DoD support to the Olympics and certain other sporting events requires additional considerations.

(A) Subsections (a) and (b) of section 2564 of title 10, U.S.C., authorize the Secretary of Defense to provide assistance for the Olympics and certain other sporting events. Unless the event

meets the specific requirements stated in paragraph (b)(2)(v) of this section, the Attorney General must certify that DoD security and safety assistance is necessary to meet essential security and safety needs of the event.

(B) The Department of Defense, led by the ASD(HD&ASA), will collaborate with the CJCS, the Department of Justice, including the FBI, and other appropriate DoD Components and Federal departments or agencies, usually as part of a Joint Advisory Committee (JAC), to provide a recommendation to the Attorney General on what categories of support the Department of Defense may be able to provide to meet essential security and safety needs of the event.

(C) Support other than safety and security may be authorized for sporting events, but only to the extent that:

(1) Such needs cannot reasonably be met by a source other than the Department of Defense.

(2) Such assistance does not adversely affect military preparedness.

(3) The requestor of such assistance agrees to reimburse the Department of Defense, in accordance with the provisions of title 10 U.S.C. 377, 2553-2555, and 2564; title 31 U.S.C. 1535-1536; and other applicable provisions of law.

(vii) Types of support that the Department of Defense can provide include, but are not limited to:

(A) Aviation.

(B) Communications (*e.g.*, radios, mobile telephones, signal integrators).

(C) Security (*e.g.*, magnetometers, closed-circuit televisions, perimeter alarm systems, undercarriage inspection devices).

(D) Operations and Command Centers (*e.g.*, design and configuration, video walls).

(E) Explosive ordnance detection and disposal (technical advice, explosive ordnance disposal teams, explosive detector dog, dog teams).

(F) Logistics (transportation, temporary facilities, food, lodging).

(G) Ceremonial support (in coordination with the ASD(PA)).

(H) Chemical, biological, radiological, and nuclear threat identification, reduction, and response capabilities.

(I) Incident response capabilities (in coordination with the Department of Justice, DHS, the Department of Health and Human Services, and in consultation with appropriate State and local authorities).

(viii) DoD personnel support of special events is provided using a total force sourcing solution that may include Active Duty and Reserve Component military personnel, DoD civilian personnel, and DoD contractor personnel. The Department of Defense also may decide to respond to requests for assistance by approving, with the consent of the Governor(s) concerned, National Guard forces performing duty pursuant to title 32 U.S.C. 502.

(A) National Guard personnel conducting support of special events while on State active duty, at the direction of their Governor or Adjutant General, are not considered to be providing DoD support of special events.

(B) This part does not limit or affect Department of Defense and National Guard personnel volunteering to support special events during their non-duty time. This volunteer support is not considered as part of DoD support of special events. Volunteers are prohibited from obligating or using DoD resources to support a special event while in a volunteer status except as authorized by separate statute or authority.

(3) *Coordination.* (i) Coordination of DoD support of special events will likely take place simultaneously with engagement and planning; operate across the full spectrum of strategic, operational, and tactical levels; and occur internally among DoD Components and externally with supported civil authorities and qualifying entities.

(A) Policy coordination at the departmental level between the Department of Defense and other Federal departments or agencies is the responsibility of the ASD(HD&ASA). Other DoD Components may send representatives to these meetings with the prior concurrence of the ASD(HD&ASA). Standing departmental-level special events coordination meetings include:

(1) USSS-led NSSE Working Group.

(2) DHS-led Special Events Working Group.

(3) Department of State, Bureau of Diplomatic Security-led International Sporting Event Group.

(B) Coordination within the Department of Defense is led by the ASD(HD&ASA) and is facilitated by the CJCS for the Combatant Commands and other joint commands and by other DoD Component Heads for their constituent elements.

(C) The CJCS will work with the Military Service Chiefs, the Chief of the National Guard Bureau, and the Heads of DoD Components when subject matter expertise is needed for the event organizers. This will be based upon location and other criteria, as needed.

(ii) Inputs to the DHS-produced Integrated Federal Support Overview (IFSO) will be solicited by the CJCS and sent to the ASD(HD&ASA) for consolidation and deconfliction prior to final submission to DHS. DoD Component Heads not tasked by the Joint Staff will submit their input directly to the ASD(HD&ASA).

(iii) RFAs for DoD support will adhere to the following:

(A) An RFA for DoD support to a special event may be made by Federal, State, or local civil authorities, or by qualifying entities.

(B) RFAs will be in writing and addressed to the Secretary of Defense, the Deputy Secretary of Defense, or the DoD Executive Secretary, 1000 Defense, Pentagon, Washington, DC 20301-1000. DoD Components who receive RFAs directly from the requestor will immediately forward them to the DoD Executive Secretary for disposition, distribution, and tracking.

(C) At a minimum, the RFA will be distributed to the ASD(HD&ASA) and the CJCS for staffing and recommendation. If the RFA is for a single capability for which a DoD Component is the OPR or serves as a DoD Executive Agent, the RFA is sent to that Component for action with an information copy provided to the ASD(HD&ASA) and the CJCS.

(D) Vetting of RFAs will be in accordance with the DoD Global Force Management process and consistent with criteria published in DoD 8260.03-M, Volume 2 (see <http://www.dtic.mil/>

[whs/directives/corres/pdf/826003m\\_vol2.pdf](http://whs/directives/corres/pdf/826003m_vol2.pdf)).

(E) Heads of DoD Components will consult with the DoD Executive Secretary on which DoD official will communicate DoD special event support decisions to the requesting authorities.

(4) *Execution.* Execution of DoD support of special events is a shared responsibility. The scope and magnitude of the support being provided will determine the OPR and level of execution.

(i) When joint military forces or centralized command and control of DoD support to a special event are anticipated or required, a Combatant Commander may be identified as the supported commander in a properly approved order issued by the CJCS. The designated Combatant Command shall be the focal point for execution of DoD support to that special event with other DoD Components in support. Reporting requirements shall be in accordance with the properly approved order issued by the CJCS and standing business practices.

(ii) When there are no joint military forces required and there is no need for centralized command and control, DoD support of special events shall be executed by the CJCS or the Head of a DoD Component, as designated in a properly approved order or message issued by the CJCS. Oversight of DoD support will be provided by the ASD(HD&ASA).

(iii) As described in the Joint Action Plan for Developing Unity of Effort, when Federal military forces and State military forces are employed simultaneously in support of civil authorities in the United States, appointment of a dual-status commander is the usual and customary command and control arrangement. Appointment of a dual-status commander requires action by the President and the appropriate Governor (or their designees).

(5) *Recovery.* (i) Durable, non-unit equipment procured by the Department of Defense to support a special event shall be retained by the CJCS for use during future events in accordance with § 183.5(i)(7) of this part.

(ii) An after-action report shall be produced by the Combatant Command or OPR and sent to the ASD(HD&ASA)

and the CJCS within 60 days of completion of the event.

## PART 185—DEFENSE SUPPORT OF CIVIL AUTHORITIES (DSCA)

Sec.

185.1 Purpose.

185.2 Applicability and scope.

185.3 Definitions.

185.4 Policy.

185.5 Responsibilities.

**AUTHORITY:** Legal authority includes, 10 U.S.C. sections 113, 331–335, 371–382, 2553, 2554, 2555, and 2564; 31 U.S.C. 1535–1536 (Economy Act); 42 U.S.C. section 5121 et seq. (Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (Stafford Act)); and Public Law 94–524, as amended (Presidential Protection Assistance Act of 1976).

**SOURCE:** 76 FR 2248, Jan. 13, 2011, unless otherwise noted.

### § 185.1 Purpose.

This part:

(a) Establishes policy and assigns responsibilities for DSCA, also referred to as civil support.

(b) Supplements the regulations (in DoD Directive 5525.5)<sup>1</sup> required by section 375 of title 10, United States Code (U.S.C.), regarding military support for civilian law enforcement.

(c) Sets forth policy guidance for the execution and oversight of DSCA when requested by civil authorities or by qualifying entities and approved by the appropriate DoD official, or as directed by the President, within the United States, including the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any territory or possession of the United States or any political subdivision thereof.

(d) Authorizes immediate response authority for providing DSCA, when requested.

(e) Authorizes emergency authority for the use of military force, under dire situations, as described in §185.4(i) of this part.

<sup>1</sup>Available for downloading at <http://www.dtic.mil/whs/directives/corres/pdf/552505p.pdf>

### § 185.2 Applicability and scope.

This part:

(a) Applies to the Office of the Secretary of Defense, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the Department of Defense (hereafter referred to collectively as the “DoD Components”).

(b) Applies to the Army National Guard and the Air National Guard (hereafter referred to collectively as the “National Guard”) personnel when under Federal command and control. Also applies to National Guard personnel when the Secretary of Defense determines that it is appropriate to employ National Guard personnel in title 32, U.S.C., status to fulfill a request for DSCA, the Secretary of Defense requests the concurrence of the Governors of the affected States, and those Governors concur in the employment of National Guard personnel in such a status.

(c) Applies to all DSCA (except the specific forms of DSCA listed in paragraph (d) of this section), including but not limited to:

(1) Mutual or automatic aid, also known as reciprocal fire protection agreements (see chapter 15A of title 42 U.S.C.).

(2) DoD fire and emergency services programs (see DoD Instruction 6055.06)<sup>2</sup>.

(3) Support of special events in accordance with applicable laws and DoD policy (see DoD Directive 2000.15)<sup>3</sup>.

(4) United States Army Corps of Engineers (USACE) activities as the DoD Coordinating and Primary Agency for Emergency Support Function #3, Public Works and Engineering, of the National Response Framework.

<sup>2</sup>Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/605506p.pdf>.

<sup>3</sup>Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/200015p.pdf>.

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(5) Defense support to civilian law enforcement agencies (see DoDD 3025.12<sup>4</sup> and DoD Directive 5525.5).

(d) Does not apply to the following:

(1) Support in response to foreign disasters provided in accordance with DoD Directive 5100.46<sup>5</sup>.

(2) Joint investigations conducted by the Inspector General of the Department of Defense, the Defense Criminal Investigative Service, and the military criminal investigative organizations with civil law enforcement agencies on matters within their respective jurisdictions using their own forces and equipment.

(3) Detail of DoD personnel to duty outside the Department of Defense in accordance with DoD Instruction 1000.17<sup>6</sup>.

(4) Counternarcotics operations conducted under the authority of section 1004 of Public Law 101–510 (1991).

(5) Support provided by the USACE when accomplishing missions and responsibilities under the authority of section 701n of title 33, U.S.C. and Executive Order 12656.

(6) Assistance provided by DoD intelligence and counterintelligence components in accordance with DoD Directive 5240.01<sup>7</sup>, Executive Orders 12333 and 13388, DoD 5240.1–R<sup>8</sup>, and other applicable laws and regulations.

(7) Military community relations programs and activities administered by the Assistant Secretary of Defense for Public Affairs (see DoD Directive 5410.18<sup>9</sup> and DoD Instruction 5410.19<sup>10</sup>).

(8) Sensitive support in accordance with DoD Directive S–5210.36<sup>11</sup>.

(9) Activities performed by the Civil Air Patrol in support of civil authorities or qualifying entities when approved by the Air Force as auxiliary missions in accordance with section 9442 of title 10, U.S.C. and DoD 3025.1–M<sup>12</sup> except as restricted by §185.4(j) of this part.

(10) Innovative readiness training (formerly called “civil-military cooperative action programs”) (see DoD Directive 1100.20)<sup>13</sup>.

#### § 185.3 Definitions.

*Civil Authorities.* See Joint Publication 1–02<sup>14</sup>.

*Civil Disturbances.* See Joint Publication 1–02.

*Defense Domestic Crisis Manager.* The lead DoD official responsible for DoD’s domestic crisis management response, ensuring the information needs and other requirements of the Secretary of Defense are met, and developing, coordinating, and overseeing the implementation of DoD policy for crisis management to ensure DoD capability to develop and execute options to prevent, mitigate, or respond to a potential or actual domestic crisis. The Assistant Secretary of Defense for Homeland Defense and Americas’ Security Affairs (ASD(HD&ASA)) serves as the Defense Domestic Crisis Manager.

*Defense Support of Civil Authorities (DSCA).* Support provided by U.S. Federal military forces, DoD civilians, DoD contract personnel, DoD Component assets, and National Guard forces (when the Secretary of Defense, in coordination with the Governors of the affected States, elects and requests to

<sup>4</sup> Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/302512p.pdf>.

<sup>5</sup> Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/510046p.pdf>.

<sup>6</sup> Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/100017p.pdf>.

<sup>7</sup> Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/524001p.pdf>.

<sup>8</sup> Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/524001r.pdf>.

<sup>9</sup> Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/541018p.pdf>.

<sup>10</sup> Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/541019p.pdf>.

<sup>11</sup> Document is classified and copies maybe requested by contacting USD(I), [USDI.pubs@osd.mil](mailto:USDI.pubs@osd.mil)

<sup>12</sup> Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/302501m.pdf>.

<sup>13</sup> Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/110020p.pdf>.

<sup>14</sup> Available by downloading at [http://www.dtic.mil/doctrine/new\\_pubs/jp1\\_02.pdf](http://www.dtic.mil/doctrine/new_pubs/jp1_02.pdf).

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. Also known as civil support.

*Direct Liaison.* An authority for Federal military forces to consult with, coordinate with, and respond to State authorities (including National Guard units and personnel operating in Title 32 status or in State Active Duty status) or Federal civilian authorities in the tactical-level execution of assigned tasks, pursuant to an order by the Secretary of Defense or the President to provide support to those authorities.

*Emergency Authority.* A Federal military commander's authority, in extraordinary emergency circumstances where prior authorization by the President is impossible and duly constituted local authorities are unable to control the situation, to engage temporarily in activities that are necessary to quell large-scale, unexpected civil disturbances because (1) such activities are necessary to prevent significant loss of life or wanton destruction of property and are necessary to restore governmental function and public order or (2) duly constituted Federal, State, or local authorities are unable or decline to provide adequate protection for Federal property or Federal governmental functions.

*Federal Military Forces.* Army, Navy, Marine Corps and Air Force personnel (including Reserve Component personnel) on Federal active duty and National Guard personnel when under Federal command and control.

*Immediate Response Authority.* A Federal military commander's, DoD Component Head's, and/or responsible DoD civilian official's authority temporarily to employ resources under their control, subject to any supplemental direction provided by higher headquarters, and provide those resources to save lives, prevent human suffering, or mitigate great property damage in response to a request for assistance from a civil authority, under imminently serious conditions when time does not permit approval from a higher authority within the United States. Immediate response authority does not

permit actions that would subject civilians to the use of military power that is regulatory, prescriptive, proscriptive, or compulsory. State immediate response is addressed in §185.4(h) of this part.

*Qualifying Entity.* A non-Governmental organization to which the Department of Defense may provide assistance for special events by virtue of statute, regulation, policy, or other approval by the Secretary of Defense or his or her authorized designee.

*Responsible DoD Civilian.* For purposes of DSCA, the Head of a DoD Component or other DoD civilian official who has authority over DoD assets that may be used for a DSCA response.

*Special Event.* An international or domestic event, contest, activity, or meeting, which by its very nature, or by specific statutory or regulatory authority, may warrant security, safety, and/or other logistical support or assistance from the Department of Defense.

*Total Force.* See DoD Directive 1200.17<sup>15</sup>.

#### § 185.4 Policy.

It is DoD policy that:

(a) This part shall be implemented consistent with national security objectives and military readiness.

(b) Unless expressly stated otherwise, the provisions of this part should not be construed to rescind any existing authorities of the Heads of DoD Components, commanders, and/or responsible DoD civilians to provide DSCA in accordance with existing laws, DoD issuances, and Secretary of Defense-approved orders.

(c) DSCA is initiated by a request for DoD assistance from civil authorities or qualifying entities or is authorized by the President or Secretary of Defense.

(d) All requests for DSCA shall be written, and shall include a commitment to reimburse the Department of Defense in accordance with the Stafford Act, Economy Act, or other authorities except requests for support for immediate response, and mutual or

<sup>15</sup> Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/120017p.pdf>.

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automatic aid, in accordance with § 185.4(g) and (m) of this part. Unless approval authority is otherwise delegated by the Secretary of Defense, all DSCA requests shall be submitted to the office of the Executive Secretary of the Department of Defense. For assistance provided according to § 185.4(g) of this part, civil authorities shall be informed that oral requests for assistance in an emergency must be followed by a written request that includes an offer to reimburse the Department of Defense at the earliest available opportunity. States also must reimburse the United States Treasury in accordance with section 9701 of title 31, U.S.C. Support may be provided on a non-reimbursable basis only if required by law or if both authorized by law and approved by the appropriate DoD official.

(e) All requests from civil authorities and qualifying entities for assistance shall be evaluated for:

- (1) Legality (compliance with laws).
- (2) Lethality (potential use of lethal force by or against DoD Forces).
- (3) Risk (safety of DoD Forces).
- (4) Cost (including the source of funding and the effect on the DoD budget).
- (5) Appropriateness (whether providing the requested support is in the interest of the Department).
- (6) Readiness (impact on the Department of Defense's ability to perform its primary mission).

(f) DSCA plans shall be compatible with the National Response Framework; the National Incident Management System; all contingency plans for operations in the locations listed in § 185.1(c) of this part; and any other national plans (approved by the President or Secretary of Defense) or DoD issuances governing DSCA operations. DSCA planning will consider command and control options that will emphasize unity of effort, and authorize direct liaison if authorized by the Secretary of Defense.

(g) Federal military commanders, Heads of DoD Components, and/or responsible DoD civilian officials (hereafter referred to collectively as "DoD officials") have immediate response authority as described in this part. In response to a request for assistance from a civil authority, under imminently serious conditions and if time does not

permit approval from higher authority, DoD officials may provide an immediate response by temporarily employing the resources under their control, subject to any supplemental direction provided by higher headquarters, to save lives, prevent human suffering, or mitigate great property damage within the United States. Immediate response authority does not permit actions that would subject civilians to the use of military power that is regulatory, prescriptive, proscriptive, or compulsory.

(1) The DoD official directing a response under immediate response authority shall immediately notify the National Joint Operations and Intelligence Center (NJOIC), through the chain of command, of the details of the response. The NJOIC will inform appropriate DoD Components to including the geographic Combatant Command.

(2) An immediate response shall end when the necessity giving rise to the response is no longer present (e.g., when there are sufficient resources available from State, local, and other Federal agencies to respond adequately and that agency or department has initiated response activities) or when the initiating DoD official or a higher authority directs an end to the response. The DoD official directing a response under immediate response authority shall reassess whether there remains a necessity for the Department of Defense to respond under this authority as soon as practicable but, if immediate response activities have not yet ended, not later than 72 hours after the request of assistance was received.

(3) Support provided under immediate response authority should be provided on a cost-reimbursable basis, where appropriate or legally required, but will not be delayed or denied based on the inability or unwillingness of the requester to make a commitment to reimburse the Department of Defense.

(h) The authority of State officials is recognized to direct a State immediate response using National Guard personnel under State command and control (including personnel in a title 32, U.S.C. (hereafter referred to as "Title 32") status) in accordance with State law, but National Guard personnel will not be placed in or extended in Title 32

status to conduct State immediate response activities.

(i) Federal military commanders are provided emergency authority under this part. Federal military forces shall not be used to quell civil disturbances unless specifically authorized by the President in accordance with applicable law (e.g., chapter 15 of title 10, U.S.C.) or permitted under emergency authority, as described below (See DoD Directive 3025.12<sup>16</sup> and DoD Directive 5525.5<sup>17</sup>.) In these circumstances, those Federal military commanders have the authority, in extraordinary emergency circumstances where prior authorization by the President is impossible and duly constituted local authorities are unable to control the situation, to engage temporarily in activities that are necessary to quell large-scale, unexpected civil disturbances because:

(1) Such activities are necessary to prevent significant loss of life or wanton destruction of property and are necessary to restore governmental function and public order, or,

(2) When duly constituted Federal, State, or local authorities are unable or decline to provide adequate protection for Federal property or Federal governmental functions. Federal action, including the use of Federal military forces, is authorized when necessary to protect the Federal property or functions.

(j) Except for immediate response and emergency authority as described in §185.4(g) and §185.4(i) of this part, only the Secretary of Defense may approve requests from civil authorities or qualifying entities for Federal military support for:

(1) Defense assistance in responding to civil disturbances (requires Presidential authorization) in accordance with DoD Directive 3025.12.

(2) Defense response to CBRNE events (see DoD Instruction 2000.18)<sup>18</sup>.

<sup>16</sup> Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/302512p.pdf>.

<sup>17</sup> Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/552505p.pdf>.

<sup>18</sup> Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/200018p.pdf>.

(3) Defense assistance to civilian law enforcement organizations, except as authorized in DoD Directive 5525.5.

(4) Assistance in responding with assets with potential for lethality. This support includes loans of arms; vessels or aircraft; or ammunition. It also includes assistance under section 382 of title 10, U.S.C., and section 831 of title 18, U.S.C.; all support to counterterrorism operations; and all support to civilian law enforcement authorities in situations where a confrontation between civilian law enforcement and civilian individuals or groups is reasonably anticipated.

(k) Federal military forces employed for DSCA activities shall remain under Federal military command and control at all times.

(l) Special event support to a qualifying entity shall be treated as DSCA.

(m) All requests for DSCA mutual and automatic aid via the DoD Fire & Emergency Services programs shall be in accordance with DoD Instruction 6055.06.

(n) DSCA is a total force mission (see DoD Directive 1200.17).

(o) No DoD unmanned aircraft systems (UAS) will be used for DSCA operations, including support to Federal, State, local, and tribal government organizations, unless expressly approved by the Secretary of Defense. Use of armed UAS for DSCA operations is not authorized. (See DoD Directive 5240.01, Executive Orders 12333 and 13388, and DoD 5240.1-R.)

(p) Direct liaison between DoD Components and the States should occur only when time does not permit compliance with §185.5(m)(1) of this part. In each such instance, the Chief, National Guard Bureau, will be informed of the direct liaison.

#### § 185.5 Responsibilities.

(a) The Under Secretary of Defense for Policy (USD(P)) shall:

(1) Coordinate DSCA policy with other Federal departments and agencies, State agencies, and the DoD Components, as appropriate.

(2) Establish DoD policy governing DSCA.

(b) The Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs (ASD(HD&ASA)),

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under the authority, direction, and control of the USD(P) shall:

(1) Serve as the principal civilian advisor to the Secretary of Defense and the USD(P) for DSCA.

(2) Serve as the Defense Domestic Crisis Manager.

(3) As delegated by the Secretary of Defense in accordance with DoD Directive 5111.13<sup>19</sup>, serve as approval authority for requests for assistance from civil authorities or qualifying entities sent to the Secretary of Defense, except for those items retained in § 185.4(j) and (o) of this part, or delegated to other officials. This authority may not be delegated further than the Principal Deputy Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs. When carrying out this authority, the ASD(HD&ASA) shall:

(i) Coordinate requests with the Chairman of the Joint Chiefs of Staff, the Commanders of the Combatant Commands with DSCA responsibilities in the matter, and Military Department Secretaries and other DoD officials as appropriate.

(ii) Immediately notify the Secretary of Defense of the use of this authority.

(4) Develop, coordinate, and oversee the implementation of DoD policy for DSCA plans and activities, including:

(i) Requests for assistance during domestic crises, emergencies, or civil disturbances.

(ii) Domestic consequence management.

(iii) Coordination or consultation, as appropriate, with the Department of Homeland Security and other Federal agencies on the development and validation of DSCA requirements.

(iv) DoD support for national special security events.

(v) DoD support for national and international sporting events, in accordance with section 2564 of title 10, U.S.C.

(vi) Direct the fullest appropriate dissemination of information relating to all aspects of DSCA, using all ap-

proved media and in accordance with DoD Directive 8320.02<sup>20</sup>.

(5) Exercise staff cognizance over DoD Directive 5525.5.

(c) The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict and Interdependent Capabilities, under the authority, direction, and control of the USD(P), shall support planning by the Defense Domestic Crisis Manager during DSCA operations, as required.

(d) The Under Secretary of Defense (Comptroller)/Chief Financial Officer shall:

(1) Establish policies and procedures to ensure timely reimbursement to the Department of Defense for reimbursable DSCA activities.

(2) Assist in management of statutory resources for DSCA in support of appropriate international and domestic sporting events.

(e) The Under Secretary of Defense for Personnel and Readiness (USD(P&R)) shall identify, monitor, and oversee the development of integrated DSCA training capabilities and the integration of these training capabilities into exercises and training to build, sustain, and assess DSCA readiness in accordance with DoD Directive 1322.18<sup>21</sup>.

(f) The Assistant Secretary of Defense for Health Affairs (ASD(HA)), under the authority, direction, and control of the USD(P&R), as the principal advisor to the Secretary of Defense for all DoD health policy shall:

(1) Provide guidance and support for all domestic crisis situations or emergencies that require health or medical-related DSCA to ASD(HD&ASA).

(2) Exercise authority in accordance with section 300hh-11 of title 42, U.S.C., and according to DoD Directive 6010.22<sup>22</sup>, for participation in the National Disaster Medical System.

<sup>19</sup> Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/511113p.pdf>.

<sup>20</sup> Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/832002p.pdf>.

<sup>21</sup> Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/132218p.pdf>.

<sup>22</sup> Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/601022p.pdf>.

(g) The Assistant Secretary of Defense for Reserve Affairs, under the authority, direction, and control of USD(P&R), shall provide recommendations, guidance, and support on the use of the Reserve Components to perform DSCA missions to ASD(HD&ASA).

(h) The Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) shall establish policies and procedures, in coordination with ASD(HD&ASA), to implement DSCA requirements for DoD Fire and Emergency Services programs and mutual or automatic aid that may be part of that program.

(i) The Heads of the DoD Components shall:

(1) Direct that any DSCA-related DoD issuances, concept plans, inter-agency agreements, and memorandums of understanding or agreement with external agencies are in full compliance with this part.

(2) Direct Component compliance with financial management guidance related to support provided for DSCA operations, including guidance related to tracking costs and seeking reimbursement.

(3) When approved by the Secretary of Defense, plan, program, and budget for DSCA capabilities in accordance with law, policy, and assigned missions.

(j) The Secretaries of the Military Departments in addition to the responsibilities in §185.5(i) of this part, shall:

(1) Establish the necessary policies and procedures to ensure the appropriate personnel are trained to execute DSCA plans as directed by the Secretary of Defense.

(2) Direct that requests for reimbursement of actual DSCA expenditures (performance of work or services, payments to contractors, or delivery from inventory) begin within 30 calendar days after the month in which performance occurred. Final billing invoices shall be submitted to supported departments and agencies within 90 calendar days of the termination of the supported event.

(k) The Chairman of the Joint Chiefs of Staff in addition to the responsibilities in §185.5(i) of this part, shall:

(1) Advise the Secretary of Defense on the effects of requests for DSCA on

national security and military readiness.

(2) Identify available resources for support in response to DSCA requests and release related orders when approved by the Secretary of Defense.

(3) Incorporate DSCA into joint training and exercise programs in consultation with the USD(P&R), the Chief, National Guard Bureau (NGB), and appropriate officials from the Department of Homeland Security and other appropriate Federal departments and agencies.

(4) Advocate for needed DSCA capabilities.

(1) The Commanders of Combatant Commands with DSCA responsibilities, in addition to the responsibilities in §185.5(i) of this part and in accordance with the Unified Command Plan shall:

(1) In coordination with the Chairman of the Joint Chiefs of Staff, plan and execute DSCA operations in their areas of responsibility in accordance with this part, the Unified Command Plan and the Global Force Management Implementation Guidance.

(2) In coordination with the Chairman of the Joint Chiefs of Staff, incorporate DSCA into joint training and exercise programs in consultation with the Department of Homeland Security, other appropriate Federal departments and agencies, and the NGB.

(3) Advocate for needed DSCA capabilities and requirements through the Joint Requirements Oversight Council, subject to §185.5(i) of this part, and the planning, programming, budgeting, and execution process.

(4) Work closely with subordinate commands to ensure that they are appropriately reimbursed for DSCA in accordance with §185.5(j) of this part.

(5) Exercise Training Readiness Oversight (TRO) over assigned Reserve Component forces when not on active duty or when on active duty for training in accordance with DoD Instruction 1215.06<sup>23</sup>.

(m) The Chief, NGB, under the authority, direction, and control of the Secretary of Defense, normally

<sup>23</sup> Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/121506p.pdf>.

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through the Secretary of the Army and the Secretary of the Air Force, shall:

(1) Serve as the channel of communications for all matters pertaining to the National Guard between DoD Components and the States in accordance with DoD Directive 5105.77<sup>24</sup>.

(2) Annually assess the readiness of the National Guard of the States to conduct DSCA activities and report on this assessment to the Secretaries of the Army and the Air Force; the USD(P&R), ASD(HD&ASA), and ASD(RA); and, through the Chairman of the Joint Chiefs of Staff, to the Secretary of Defense and appropriate Combatant Commanders.

(3) Report National Guard support of civil authorities or qualifying entities when using Federal resources, equipment, and/or funding to the NJOIC.

(4) Serve as an advisor to the Combatant Commanders on National Guard matters pertaining to the combatant command missions, and support planning and coordination for DSCA activities as requested by the Chairman of the Joint Chiefs of Staff or the Combatant Commanders.

(5) Ensure that National Guard appropriations are appropriately reimbursed for DSCA activities.

(6) Advocate for needed DSCA capabilities.

(7) Develop and promulgate, in accordance with DoD Directive 5105.77 and in coordination with the Secretaries of the Army and Air Force and the ASD(HD&ASA), guidance regarding this part as it relates to National Guard matters.

**SUBCHAPTERS J–K [RESERVED]**

<sup>24</sup>Available by downloading at <http://www.dtic.mil/whs/directives/corres/pdf/510577p.pdf>.