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RMHMA Newsletter

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New Command Shifts Thinking on Defense

By Jim Garamone
American Forces Press Service

Establishing U.S. Northern Command Oct. 1 shifts the way the U.S. military thinks about defending the United States, said the Department of Defense's point man on homeland security matters. Peter Verga, special assistant to the secretary of defense for homeland security, spoke during a speech at the Heritage Foundation Thursday, Sept. 26 about the mission of the new command and some of the effects NORTHCOM's rollout will have. He said starting the command is important because it places the defense of the United States under one combatant command. This ensures unity of effort with supporting commands and other combatant commanders. "When we dial 911 on the telephone, we do not expect to have to deal with nine different law enforcement agencies," Verga said. "We expect to deal with one person who will energize the necessary agencies and response." Verga differentiated between homeland security and homeland defense. He said homeland security is a concerted national effort to prevent terrorist attacks within the United States, reduce the United States' vulnerability to terrorism, and minimize damage and assist in recovery from terrorist attacks that do occur. DoD uses the term homeland defense to refer to protecting U.S. territory, population and critical defense infrastructure against external...

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Homeland Defense Training Conference Colorado Springs, Colorado

Three-day Training Conference and Grants Workshop
Tuesday - Wednesday - Thursday January 14, 15, 16, 2003
(Hotel site to be announced soon!)

About this conference

This administration will direct billions of dollars through federal and state agencies with the goal of improving America's ability to detect, respond, recover and reconstitute from terrorist attacks. Many of these improvements will directly assist state and local leaders as they also respond to national disasters and major industrial accidents. Funding will include pending funds from the First Responder Initiative now before congress. This \$3.5 billion dollar initiative will be focused at state and local needs for communications, emergency medical and first responders. America's 3,000 counties and 18,000 cities all have varying needs and requirements based on infrastructure and threat. An important element of planning is the development of regional agreements thus saving valuable resources by developing joint support agreements and response plans. This conference will examine...

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*****More Than Ever –We Must Work Together*****

With everything that has happened and the massive efforts we and the country are doing to prepare, train and equip our first responders, more than ever we need to work together. The walls of egos and "I'll do my own thing" have to disappear. We have to understand what it takes to respond to a major event and that resources required may include agencies outside your jurisdiction. The question should be apparent: how do they function, do they understand the Incident Command System, do they have the training and PPE needed to assist us? These are basic questions and should be considered, NOW!

With the Terrorist grant money coming down to the local communities, there couldn't be a better time to start working together with the boarding jurisdictions. Perhaps there are some you have never worked with. It's time to plan that exercise and ensure that there is an understanding as to roles and responsibilities and that they have PPE that keeps them as a resource for you. Trade information on their expertise and specialized resources they may have that could make a difference on whether or not you have a successful outcome to a major incident. Be a team, work together and strive for a continuity that is unsurpassed.

We need to cross boundaries and a great place to do that is reaching out and educate everyone you contact about the RMHMA. I have been a Deputy Sheriff for over 20 years and it wasn't until I was assigned to Emergency management and got involved with Hazmat and RMHMA did I realize the importance of understanding what the "Glow Boys" were all about. But, more than that, how can we support the Hazmat people and how do they support the other first responders? The RMHMA Conference is a great place to start that understanding and relationship. Let everyone you contact know that the conference is not just for HAZMAT folks, but everyone with an interest in surviving.

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***The President's Plan to Strengthen
Homeland Security***

The president's budget nearly doubles funding for a sustained strategy of homeland security, focused on four key areas: bioterrorism, emergency response, airport and border security, and Improved intelligence. Specifically: • \$3.5 billion, a 1,000-percent increase — for the nation's "first responders" — police, firefighters and emergency medical teams • \$11 billion for border security, a \$2 billion increase • Nearly \$6 billion to defend against bioterrorism • \$700 million to improve intelligence-gathering and information-sharing among agencies and throughout all levels of Government • \$230 million to create Citizen Corps to help communities be better prepared for a terrorist attack

SOURCE : White House Web site, www.whitehouse.gov

Northern Command Established in Colorado

By Jim Garamone

American Forces Press Service

Deputy Defense Secretary Paul Wolfowitz called the activation of U.S. Northern Command "historic" and said the new command is charged with "the momentous responsibility to help deter and defend against attacks on America's home soil." Wolfowitz and Chairman of the Joint Chiefs of Staff Air Force Gen. Richard Myers participated in the command's activation ceremony at Peterson Air Force U.S. Space Command. Some of the functions that unified command performed have merged with U.S. Strategic Command based at Offutt Air Force Base, Neb. Wolfowitz said the new command will focus aerospace, land and sea defenses, and provide critical support for U.S. civil authorities in times of national need. "In standing up Northern Command, we are effecting a real transformation — a transformation that will leave us better organized, better trained, and better prepared to meet the security environment that will define the 21st Century," he said. The deputy secretary said that Sept. 11... *continued on page 6*

New Command Shifts Thinking on Defense

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threats and aggression. This is important because under the rubric of homeland security DoD acts in support of a lead federal agency. In homeland defense, DoD takes the lead and is supported by other agencies. He said NORTHCOM's chief will act just as any other combatant commander — with orders from the president transmitted through the defense secretary. He will assume command in three instances. The first is the most obvious: In extraordinary circumstances — such as another Sept. 11 attack — NORTHCOM will act. This includes conducting operations like Combat Air Patrols and Maritime Defense Operations, and in cases where normal measures are insufficient to carry out federal functions.

The command will also act at the request of civil authorities under emergency circumstances, "such as responding to a terrorist attack, floods, hurricanes and such," he said. Finally, the command will act under temporary circumstances. An example of this is the support the department gave to the Olympic effort in Salt Lake City. Verga said the time is right for a combatant command for North America because the threat has changed. Sixty years of defending America by deterring aggressors overseas has ended. "Sept. 11 taught us that our people and territory are vulnerable to attack," he said.

The command gives undivided focus to the mission. For the first time, responsibility for defending the United States will be assigned to a single dedicated unified command, Verga said. The command will be able to plan, coordinate, exercise command and control of, and supervise the execution of federal military responses to external threats and aggression. This applies as well to emergency and extraordinary domestic circumstances where the secretary of defense has approved military support. Verga cautioned that the Oct. 1 date does not mean a fully developed capability. The new command will have an initial operating capability on that date. Plans call for the command to be fully operational by Oct. 1, 2003. He anticipates the command will go through growing pains as it focuses on the new mission. The change should affect other commands throughout the United States. U.S. Joint Forces Command, for example, will be able to better focus on its mission of being the joint-force provider and examining ways to transform the military.

The director for military support — currently an ad hoc office on the Army staff — will migrate first to the Joint Staff or the Office of the Secretary of Defense and then possibly to NORTHCOM as the command hits its stride.



Peter Verga, special assistant to the secretary of defense for homeland security

The Heritage Foundation

23rd Annual RMHMA Training & Education Seminar Update

Once again we are really looking forward to the upcoming Conference April 28—May 2, 2003. We expect a good turnout and some interesting speakers. As always, we are bringing this to you at a fantastic price. So sign up early to take advantage of our special early bird prices: \$200.00 for members by March 15th, 2003. Regular prices for members will be 250.00 and 400.00 for non-members. The conference will be in Colorado Springs, CO at the Doubletree Hotel, 1775 E. Cheyenne Mountain Boulevard. Be sure to call (719)576-8900 for reservations and not the 800 number. Call between 9am and 5pm and let them know your with the RMHMA.

Topics include: Street chemistry, Regulations on school chemicals, Radiological response, Monitoring Instruments, Crime Scenes, Drug labs and more.

See your 23rd Annual RMHMA Training & Education Seminar Brochure for more details, you should be getting one by the end of December or visit our website.

Homeland Defense Training Conference, continued from page 1

the development of strategies, requirements, solutions and plans at the regional, state and local levels. Federal agency support programs will also be examined. Other topics include:

- Report on federal and state grants to support homeland defense initiatives
- Grants workshop with tips, tools, lessons-learned
- Briefings by Northern Command on roles, mission and requirements
- Report from Capital Hill on pending legislation, funding and new programs
- Federal agency reports on roles at regional, state and local levels

Who Should Attend

- Regional, state and local emergency management executives and senior staff
- Federal and DoD managers with an assigned mission in homeland defense
- Industry executives with products and services that support homeland defense
- Trainers and instructors in emergency response
- State and local grants staff interested in updating their understanding of available grants and grants application techniques

Speakers Include

- Michael Paddock, President, Grants Office LLC. (Mr. Paddock will chair the Grants Workshop)
- Dr. Ron Segal, Director, Defense Research & Engineering (DDR&E) (invited)
- Mr. Stephen M. Sorett, Attorney at Law, Reed Smith, Washington, D.C. (Nationally recognized Grants law expert)
- Mr. Christopher L. Risetto, Partner, Reed Smith, Washington, D.C. (Nationally recognized Grants law expert)
- Jeff Goldberg, EMT-P, Emergency Management Advisor to the Director of Integrated Support Services, Library of Congress
- Eric Mason, Supervisory Special Agent, CALEA Implementation Section, FBI
- Mr. Robert E. Roberts, Regional Administrator, EPA
- Ms. C. Suzanne Mencer, Executive Director, Colorado Department of Public Safety
- Mr. David Maurstad, Regional Director, FEMA (Invited)
- Colorado Emergency Management Executives
- Congressional delegation for Colorado Springs
- DoD Office of Secretary of Defense
- Northern Command
- National Guard
- White House / Office of Homeland Security

Special Exhibit and Sponsor Opportunities Available. Call Cara Lombardi at 703-807-2743 for more information or clombardi@marketaccess.org.

NORTHCOM Under the Law

After Peter Verga, special assistant to the secretary of defense for homeland security, explained the mission of the new Northern Command to a roomful of reporters and guests at the Heritage Foundation Thursday, Sept. 6, many audience members asked how the Posse Comitatus Act (PCA) applied to NORTHCOM. Verga assured the audience that legal experts had been consulted and the establishment of the new command would in no way violate the act. In fact, the question has been asked so often that NORTHCOM has devoted a section of its Web site (www.northcom.mil) to explaining the act. The Posse Comitatus Act, Title 18 of the U.S. Code, Section 1385, states: "Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or Air Force as a posse comitatus or otherwise to execute the laws shall be fined under this title or imprisoned not more than two years, or both."

The Department of Defense Directive 5525.5 extended the PCA to the U.S. Navy and U.S. Marine Corps. According to the NORTHCOM site, PCA was enacted after the Civil War in response to the perceived misuse of federal troops who were charged with domestic law enforcement in the South. It has come to symbolize the separation of civilian affairs from military influence. The PCA applies to the uniformed services within Department of Defense — Army, Air Force, Navy, Marines. It does not apply to the U.S. Coast Guard, which falls under the Department of Transportation. However, Congress has enacted a number of exceptions to the PCA that allow the military, in certain situations, to assist civilian law enforcement agencies in enforcing the laws of the United States, such as the case with counter-drug assistance (Title 10 USC Sections 371-382). Other examples include:

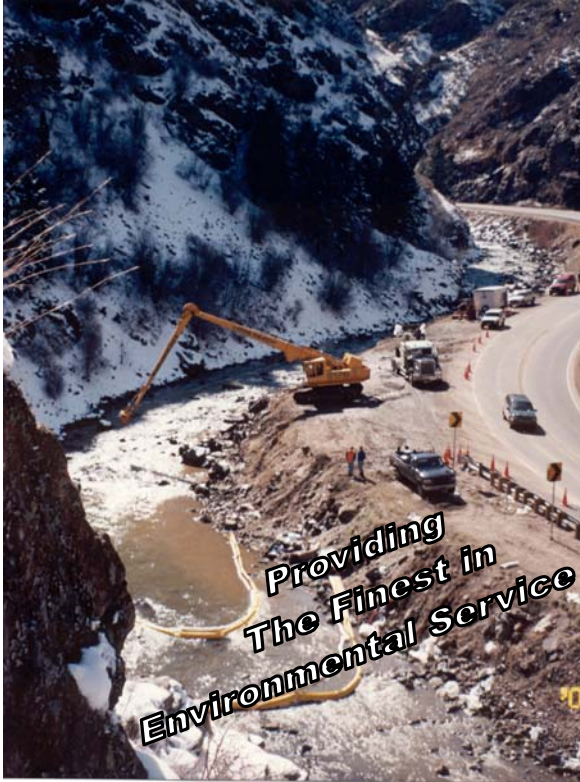
- The Insurrection Act (Title 10 USC Sections 331-334) — Under this act, the president is allowed to use U.S. military personnel at the request of the state legislature or governor to suppress insurrections. It also allows the president to use federal troops to enforce federal laws when rebellion against the authority of the United States makes it impracticable to enforce the laws of the nation.
- Assistance with crimes involving nuclear materials (Title 18 USC Section 831) — This statute permits DoD personnel to assist the Justice Department in enforcing prohibitions regarding nuclear materials, when the attorney general and secretary of defense jointly determine that an "emergency situation" exists that poses a serious threat to U.S. interests and is beyond the capability of civilian law enforcement agencies.
- Emergency situations involving chemical or biological weapons of mass destruction (Title 10 USC Section 382) — When the attorney general and secretary of defense jointly determine that an "emergency situation" exists that poses a serious threat to U.S. interests and is beyond the capability of civilian law enforcement agencies, DoD personnel may assist the Justice Department in enforcing prohibitions regarding biological. According to the NORTHCOM Web site, the PCA generally prohibits U.S. military personnel from interdicting vehicles, vessels and aircraft; conducting surveillance, searches, pursuit and seizures; or making arrests on behalf of civilian law enforcement authorities. Prohibiting direct military involvement in law enforcement is in keeping with longstanding U.S. law and policy limiting the military's role in domestic affairs. Department in enforcing prohibitions regarding biological or chemical weapons of mass destruction. Military support to civilian law enforcement is carried out in strict compliance with the Constitution and U.S. laws and under the direction of the president and secretary of defense.

Northern Command Established in Colorado

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has taken its place alongside Dec. 7 as a date that will live in infamy. But both events have their lessons for the United States. "The larger lesson we may draw from these attacks remains unchanged and clear: We must be prepared for surprise — from wherever it may appear and however it may threaten," he said. The United States must now be prepared for attacks on the United States and its people. The new command will help plan for these contingencies. During World War II, Wolfowitz said, the term "home front" dealt with U.S. citizens who worked to build the equipment and supplies for U.S. forces and their allies to fight overseas. The home front today is an actual battlefield, he said. While U.S. forces will continue to defend the United States in places like Afghanistan, other forces must concentrate on preventing more attacks from being launched against the United States. Wolfowitz said the men and women of the new command have a big job ahead of them, but that they are up to the challenge. "There is no question that each one of you here will help shape America's future," he said. "Each one of you here will help America and her allies win this war. And let there be no doubt — we will win this war."

Homeland Defense Journal—October 9, 2002



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The Rocky Mountain Hazardous Materials Association (RMHMA) draws upon the experience and expertise available from the public, industry, emergency response and regulatory agencies involved in the manufacturing, storage, transportation, disposal and public safety activities associated with hazardous materials. The RMHMA is committed to providing opportunities for these groups and individuals to exchange information and share experiences in an open and amiable form for the benefit of all.

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FYI - Board meetings are held monthly and are open to members, check out our web site for dates & locations!