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CANADA COMMAND

AND

UNITED STATES NORTHERN COMMAND

25 January 2012

CANADA – U.S. CIVIL ASSISTANCE PLAN (CAP)

CANUS CAP-12

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SUBJECT: CANADA – U.S. (CANUS) CIVIL ASSISTANCE PLAN (CAP)
LETTER OF TRANSMITTAL

SEE DISTRIBUTION (Annex Z)

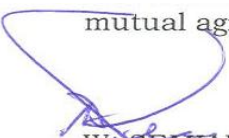
1. This bilateral plan provides a framework for military forces of one nation to support military forces of the other nation that are providing military support of civil authorities.

2. The focus of this document is the unique, bilateral military planning considerations required to align our respective national military plans to respond quickly to national requests for military support of civil authorities. Nothing in this plan prevents either nation from responding unilaterally; rather, this plan will facilitate unity of effort, if and when requests for bilateral support are received.

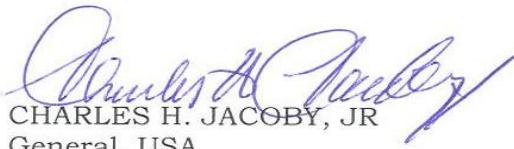
3. Commander, Canada Command (COM) and Commander, United States Northern Command (CDRUSNORTHCOM) are the designated planning agents of this plan and are responsible for the production of the CAP in synchronization with the Canada-U.S. Combined Defense Plan (CDP) and NORAD plans.

4. The Chief of the Defence Staff (CDS) shall review for approval and endorse this plan on behalf of the Canadian Forces (CF). The Chairman of the Joint Chiefs of Staff (CJCS) shall review and recommend approval of this plan to the Secretary of Defense (SecDef), on behalf of the United States Government (USG).

5. This plan shall come into effect when signed by Commander, Canada COM and CDRUSNORTHCOM and will remain in effect unless amended by their mutual agreement.



W. SEMIANIW
Lieutenant-General, CF
Commander,
Canada Command



CHARLES H. JACOBY, JR
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CANADA – U.S. CIVIL ASSISTANCE PLAN (CAP)
SECURITY INSTRUCTIONS AND RECORD OF CHANGES

1. Plan Title

a. Long Title: CANADA – UNITED STATES CIVIL ASSISTANCE PLAN, 2011

b. Short Title: CANUS CAP-11

2. This plan is Unclassified, For Official Use Only (FOUO).

RECORD OF CHANGES

<u>CHANGE NUMBER</u>	<u>COPY NUMBER</u>	<u>DATE OF CHANGE</u>	<u>DATE POSTED</u>	<u>POSTED BY</u>

//signed//
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Lieutenant-General, CF
Commander,
Canada Command

//signed//
CHARLES H. JACOBY, JR
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CANADA – U.S. CIVIL ASSISTANCE PLAN (CAP)
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CANADA - U.S. CIVIL ASSISTANCE PLAN (CAP)
BASIC PLAN

References: See Annex W

1. Situation

a. General. The purpose of the Canada-United States Civil Assistance Plan (CAP) is to provide a framework for the military of one nation to provide support to the military of the other nation while in the performance of civil support operations to the primary agency (e.g., floods, forest fires, hurricanes, earthquakes, and effects of a terrorist attack).

(1) Should resources be identified outside the capabilities of each nations' military, requests for civilian agency support would require Government of Canada (GoC) or U.S. Government (USG) approval. Support covered under this plan will only be provided when agreed to by appropriate authorities in both the GoC and the USG. When approved, military forces from one nation augment the other nation's forces in civil support operations.

(2) Military support under this plan is not provided directly to law enforcement agencies, but rather to the other nation's military. Support to law enforcement operations will only be considered as part of military-to-military support to civil support operations; typically, restricted to logistical and other means of indirect assistance unless coordinated and approved by both nations' governments prior to mission execution. One nation's military will never be directly in support of the other nation's law enforcement agencies. GoC and USG approval will clearly delineate command relationships to ensure any military support to a nation's law enforcement operations is under the control of that nation's military commander.

(3) Guidance and direction to develop this plan is derived from Ref 1f. This bilateral plan may be used alone, or concurrent with the Canada-U.S. Combined Defense Plan or other national, bi-national or bi-lateral plans. The Commander, Canada COM and CDRUSNORTHCOM are the designated planning agents for the development of this plan.

b. Federal Coordination of Emergency Response. The Canadian Department of Foreign Affairs and International Trade (DFAIT), acting on behalf of the GoC, and the U.S. Department of State (DOS), acting on behalf of the

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USG, will, upon receipt of a formal request for, or offer of mutual assistance, coordinate an agreed upon bilateral response with the appropriate government agency that may include military support.

(1) Coordination of military support of civilian authorities will take into account existing government to government agreements, which may include the bi-national NORAD Agreement and/or regional State/Provincial agreements. The supported nation's military will coordinate the provision of all military support to their civil authorities.

(2) In the United States, coordination of foreign assistance for a disaster is conducted per the International Assistance System Concept of Operations.

c. Area of Responsibility (AOR). The geographic AOR includes North America, the Gulf of Mexico, the Straits of Florida; the Caribbean region inclusive of the U.S. Virgin Islands, British Virgin Islands, Puerto Rico, the Bahamas, and Turks and Caicos Islands, including each nation's territorial seas; and the maritime approaches to North America.

d. Opposing Force. Opposing forces are not expected during the conduct of operations described in this plan. However, when planning and conducting operations where the military forces of one nation are supporting the military forces of the other nation while they conduct civil support operations, commanders should consider operational security (OPSEC) along with the following anti-terrorism/force protection (AT/FP) issues: (1) Terrorists organizations could conduct operations against the Canadian or U.S. force, or in the civil support operations area; (2) State/provincial and local police capabilities could be severely degraded in the area of operations, allowing a corresponding rise in criminal activity that could affect the Canadian or U.S. force; and (3) Environmental factors ranging from weather to contamination and disease could significantly affect the Canadian or U.S. forces.

e. Friendly

(1) CANADA

(a) The Department of Foreign Affairs and International Trade (DFAIT). DFAIT is responsible on behalf of the GoC for facilitating requests for international assistance.

(b) Public Safety Canada (PS). The Minister of Public Safety is assigned primary responsibility within the GoC to coordinate the federal response in crisis and consequence management situations within Canada.

(c) Department of National Defence (DND) / Canadian Forces (CF). The CF may, upon request, provide support to PS, other federal departments and agencies, provincial/territorial and municipal authorities pursuant to the National Defence Act (NDA), or other legal authority. Commander, Canada COM is the responsible CF operational commander within the Canada COM AOR defined as Canada, the contiguous United States, Alaska, Mexico, and the maritime approaches to North America.

(2) UNITED STATES

(a) Department of State (DOS). The Department of State is responsible for coordinating with other nations for disaster assistance, including military assistance. (Ref 3l).

(b) Department of Homeland Security (DHS). The Secretary of DHS is the principal federal official (PFO) responsible for U.S. domestic incident management. As a component of DHS, the Federal Emergency Management Agency (FEMA) is responsible for leading and supporting a risk-based, comprehensive emergency management system of preparedness, protection, response, recovery and mitigation to reduce the loss of life and property and protect the U.S. from all hazards.

(c) Department of Defense (DOD). In accordance with the National Response Framework (Ref 3k) DOD may, upon request, provide support to DHS and other federal agencies for domestic Defense Support of Civil Authorities (DSCA). Upon SecDef approval, CDRUSNORTHCOM is the supported combatant commander with responsibility to coordinate defense support to federal agencies within the portion of the United States that lies within CDRUSNORTHCOM's AOR.

f. Assumptions

(1) Requirements for military support of civilian authorities could be fulfilled by either nation's military. However, the nation providing cross-border military support will not fulfill these requirements directly to the other nation's civilian authorities, but rather to the other nation's military who in turn supports that nation's civil authorities.

(2) Operations will typically occur in a permissive environment.

g. Legal Considerations. The United States and Canada are Parties to the North Atlantic Treaty Organization (NATO) Status of Forces Agreement (SOFA), dated August 23, 1953. Additional applicable laws of particular note include those regarding the provision of health care to another nation's citizens, military or civilian, and the standards and practice of professional engineering which are usually governed by provinces and states.

(1) Military Emergency Response

(a). Canadian Forces (CF). In Canada, as per Standing Operations Order for Domestic Operations (SOODO) (Ref 2i), local commanders up to and including those in Regional Joint Task Force Commands (RJTF) are expected to respond promptly to a request for humanitarian assistance, within their approval authority, by providing an immediate CF response to an emergency to save lives, prevent human suffering, or mitigate property damage. However, for foreign assistance, the GoC must approve the request.

(b). U.S. Armed Forces. In emergency situations the SecDef can provide foreign disaster assistance in order to save human lives where there is not sufficient time to seek the prior initial concurrence of the Secretary of State. The SecDef shall advise, and seek the concurrence of the Secretary of State as soon as practicable thereafter (Ref 3b).

(2) U.S. Foreign Consequence Management versus U.S. Foreign Disaster Assistance

(a) At the direction of the President, the USG may provide FCM assistance to a host nation (HN), either at the request of the HN, or upon HN acceptance of a USG offer of assistance. Unless otherwise directed by the President, the Department of State (DOS) is the lead agency for coordinating USG FCM operations. When requested by DOS and directed by SecDef, DOD shall support DOS in FCM operations. Per Ref 4g, foreign consequence management is defined as “USG activities to assist friends and allies with preparing for and responding to a chemical, biological, radiological, or nuclear incident that occurs on foreign soil in order to mitigate human casualties and to provide temporary associated essential services.”

(b) When directed by POTUS or SecDef, and as requested by DOS/USAID, DOD provides foreign disaster assistance in support of DOS/USAID. USAID is the lead agency. Per Ref 3b, foreign humanitarian assistance is the DOD activity, normally in support of the United States Agency for International Development (USAID) or DOS, conducted outside the United States, its territories, and possessions. Foreign disaster relief is the prompt aid that can be used to alleviate the suffering of foreign disaster victims. Normally it includes humanitarian services and transportation; the provision of food, clothing, medicine, beds, and bedding; temporary shelter and housing; the furnishing of medical materiel and medical and technical personnel; and making repairs to essential services.

(3) Use of Force

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(a) There are no pre-approved standing CANUS rules of engagement (ROE) or rules for the use of force (RUF) for any CANUS missions under the CAP. The mission-specific ROE/RUF required for execution of the CANUS civil assistance mission must be established and approved through a separate U.S. and Canadian approval process consistent with national policy and law. Mission-specific ROE/RUF will be established in respective national operation/execute orders and will be coordinated between Canada and the U.S. to the extent possible. Separate Canadian and U.S. rules on the use of force in individual, unit, and collective self-defense may also be included in the mission-specific ROE/RUF or may remain as stated in standing Canadian or U.S. national policy or law. Forces from one nation deployed to support the forces of the other nation will at all times respect the laws of the supported nation. ROE/RUF guidance will require close coordination between the respective Canadian and U.S. military chains of command and SJAs/legal advisors at all levels.

(b) CF Rules of Engagement (ROE). ROE, if required, will be requested by the Canadian commander and authorized in accordance with B-GJ-005-501/FP-001 CFJP-5.1 Use of Force for CF Operations, Aug 2008.

(c) U.S. Standing Rules of Engagement (SROE) and Standing Rules for Use of Force (SRUF) for DOD forces. Implementation guidance on the application of the SROE and SRUF to a CANUS civil assistance mission and the procedures to request additional supplemental ROE or mission-specific RUF is contained in Ref 4d and will be included in mission-specific execution orders. DOD forces will be trained on the SROE/SRUF, as applicable, before employment.

(4) Right of Self Defense

(a) Canadian Forces. In accordance with both international and Canadian domestic laws, CF personnel are entitled to use force in self-defense to protect themselves; other members of the CF; and non-Canadian military personnel who are attached or seconded to a Canadian force against a hostile act or hostile intent (Ref 2c).

(b) U.S. Forces. U.S. unit commanders always retain the inherent right and obligation under SROE/SRUF, as applicable, to exercise unit self-defense in response to a hostile act or demonstrated hostile intent (Ref 4d). U.S. forces may defend other non-DOD person in certain circumstances specified in the SROE/SRUF.

(5) Cross-Border Movement of Land Forces.

(a) When drafting the request for cross-border movement of forces, if there is a requirement for weapons and ammunition, the number and

types of weapons and whether the ammunitions will be carried must be included in the request. If approved, procedures will be agreed upon and follow the Defense Transportation Regulations for movement of conventional arms, ammunitions and explosives.

(c) United States. Refer to USNORTHCOM Instruction 10-222 (17 FEB 10) regarding the execution of FP responsibilities by U.S. forces deployed in support of this plan.

1 Arming of U.S. forces, for other than combined Canadian-U.S. exercises, is authorized only upon receipt of SecDef approval delegating arming authority to CDR USNORTHCOM for the duration of the mission.

2 When directed by CDRUSNORTHCOM, units may deploy to the designated deployment area, with individual service weapons and ammunition stored in containers (both weapons and ammunition stored). Unit commanders are responsible to ensure weapons and ammunition are adequately stored and physically secured at the site of their deployment. Units will not deploy with crew-served weapons or heavy weapons, unless directed by CDRUSNORTHCOM.

3 Privately owned weapons and ammunition are prohibited unless and until authorized by the SecDef via CDRUSNORTHCOM. However, DOD personnel providing security for stored weapons and ammunition may carry their assigned service weapons specifically to perform security duties over the stored weapons and will adhere to the rules for the use of force set forth in CJCSI 3121.01B, Standing Rules of Engagement/Standing Rules for Use of Force for U.S. Forces.

2. Mission. When directed by the GoC and the U.S. President or SecDef, the commander(s) of designated Canadian and U.S. military forces will provide support to the other nation's military force that are engaged in civil support operations in order to save lives, prevent human suffering and mitigate damage to property.

3. Execution

a. Concept of Operations

(1) Commanders' Intent. A timely response to a federal request for military assistance in a national or cross-border civil emergency will be critical to save lives, reduce human suffering and mitigate damage to public property. The role of the military in civil emergencies is to provide support to Primary Agencies and first responders. As such, it is essential that Canadian and U.S. military forces work closely in support of federal authorities to coordinate

national and bilateral civil support when requested and authorized. As the nature of every emergency situation will be unique, Canadian and U.S. military forces must maintain a flexible, adaptive approach that supports rapid decision-making and a collaborative response to requests for bilateral support. The key to success will be the mechanisms used to coordinate this support in an emergency. Thus, the establishment, maintenance, and regular exercise of bilateral coordination mechanisms are the principal requirements of this plan.

(2) Concept for the Military Forces of one Nation to Support the Military Forces of the other that are engaged in Civil Support Operations. Close coordination and synchronization with the respective lead federal agencies responsible for national and international crisis and consequence response is essential to the provision of effective support. DHS is principally responsible for the coordination of a response to a US domestic incident. PS is assigned primary responsibility to coordinate the federal response in crisis and consequence management situations within Canada. Responsibility for the detailed coordination of a Canadian response to a U.S. incident will depend upon the nature, severity and location of the incident; DFAIT and PS are the designated coordination agencies with the lead among departments determined on a case-specific basis. DOS and DHS will coordinate the provision of a U.S. response to a Canadian incident. DFAIT and DOS provide the formal diplomatic mechanism for requests, offers and acceptance of bilateral assistance on behalf of their respective Governments.

(3) In concert with and in support of these diplomatic efforts, the CF, represented by Commander, Canada COM, and the U.S. Armed Forces, represented by CDRUSNORTHCOM, will develop potential options for the military forces of one nation to support the military forces of the other nation that are engaged in civil support operations, subject to direction from the Chief of the Defence Staff (CDS) and SecDef respectively. In Canada, Comd Canada COM will present military options to the CDS, who will subsequently present options and seek the approval of the Government of Canada to deploy military forces to the United States. In the United States, CDRUSNORTHCOM will present military options to the SecDef who will subsequently seek the approval of the President to deploy military forces to Canada.

(4) Interagency coordination and integrated planning with all mission partners facilitates execution of this plan. USNORTHCOM and Canada COM are responsible for scenario planning to further interagency coordination with DHS, PS and other mission partners as appropriate.

(5) Civil Support operations described in this plan will be conducted in accordance with the host nation's civil support plan(s).

b. End State. Successful completion of civil support missions where the support of the other nation's forces is no longer deemed required by national authorities.

(1) A cooperative and well-coordinated timely response to national requests for military assistance in relation to natural disasters or other major emergencies in Canada or the United States.

(2) Forces have completed all assigned missions and redeployment is complete.

c. Tasks to Commanders Supporting the CAP

(1) Commander, Canada Command (Comd Canada COM)

(a) Maintain situational awareness and information sharing with CDRUSNORTHCOM.

(b) Coordinate planning for the possible employment of U.S. forces in support of Canada Command's support of civil authorities in Canada.

(c) On order, coordinate the provision of CF assistance to designated U.S. Armed Forces conducting DSCA in the United States.

(d) On order, task subordinate commanders to support U.S. forces engaged in USNORTHCOM DSCA operations in the United States.

(e) Maintain national procedures to coordinate requests for U.S. military forces and integrate those forces into Canada COM operations in support of civil authorities in Canada.

(f) Conduct a review of this plan as required or at a minimum every two years to address changes in process and capabilities, and to incorporate lessons learned from pre-planned and short-notice support or from exercise.

(g) Plan and conduct combined exercises in support of this plan.

(2) Commander, U.S. Northern Command (CDRUSNORTHCOM)

(a) Maintain situational awareness and information sharing with the Commander, Canada COM.

(b) Coordinate planning for the possible employment of Canadian forces in support of USNORTHCOM's support of primary civil agencies in the United States.

(c) On order, coordinate the provision of U.S. Armed Forces assistance to designated Canadian forces conducting support of civil authorities in Canada.

(d) When directed by the SecDef, task supporting commanders to provide forces and resources to support Canadian forces engaged in civil support operations.

(e) Request forces and resources via a Request for Forces to the U.S. Joint Staff.

(f) Maintain national military procedures to coordinate requests for and integrate Canadian forces in DSCA operations in the United States.

(g) Conduct a review of this plan as required or at a minimum every two years to address changes in process and capabilities, and to incorporate lessons learned from pre-planned and short-notice support or from exercise.

(h) Plan and conduct combined exercises in support of this plan.

d. Coordinating Instructions

(1) Implementation. This plan is effective for planning upon receipt.

(2) Liaison and Planning. Direct liaison is authorized (DIRLAUTH) between the militaries of both nations for planning, information sharing and situational awareness. The state Governors and provincial authorities in the Pacific Northwest and Northeastern regions have established mutual aid compacts for cross-border emergency support to save lives, prevent human suffering, and reduce great property damage. Every effort should be made to maintain situational awareness of these existing bilateral civilian regional planning groups to ensure support to the other nation's forces is effective and efficient.

(3) Execution Authority. Execution authority of the planning process rests with Commanders Canada COM and USNORTHCOM.

(4) Situational Awareness. Both nations will take advantage of existing communications infrastructure to maintain situational awareness required to plan for bilateral support and will share information to the maximum extent allowed by national laws, agreements, and policy. Both nations will also continue to assess and strengthen communications infrastructure effectiveness and relevance in executing this plan.

(5) Training. In accordance with international agreements and implementing procedures, cross-border movement of military resources is authorized for training and exercises in preparation for bilateral military-to-military civil support. Activities in support of civil authorities beyond the scope of this plan will require mission specific training to be conducted prior to employment.

4. Administration and Logistics

a. Concept of Support. Each nation will be responsible for providing support to its own forces. However, where and when it is feasible, every effort should be made to use existing mutual support agreements, memoranda of understanding, and implementing arrangements to support and sustain Canadian and U.S. military forces. Military planners will submit their transportation requirements through respective national channels for determination of which agreements/programs will be used to provide the necessary support. Key support issues including financial cost capturing, materiel matters (procurement, consumption, loss, destruction, donation), real property issues, and personnel administration and casualty support are expanded upon in their respective Annexes.

5. Command and Control

a. Command

(1) Command Relationships. Bilateral support described in this plan will occur under existing structures and command authorities. Command relationships for supporting forces will be defined based on the circumstances of the operation and delineated in respective national operation and execution orders.

(a) Canada. Comd Canada COM exercises operational command (OPCOM) of CF forces assigned by the CDS for the purposes of coordinating assistance to civil authorities. Regional Joint Task Force Commanders (RJTF Comds) exercise OPCON of forces assigned by Comd Canada COM for the execution of an operation. In Canada, OPCOM is the authority granted to a commander to assign missions or tasks to subordinate commanders, to deploy units, to reassign forces, and to retain or delegate operational/tactical command or control as may be deemed necessary. OPCON

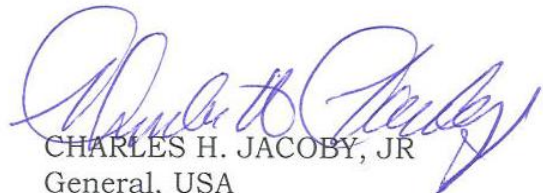
is the authority delegated to a commander to direct forces assigned so that the commander may accomplish specific missions or tasks that are usually limited by function, time, or location; to deploy units concerned and to retain or assign tactical control of those units. If the requirement develops for separate employment, the higher commander must approve the change. (Ref 2y).

(b) United States. CDRUSNORTHCOM exercises command and control of allocated forces as specified by SecDef. In the United States, OPCON is command authority that may be exercised by commanders at any echelon at or below the level of combatant command. OPCON is inherent in combatant command (command authority) and may be delegated within the command. (Ref 4jj).

b. Command, Control, Communication and Computer (C4) Systems. As directed by the BDD, Canada COM and USNORTHCOM will ensure network-enabled capabilities to enhance information sharing, collaborative planning and rapid decision making to support bilateral operations described in this plan.



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Annexes

A -- Task Organization

C -- Operations

Appendix 1 - Canadian and U.S. Specialized Military Capabilities

Appendix 2 - Canadian and U.S. Disaster Operations

Appendix 3 - Canadian and U.S. Regional Emergency Management

D -- Logistics and Engineering

Appendix 1 – Levels of Supply by Class

E -- Personnel

Appendix 1 - Legal

Appendix 2 - Chaplain Services

F -- Public Affairs

J -- Command Relationships

K -- Communications and Information Systems

M -- Geospatial Information and Services

Q -- Medical

W -- References

Y -- Acronyms

Z -- Distribution

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ANNEX A TO CANADA – U.S. CIVIL ASSISTANCE PLAN (CAP)
TASK ORGANIZATION

1. Forces

a. Specific force requirements and service composition will be determined by force availability, type and degree of severity, duration, and location(s) of foreign disaster or CBRN incident and capabilities requested. Potential organizations providing support are listed below.

b. Commander, Canada COM, when directed by the CDS, may direct a Joint Task Force (JTF) to provide support to U.S. forces conducting DSCA.

c. CDRUSNORTHCOM, when directed by the SecDef, may activate a JTF to provide support to CF conducting civil support operations.

2. Task Force Planning

a. Canada COM. On the declaration of a national rapid response contingency operation, as defined in the Canada COM Direction for Domestic Operations (CCDDO), Comd Canada COM will assume OPCOM of forces pre-assigned for such operations in Canada.

b. If the USG desires Canadian military assistance for a disaster within the U.S., DOS will request assistance, on behalf of DHS, from Canada through the DFAIT. Requests received by DFAIT (or Canadian offers of military assistance to the U.S.) will be coordinated with the Canadian Minister of Foreign Affairs, and/or the Canadian Minister of Public Safety and the Canadian Minister of National Defence (MND) and then through the CDS to be executed by Canada COM.

c. USNORTHCOM. Response forces are not dedicated to CDRUSNORTHCOM for use prior to SecDef approval and direction. If the GoC desires assistance for military support of civil authorities in Canada, DFAIT will request military support from DOS. DOD will then receive a Request For Assistance (RFA) from the DOS to provide the requested support. Upon SecDef approval of the RFA, CDRUSNORTHCOM receives OPCON of designated forces to provide support to the CF. Requests received by the DOS (or U.S. offers of

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military assistance to Canada) will be coordinated through the SecDef and executed by CDRUSNORTHCOM.

d. Canada COM and USNORTHCOM will plan and coordinate the use of national military capabilities during all phases of this plan.

e. Actual forces received depend upon:

- (1) Scope of mission.
- (2) Threat during deployment, employment, and redeployment.
- (3) Reaction time.
- (4) Geographic location, size, and nature of the situation.
- (5) Special requirements, e.g. equipment, training, or technical expertise.
- (6) Availability and readiness of forces.
- (7) Other worldwide commitments.
- (8) Required force protection conditions (FPCONs).

f. Supporting forces will normally be under the NATO tactical control (TACON) of the supported commander without relinquishing national command authority. Detailed discussion of command relationships is in Annex J.

CANADIAN ORGANIZATIONS

Canada Command Subordinate Commands

<u>ORGANIZATION</u>	<u>COMMANDER</u>
Joint Task Force Pacific	Comd, JTFP
Joint Task Force West	Comd, JTFW
Joint Task Force Central	Comd, JTFC
Joint Task Force East	Comd, JTFE
Joint Task Force Atlantic	Comd, JTFA
Joint Task Force North	Comd, JTFN
Combined Force Air Component Commander	CFACC

Supporting Commands

<u>ORGANIZATION</u>	<u>COMMANDER</u>
Canadian Expeditionary Force Command	Comd CEFCOM
Canadian Special Operations Forces Command	Comd CANSOFCOM

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Canadian Operational Support Command	Comd CANOSCOM
Chief of the Maritime Staff	CMS
Chief of the Land Staff	CLS
Chief of the Air Staff	CAS

UNITED STATES ORGANIZATIONS

USNORTHCOM Components

ORGANIZATION

COMMANDER

Air Forces North	CDRAFNORTH
U.S. Army North	CDRARNORTH
U.S. Marine Forces North	COMMARFORNORTH

USNORTHCOM Subordinate Commands

ORGANIZATION

COMMANDER

Joint Task Force – Alaska (Will be activated by USNORTHCOM for specific missions)	CDR JTF-AK
Joint Task Force – Civil Support	CDR JTF-CS
Joint Force Headquarters – National Capital Region	CDR JFHQ-NCR
Joint Task Force – North	CDR JTF-N

Supporting Commands & Organizations

ORGANIZATION

COMMANDER

U.S. Fleet Forces Command	COMUSFF
U.S. Joint Forces Command	CDRUSJFCOM
U.S. Pacific Command	CDRUSPACOM
U.S. Special Operations Command	CDRUSSOCOM
U.S. Strategic Command	CDRUSSTRATCOM
U.S. Transportation Command	CDRUSTRANSCOM
National Guard Bureau	NGB

//signed//
W. SEMIANIW
Lieutenant-General, CF
Commander,
Canada Command

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ANNEX C TO CANADA - U.S. CIVIL ASSISTANCE PLAN (CAP)
OPERATIONS

References: See Annex W.

1. General

a. Purpose. This annex provides guidance for the military of one nation to provide support to the military of the other nation in the performance of civil support operations.

b. Definitions

(1) Supporting Commander. A commander who provides forces and other support to a supported commander.

(2) Supporting Force. The military force that is conducting a mission in support of another nation's supported commander.

(3) Supported Commander. The commander having primary responsibility for all aspects of an operation.

(4) Supported Force. The primary military force that is conducting operations.

c. Bilateral and Canada COM/USNORTHCOM or NORAD Plans

(1) Canada-U.S. Basic Defense Document (BDD)

(2) Canada-U.S. Combined Defense Plan (CDP) – DRAFT

(3) Canada-U.S. Combined Counter Terrorism Defense Plan

(3) NORAD CONPLAN 3310 (Aerospace Warning, Aerospace Control and Maritime Warning for North America)

(4) Standing Operations Order for Domestic Operations (SOODO)

(5) Canada COM CONPLAN LASER (Pandemic Influenza)

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(6) Canada COM Major Air Disaster Plan (MAJAID)

(7) Canadian Forces (CF) CONPLAN PANORAMA (CF response to a catastrophic earthquake off the west coast of Canada)

(8) Canada COM CONPLAN UNIFY (Canada COM support to USNORTHCOM hurricane relief effort)

(9) USNORTHCOM CONPLAN 3500 (CBRN Response)

(10) USNORTHCOM CONPLAN 3405 (DOD Nuclear Weapon Incident Response)

(11) USNORTHCOM CONPLAN3501 (DSCA)

(12) USNORTHCOM CONPLAN 3591 (Pandemic Influenza)

2. Mission. When directed by the GoC and the U.S. President or SecDef, the commander(s) of designated Canadian and U.S. military forces will provide support to the other nation's military force that are engaged in civil support operations in order to save lives, prevent human suffering and mitigate damage to property.

3. Execution

a. End State. Successful completion of civil support missions where the support of the other nation's forces is no longer deemed required by national authorities.

(1) A cooperative and well-coordinated timely response to national requests for military assistance in relation to natural disasters or other major emergencies in Canada or the United States.

(2) Forces have completed all assigned missions and redeployment is complete.

b. Concept of Operations. This is a six phase plan.

(1) Phase 0, Shape. Phase 0 involves continuous situational awareness and preparedness for military support to the other nation's forces conducting civil support operations. Actions in this phase include planning, inter-agency coordination and exercises, information sharing, and public affairs outreach.

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(2) Phase I, Situation Assessment and Preparation. Phase I begins with the identification of a potential mission to support the other nation's forces, or when directed by respective governments. Canada COM J3 Plans and USNORTHCOM Future Operations Center and/or Future Plans Center collaborate to develop and present courses of action for the forces of one nation to support the forces of the other. Military planning and preparations for potential responses should not be delayed while awaiting formal diplomatic authority to respond. The phase ends with the exchange of diplomatic notes between the two nations to provide support to the other nation's military that is engaged in civil support operations.

(a) Potential Phase I Triggers

- 1 Natural disaster or incident.
- 2 Identification of a potential bilateral military support mission, national requests or offers of assistance, or when directed by respective governments.
- 3 Canadian declaration of a national emergency.
- 4 Presidential disaster declaration.

(b) Potential Phase I Major Actions

1 Canadian MND and U.S. SecDef communication through the Canadian Strategic Joint Staff (SJS) and the U.S. Joint Staff (JS) for situational awareness and to assess potential for the military of one nation to support the military of the other engaged in civil support operations.

2 Canada COM J3 Plans and USNORTHCOM Future Operations Center and/or Future Plans Center collaboration for the development of bilateral military COAs. Collaboration may include the following:

- a Identify force capabilities for potential response.
- b Identify resources (rations, medical items, tents, cots, etc.) for potential response and repositioning.
- c Designation of primary and alternate military installations for use as staging bases.
- d Joint Reception, Staging, Onward Movement and Integration (JRSOI) locations are identified.

3 Presentation of coordinated bilateral military COAs in support of nationally led relief efforts.

a Canada COM to CDS to MND.

b USNORTHCOM to the SecDef through the JS.

4 Coordination with the interagency community for a mutually supporting response.

5 Establishment of Common Operating Picture (COP) with all involved commands and agencies.

6 Establishment of Common Support Operations Picture between lead military support agencies designated by Commander, Canada COM and CDRUSNORTHCOM and support agencies of both nations with attention to the logistics and administration associated with mounting, deploying, sustaining, and redeploying combined forces.

7 Publishing of appropriate orders.

(3) Phase II, Deployment. Phase II begins with the deployment of the initial response force and or logistical support as directed by respective governments. This phase ends when Supporting Forces are in position and are prepared to conduct assigned missions.

(a) Potential Phase II Trigger. Authority through an exchange of diplomatic notes between the Canadian Department of Foreign Affairs and International Trade and the U.S. Department of State to provide military support to the other nation's military engaged in civil support operations.

(b) Potential Phase II Major Actions. Employment of Command and Control (C2) elements, deployment of assigned forces, and assignment of Operations / JOA.

(4) Phase III, Employment. Phase III begins with the conduct of operations in accordance with national level military civil support plans or directives. The phase ends with the determination that the support of the other nation's military forces is no longer deemed required.

(5) Phase IV, Stabilize. Phase IV begins with the formal implementation of the transition plan for those tasks and responsibilities being accomplished by the support of the other nation's military. The GoC and USG

direct cessation of bilateral military support. This phase ends when the supported nation's military has established sufficient capability and has assumed full responsibilities for the support to civil authorities.

(6) Phase V, Redeployment. Phase V begins with the redeployment of the supporting nation's military forces involved. This phase ends when the supporting forces have returned to their previous military posture or other missions.

c. Conduct of Operations

(1) Readiness, Alert, Marshalling, and Transfer of Authority

(a) Readiness. There is no increased readiness posture associated with this CONPLAN. Canada COM and USNORTHCOM will publish EXORDS adjusting FPCON levels, Notice to Deploy Timelines, and Response Posture Levels as the threat warrants. USNORTHCOM will recommend changes to the SecDef.

(b) Marshalling. Joint Reception, Staging, Onward Movement, and Integration (JRSOI) will be established as soon as practical in the Operations Area / JOA. All forces arriving in the JOA will be received into the area via the JRSOI process. JSROI will be conducted under the direction of the host national Command or by their designated supporting command or formation.

(c) Transfer of Authority.

1 For U.S. support to CF, CDRUSNORTHCOM will retain OPCON of designated U.S. forces throughout operation.

2 For CF support to U.S., CF will be transferred OPCON to Canada COM from their force generating commands upon arrival in the U.S.

3 Once the deployed Supporting Commander(s) deems their forces operationally ready, they will contact their national Command (i.e. CDRUSNORTHCOM or Comd Canada COM)

4 The Supporting Command will then contact their counterpart and provide a message transferring NATO TACON of the Supporting Forces to the host nation military without relinquishing national command authority.

5 Once the support is no longer required and supporting forces have disengaged and prepared to redeploy, the transfer of authority will be reversed.

(2) OPSEC. Federal, state, provincial/territorial and local agencies conduct emergency response operations in an unclassified forum. Experience has shown when multiple organizations are cooperatively involved in a major operation, the more there is a necessity to communicate using unclassified, unprotected means which are entirely open to friend and foe alike. This multi-lateral effort orchestrated with open communication lends itself to an increased vulnerability for adversaries attempting to obtain and exploit sensitive critical information. Having multiple friendly forces working in support of each other does not lessen the need for OPSEC. OPSEC is a process to protect this unclassified, but sensitive, critical information.

(3) Public Affairs/Diplomacy and Strategic Communications. The purpose of public affairs activities will be to support or re-establish public confidence in the relief efforts through timely, frequent and effective communications with the public. Such information may include messages on safety and health, locations of water and food distribution points, medical care, temporary shelters and designation of restricted areas. Communications support equipment assets (portable printing presses, loudspeakers, and radio broadcasting stations) under the command of information operations units may have utility in response and consequence management operations. Since normal civilian facilities may be disrupted and personnel may not have the necessary individual protection equipment, such capabilities may be employed as alternative emergency communication systems until civilian facilities can be restored. PA will be coordinated by the Supported Commander's PA Team: see Annex F.

d. Tasking Systems

(1) Canadian System. In general, mission assignments will flow through the following pattern. A U.S. request for military support will be initiated by FEMA, reviewed by USNORTHCOM to determine necessity of CF support, and sent to DOS to be formally coordinated with DFAIT. Requests received by DFAIT will be coordinated with the Canadian Minister of Foreign Affairs, and/or the Canadian Minister of Public Safety, and the MND. Ultimately, the decision to deploy military forces cross-border is subject to Cabinet approval.

(2) U.S. System. In general, mission assignments will flow through the following pattern: A GoC request for support will be formally staffed by DFAIT to DOS, DOS to DOD, DOD through the JS, JS to USNORTHCOM. Requests received by the DOS will be coordinated through the SecDef and executed by USNORTHCOM.

4. Restraints and Constraints. Many Canadian and U.S. legal constraints exist, including cross-border operations authority and professional licensing requirements. This plan does not attempt to resolve these issues. DFAIT and U.S. Department of State will have to use diplomatic procedures, processes, and products to resolve issues related to potential military operations.

a. Restraints

(1) Military personnel serving pursuant to U.S. Code Title 10 shall not be employed to enforce or execute civil law in violation of United States Code, Title 18, Section 1385 (Posse Comitatus Act), and United States Code, Title 10, Section 375, except as otherwise provided by law.

(2) DOD forces shall not procure or maintain any supplies, material, or equipment exclusively for providing support to Canadian Forces for support of their civil authorities, unless otherwise directed by the Secretary of Defense.

(3) The CF shall not procure or maintain any supplies, material, or equipment exclusively for providing support to U.S. forces for support of civil authorities, unless otherwise directed by the appropriate GoC authority.

b. Constraints.

(1) National Guard forces must be activated under United States Code, Title 10 prior to crossing into Canada pursuant to a request for U.S. federal assistance.

(2) CF Reserve Force personnel must be engaged on a Class B or C contract to be employed outside of Canada on operations or training to ensure they are personally protected with respect to benefits in the event of injury or death.

//signed//
W. SEMIANIW
Lieutenant-General, CF
Commander,
Canada Command

//signed//
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General, USA
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Appendices

- 1 - Canadian / U.S. Specialized Military Capabilities
- 2 - Canadian / U.S. Emergency Management Operations
- 3 - Canadian / U.S. Regional Emergency Management

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APPENDIX 1 TO ANNEX C TO CANADA - U.S. CIVIL ASSISTANCE PLAN (CAP)
CANADIAN AND U.S. SPECIALIZED MILITARY CAPABILITIES

1. Chemical, Biological, Radiological, and Nuclear (CBRN) Specialized Response
Capabilities

a. Canadian Forces

(1) The National CBRNE Response Team (Nat'l CBRN RT) is comprised of the Royal Canadian Mounted Police (RCMP), the CF, and the Public Health Agency of Canada (PHAC) standby personnel. The Nat'l CBRN RT's role is in the context of national CBRN response operations and it is led by Canada's national police force, the RCMP.

(2) Canadian Joint Incident Response Unit (CJIRU). Under command of the Canadian Special Operation Forces Command, CJIRU's is a CF unit with a mission to provide timely and agile broad based CBRN support to the Government of Canada in order to prevent, control and mitigate CBRN threats to Canada, Canadians and Canadian interests. Located at CFB Trenton, CJIRU has a primary mandate to respond to CBRN events in conjunction with elements of the Nat'l CBRN RT and other CF capabilities.

(3) Nuclear Emergency Response (NER) Teams. Under to command of the Chief of Maritime Staff, CF NER Teams are located at the three Canadian Navy ports, CFB Halifax, CFB Esquimalt and CFMETR Nanoose, that are authorized to host visits of USN Nuclear Powered and Nuclear Capable Vessels (NPV/NCV). NERs are comprised of trained Department of National Defence (DND) military and civilian personnel. In the event of a nuclear incident on board a visiting NPV/NCV, their primary objective is to minimize the consequences of the radiological emergency on DND personnel, the public and the environment to the greatest extent possible.

(4) Defence Research and Development Canada (DRDC). In the Department of National Defence, and under the direction of the Assistant Deputy Minister (Science and Technology), DRDC is able to provide scientific and technical support through its research and development (R&D) facilities:

(a) Chemical/Biological Scientific and Technical Support. Chemical and biological scientific and technical support is provided through DRDC Suffield.

(b) Radiological/Nuclear Scientific and Technical Support.

Radiological and nuclear scientific and technical support is provided through DRDC Ottawa.

Canadian CBRN Specialist Response Capabilities -Locations	
Canadian Forces	Location
Canadian Joint Incident Response Unit (CJIRU)	TRENTON ON
Chemical/Biological Scientific and Technical Support	SUFFIELD, AB
Radiological/Nuclear Scientific and Technical Support	OTTAWA ON
Nuclear Emergency Response (NER) Teams	HALIFAX NS ESQUIMALT BC NANOOSE BC

b. U.S. Armed Forces

(1) Chemical, Biological, Radiological, and Nuclear (CBRN) Response.

U.S. Northern Command (USNORTHCOM) Joint Task Force Civil Support (JTF-CS), Fort Monroe, Virginia (scheduled relocation to Fort Eustis, VA by 2012), plans and integrates DOD support to DHS, which is responsible for the overall coordination of domestic CBRN Response operations. When directed by CDRUSNORTHCOM, JTF-CS will deploy to the incident site, establish command and control of designated DOD forces and provide DSCA for U.S. domestic incident response or in support of CF efforts to support of civil authorities for incidents in Canada.

(a) Defense CBRN Response Force (DCRF). The DCRF will include approximately 5,200 personnel sourced primarily from the active component (multi-service) that responds as directed by SecDef through CDRUSNORTHCOM. DCRF capabilities include CBRN incident assessment, search and extraction, decontamination of DOD personnel and equipment, evacuee and casualty decontamination, first responder and emergency equipment decontamination, Level II medical care (patient triage along with trauma and emergency medical care), patient holding, ground and rotary-wing air patient movement, level II care (surgical and intensive care), force health protection, military personnel and equipment operation security, site accessibility horizontal and vertical engineering, veterinary, logistics, general purpose support, C2, aviation lift, mortuary affairs, transportation and civil and military interoperable communications capabilities. Force Package 1 (FP 1) (2,100 personnel) of the DCRF is ready to deploy within 24 hours of notification. Force Package 2 (3,100 personnel) of the DCRF is ready to deploy within 48 hours of notification.

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(b) Command and Control CBRN Response Elements (C2CRE) A and B. C2CRE A and B will include approximately 1,500 personnel each that respond as directed by the SecDef through CDRUSNORTHCOM or CDRUSPACOM. The two dedicated C2CREs' capabilities include limited CBRN assessment, search and extraction, decontamination, emergency medical, level II medical, engineering, C2, civil and military interoperable communications, logistics and transportation. Additional capabilities will be requested through the request for forces process as follow on forces in order to respond to other incidents or as reinforcing elements to DCRF at a catastrophic incident.

(c) CBRN Response Capable Assets, and Units. Each Military Department maintains specially tailored technical units that are capable of performing or supporting a CM mission to diminish the effects of CBRN incidents.

(d) Reach-Back/Laboratory and Technical Capabilities, Assets, and Units. There are certain non-deployable CBRN Response capabilities, assets, and units that can provide extensive technical support in near-real-time to deployed CBRN Response assets.

U.S. NBC Specialist Response Capabilities – Locations	
United States Armed Forces	Location
Chemical, Biological, Radiological and Nuclear Response (CBRN Response)	FORT EUSTIS, VA

(2) National Guard Specific Asset and Unit Capabilities.

(a) National Guard Weapons of Mass Destruction Civil Support Teams (WMD-CSTs). There are currently 55 certified CSTs and there will be 57 WMD-CSTs in FY12 with 22 full time personnel each for a total of 1,254 personnel. The WMD-CST is a NG sourced capability controlled by the governor, unless federalized, and available to respond on a national scale. Each state has a WMD-CST, and an additional WMD-CST exists in CA, NY, and FL; as well as a WMD-CST in the District of Columbia, Guam, the U.S. Virgin Islands and Puerto Rico. Capabilities include supporting civil authorities at a domestic CBRNE incident site by identifying CRBNE agents / substances, assessing current and projected consequences, advising on response measures , and assisting with appropriate requests for additional support to include intentional or unintentional release of nuclear, biological, radiological, or toxic or poisonous chemical materials and natural or man-made disasters that result in, or would result in, catastrophic loss of life or property.

(b) National Guard CBRN Enhanced Response Force Packages (NG CERFPs). There are 17 CERFPs, consisting of 186 total personnel each, (up

to 25% full time manning in each) for a total of 3,162 personnel. NG CERFPs are sourced by the NG and are a DOD capability controlled by the governor unless federalized. The NG CERFPs perform search and extraction, casualty decontamination, and emergency medical triage and treatment.

(c) National Guard Homeland Response Force (HRF). There will be 10 HRFs by the end of FY12, on existing within each FEMA region, sourced by the NG. HRFs are a DOD capability controlled by the governor unless federalized. There are 556 personnel in each HRF (up to 25% full time manning in each) for a total of 5,660 personnel. Capabilities include search and extraction, casualty decontamination, emergency medical triage and treatment, security, and C2. HRFs will be ready to deploy within 6-12 hours of notification.

2. Specialized Capabilities for Disaster Assistance

a. Canadian Forces

(1) Search and Rescue (SAR). Primary SAR aircraft are normally available on 30 minutes notice during normal duty hours and at two hours notice otherwise. Aircraft supporting Major Air Disaster (MAJAID) capability are on 12 hours notice.

(2) Maritime Surveillance. CFB Comox and CFB Greenwood each maintain one long-range patrol aircraft on an assigned 12 hour standby.

(3) Major Air Disaster (MAJAID). In addition to the primary SAR response from 1 Canadian Air Division, a medical support group, air operations group, and a logistical support team, are on 12 hours notice to move in support of Contingency Plan MAJAID. The Chief of Land Staff also maintains an airborne support group and liaison officers on six hours notice to move in support of this plan. This group is based in the Canadian Land Advanced Warfare Centre (CFLAWC) at Trenton ON.

(4) Disaster Assistance Response Team (DART). The DART is a self-sufficient, air portable organization that is capable of providing specialized support to humanitarian assistance operations almost anywhere in the world. It is on 48-hours notice to move and is established and equipped to be operational for a 40-day deployment.

(5) Navy Ready Duty Ships. Canada COM maintains one ship as "Ready Duty Ship" on an assigned notice to sail at 8 hour notice for search and rescue or domestic operations on both the east and west coast.

(6) Joint Task Force Immediate Reaction Units (IRU). RJTFs Atlantic, East, Central and West each maintain an IRU on assigned notice to move.

Specialty Capabilities for Disaster Assistance – Locations	
Canadian Forces	Location
Search and Rescue (SAR)	COMOX, BC TRENTON, ON GREENWOOD, NS WINNIPEG, MB GANDER, NL
Maritime Surveillance	COMOX, BC GREENWOOD, NS
Major Air Disaster (MAJAID)	TRENTON, ON KINGSTON, ON PETAWAWA, ON
Disaster Assistance response Team (DART)	TRENTON, ON PETAWAWA, ON
Ready Duty Ship	HALIFAX, NS ESQUIMALT, BC
Immediate Reaction Units (IRU)	EDMONTON, AB (or SHILO MB) PETAWAWA, ON VALCARTIER, QC GAGETOWN, NB
Major Air Disaster (MAJAID)	TRENTON, ON KINGSTON, ON PETAWAWA, ON
Search and Rescue (SAR)	COMOX, BC TRENTON, ON GREENWOOD, NS WINNIPEG, MB GANDER, NL
Maritime Surveillance	COMOX, BC GREENWOOD, NS
Disaster Assistance response Team (DART)	TRENTON, ON PETAWAWA, ON

b. U.S. Armed Forces

(1) Modular Airborne Fire Fighting System (MAFFS). The MAFFS is owned by the U.S. Forest Service and supported by DOD through interagency agreements. A request for the use of MAFFS in Canada would be coordinated by/through the National Interagency Fire Center (NIFC) in Boise, Idaho and the Canadian Interagency Force Fire Center (CIFFC) located in Winnipeg, Manitoba. The MAFFS is designed to fit inside a C-130 and can be loaded on short notice. The MAFFS unit can drop 3,000 gallons or 28,000

pounds of fire retardant in five seconds, covering an area that is one-quarter-mile long and 60-feet wide. The Air National Guard and Air Force Reserve operate eight C-130 airplanes equipped to carry the MAFFS and deploy in support of the U.S. Forest Service wild land fire fighting operations.

(2) Supervisor of Salvage and Diving (SUPSALV). The SUPSALV is a salvage, search, and recovery operation established by the Department of the Navy (DON). SUPSALV has extensive experience in supporting response activities, including specialized salvage, deep drone diving support, and firefighting. SUPSALV also has capabilities and expertise in petroleum, oil, and lubricants (POL) offloading, spill abatement and lightening. Many of SUPSALV's capabilities are established by contract relationships with private companies.

(3) U.S. Army Specialized MEDCOM Response Capabilities (SMRC). The SMRCs deploy inside and outside the Continental U.S. to provide medical augmentation to local, state, federal and defensive agencies or medical teams responding to disasters, civil-military cooperative actions, humanitarian assistance, weapons of mass destruction incidents; chemical, biological, radiological, nuclear and high yield explosives incidents and emergencies. SMRCs are capable of rapidly deploying year round in support of emergency incidents and specially at the request of the proper federal authorities and cleared through the chain of command.

(4) U.S. Air Force Radiation Assessment Team (AFRAT). The U.S. Air Force Radiation Assessment Team is a globally responsive specialty assessment team providing field radiation surveillance and radiological analytical support to the assigned theater medical authority. The AFRAT measures, analyzes and interprets environmental and occupational samples for their content of radioactivity, providing expert guidance on the type and degree of radiological hazard facing deployed forces. AFRAT provides viable solutions to operational obstacles imposed by the presence of radioactive materials or radiation hazards. AFRAT has the capability to provide complete and effective hazard identification, site-characterization and consultative support for mitigation, protection and remediation activities.

(5) The 52nd Ordnance Group (EOD) provides military EOD and bomb squad units to mitigate the hazards from conventional, nuclear, or chemical military munitions and WMD. The 52nd EOD Group can identify and render safe foreign and U.S. military munitions (chemical, conventional and nuclear), dispose of munitions encountered, respond to and render safe terrorist improvised explosive devices, and respond to WMD incidents. Agreements between DOD and Department of Energy (DOE) outline the role for the 52nd Ordnance Group for responding to a U.S. or foreign nuclear military weapon incident or to a terrorist with nuclear or radiological components. The

52nd Ordnance Group has 4 Ordnance Battalions with 37 companies stationed throughout CONUS.

(6) U.S. Army Radiological Advisory Medical Team (RAMT) assists and furnishes radiological health hazard guidance to the lead civil authority's on-scene coordinator or other responsible officials at an accident site. The RAMT is staffed by individuals qualified in the evaluation of radiological health hazards and in the management of radiation casualties. It communicates directly with military and civilian agencies on professional and technical problems such as monitoring, decontamination and medical treatment. At the scene of a nuclear emergency, the RAMT provides guidance on the potential health hazards to personnel from radiological contamination or exposure by ionizing radiation, decontamination procedures, medical treatment, medical surveillance procedures (such as initial and follow-up bioassay) and radiation exposure control.

United States Military Forces	Location
Modular Airborne Fire Fighting System (MAFFS)	CO, WY, CA, and NC
Supervisor of Salvage and Diving (SUPSALV)	Department of the Navy (DON)
U.S. Army Specialized MEDCOM Response Capabilities (SMRC)	Various

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APPENDIX 2 TO ANNEX C TO CANADA-U.S. CIVIL ASSISTANCE PLAN (CAP)
CANADIAN / U.S. EMERGENCY MANAGEMENT OPERATIONS

1. Conduct of Operations. When a catastrophic event occurs, the normal sequence for disaster relief operations is outlined below. Paragraph “a” explains the Canadian system and paragraph “b” outlines the U.S. system.

a. Canadian System

The Federal Emergency Response Plan (FERP) is the federal government’s all-hazard event response plan. It incorporates the Federal Emergency Response System (FERS) and the National Emergency Response System (NERS). FERS pertains to the emergency management of federal departments’ and agencies’ responses in single-mandate/federal jurisdiction-only events. NERS addresses the federal government’s support of provinces’ and territories’ responses to emergencies/events within their respective jurisdictions.

(1) Municipalities or provinces/territories respond first to an emergency or disaster. Police, fire, public health and medical, emergency management, public works, environmental response, and other personnel are often the first to arrive and the last to leave an incident site.

(2) Provincial/territorial Governments are responsible for an emergency or disaster within their respective provinces/territories and may request CF support directly from the Minister of National Defence (MND), as a public service. Provincial/territorial Governments may also request Canadian federal assistance through the Government Operations Centre.

(3) The Government Operations Centre and the regional offices of Public Safety Canada (PS) monitor emergencies and disasters in Canada on a continuous basis. Information relating to the event will flow concurrently, depending on circumstances, among the Government Operations Centre, PS Regional Offices, and provincial/territorial emergency management organizations.

(4) The Government Operations Centre will coordinate federal assistance to the provincial or territorial emergency management organizations in the event of a disaster beyond provincial/territorial resources. The MND retains the management and direction of the CF, while command, control and administration of the CF remains with the CDS.

(5) In the event that a province/territory has not made a request for CF support directly to the MND, the Government Operations Centre, upon receipt of a request for assistance from a province or territory, will contact the Department of National Defence (DND) to request CF support, if required.

(6) The CF Domestic Operations Detachments and liaison officers in each province/territory will keep the applicable Regional Joint Task Force briefed on the changing situation.

(7) The affected Regional Joint Task Force headquarter(s) will remain in consultation with Canada COM Headquarters via the Canadian Forces Integrated Command Center (CFICC).

(8) While Canada COM and USNORTHCOM maintain operational level liaison through their respective staff organizations, operation communications will be facilitated between the CFICC and the NORAD-NORTHCOM Command Center. Strategic level communication is effected through the Canadian National Defence Command Centre (NDCC) and the U.S. National Military Command Center (NMCC).

(9) DFAIT has international coordination responsibilities and will coordinate with relevant federal departments a response to requests from the DOS for CF assistance. DFAIT will also issue a request for assistance on behalf of the GoC to DOS, should the assistance of the U.S. Armed Forces be required.

b. U.S. System. The National Response Framework (NRF) provides the structure for implementing United States national-level policy and operational coordination for domestic incident response. It is built upon scalable, flexible, and adaptable coordinating structures to align key roles and responsibilities across the Nation. Its primary focus is to prepare for, respond to, and recover from incidents in the U.S. of all types, including acts of terrorism, major disasters, and other emergencies. It is tailored toward a simultaneous non-linear response that at its core depends on planners anticipating requirements and prepositioning support. The five key principles of NRF operations are: engaged partnerships; tiered response; scalable, flexible, and adaptable operational capabilities; unity of effort through unified command; and readiness to act. The National Response Framework is intended to strengthen, organize, and coordinate response actions across communities, tribes, States, the Federal Government, Non-Governmental Organizations (NGOs), and private sector. The *Framework* emphasizes that response to incidents should be handled at the lowest jurisdictional level capable of handling the work. The vast majority of incidents are, in fact, handled locally.

(1) Local Governments. The responsibility for responding to incidents, both natural and man-made, begins at the local level – with individuals and public officials in the county, city, or town affected by the incident. Local emergency responders are often the first to detect a threat or hazard, or respond to an incident. They also are often the last to leave an incident site or otherwise to cope with the effects of an incident. Senior officials and their emergency managers build the foundation for an effective response. They organize and integrate their capabilities and resources with neighboring jurisdictions, the State, NGOs, and the private sector. Increasingly, businesses are vital partners within communities wherever retail locations, service sites, manufacturing facilities, or management offices are located. NGOs and not-for-profit organizations also play a key role in strengthening communities' response efforts through their knowledge of hard-to-reach populations, outreach, and services.

(2) State, Territories, and Tribal Governments. States, territories, and tribal governments have responsibility for the public health and welfare of the people in their jurisdiction.

(a) State and local governments are closest to those impacted by incidents and have the lead in response and recovery. States are sovereign entities, and the Governor has responsibility for public safety and welfare.

(b) States have significant resources of their own, including State emergency management and homeland security agencies, State police, health agencies, transportation agencies, incident management teams, specialized teams, and the National Guard. The role of the State government in response is to supplement local efforts before, during, and after incidents. If a State anticipates that additional resources above the state resources are required, the Governor can request assistance from other States through mutual aid and assistance agreements and/or from the Federal Government.

(c) Tribal leaders can elect to deal directly with the Federal Government for disaster relief although they can only request a Presidential declaration for Federal assistance through the Governor of the effected state.

(3) Federal Government. The Federal Government maintains a wide array of capabilities and resources that can be made available upon request of a State Governor.

(a) The Department of State (DOS). DOS is the lead U.S. foreign affairs agency and is the focal point for international support. The Secretary of State has the responsibility, consistent with other United States Government activities to protect our national security, to coordinate international activities related to the prevention, preparation, response, and recovery from a domestic incident, and for the protection of United States

citizens and United States interests overseas. With the exception of immediate response to prevent loss of life, military forces normally conduct foreign support only upon the request of DOS and in coordination with the chief of mission (COM) and United States Agency for International Development.

(b) Department of Homeland Security (DHS). The Secretary of Homeland Security is the principal Federal official for domestic incident management. The Secretary is responsible for coordinating Federal operations within the United States to prepare for, respond to, and recover from terrorist attacks, major disasters, and other emergencies. As a component of DHS, FEMA is responsible for leading and supporting a risk-based, comprehensive emergency management system of preparedness, protection, response, recovery and mitigation to reduce the loss of life and property and protect the U.S. from all hazards.

(c) Secretary of Defense (SecDef). The SecDef authorizes/provides U.S. military forces to assist the Canadian Forces as directed by the President or with the concurrence of Secretary of State. The SecDef retains command of military forces as with all other situations and operations.

(d) United States Northern Command (USNORTHCOM). USNORTHCOM conducts homeland defense, civil support, and security cooperation to defend and secure the United States and its interests. When directed by the SecDef, USNORTHCOM provides military support to Canadian Forces or accepts military support from Canadian Forces. In either case, when approved by the respective authorities, the applicable unit will deploy and become NATO TACON to the other nation's military without relinquishing national command authority.

(4) Private Sector and Non-Governmental Organizations. Private-sector organizations play an essential role in protecting critical infrastructure systems and implementing plans for the rapid restoration of normal commercial activities and critical infrastructure operations in the event of disruption. NGOs also serve a vital role at the local, State, and national levels by performing essential service missions in times of need. They provide sheltering, emergency food supplies, and other vital support services. NGOs bolster and support government efforts at all levels.

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APPENDIX 3 TO ANNEX C TO CANADA-U.S. CIVIL ASSISTANCE PLAN (CAP)
CANADIAN / U.S. REGIONAL EMERGENCY MANAGEMENT

1. Emergency management officials in Canada and the United States have regional, mutual assistance agreements to manage emergencies or disasters when the affected jurisdiction(s) request assistance in response to natural disasters, technological hazards, man-made disasters, and civil emergencies. These agreements, although largely governed on the basis of province/territory to U.S. state relationships, remain consistent with the principles of the *Agreement between the Government of the United States and the Government of Canada on Emergency Management Cooperation* December 12, 2008 (ref 1a). This information is included to promote unity of effort with civil authorities in planning and executing military support of civil authorities. The two regional agreements, which are founded on the same basic principles but vary in activity from region to region, serve as a possible mechanism to implement regional emergency management mutual assistance. These agreements/arrangements are:

a. Pacific Northwest Emergency Management Arrangement (Public law 105-381-Nov 12, 1998). The Signatories (strictly a province to state) of this arrangement recognize the importance of comprehensive and coordinated civil emergency preparedness, response and recovery measures for natural and technological emergencies or disasters, and for declared or undeclared hostilities including enemy attack. Among other actions, the authorities of each Signatory may seek the advice, cooperation, or assistance of any other Signatory in any civil emergency matter. The Signatories include the following states and provinces:

(1). ALASKA. Alaska Division of Homeland Security and Emergency Management P.O. Box 5750, Fort Richardson, AK 99505-5750, Phone: (907) 428-7000, www.ak-prepared.com.

(2). IDAHO. Bureau of Homeland Security 4040 Guard Street, Building 600 Boise, ID 83705-5004 (208) 334-3460, www.bhs.idaho.gov.

(3). OREGON. Oregon Emergency Management, P.O. Box 14370 Salem, Oregon 97309-5062, (503) 378 2911, www.osp.state.or.us/oem.

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(4). WASHINGTON. Washington Military Department Emergency Management Division Building 20, M/S: TA-20 Camp Murray, WA 98430-5122, <http://emd.wa.gov>.

(5). BRITISH COLUMBIA. Provincial Emergency Programs Headquarters, 455 Boleskine Road Victoria, BC, Emergency Coordination Centre, Victoria (800) 663-3456, www.pep.bc.ca.

(6). YUKON. Community Services Emergency Measures Branch, Combined Services Building, 2nd Floor 60 Norseman Road Whitehorse Airport Government of Yukon Box 2703, Whitehorse, YT, (800) 661-0408, www.gov.yk.ca/depts/community/emo.

b. International Emergency Management Assistance Memorandum of Understanding (IEMAMOU) is a mutual aid agreement between northeastern states and the eastern Canadian provinces (strictly a province to state). Signatories to IEMAC have established protocols to share personnel and equipment in a major emergency. The International Emergency Management Group (IEMG) meets twice a year to review protocols and improve coordination. The IEMAUC includes the following states and provinces (<http://www.iemg-gigu-web.org>):

(1) MAINE. Emergency Management Agency 72 State House Station, Augusta, ME 04330, Agency Hotline: (207) 626-4503; www.maine.gov/mema/

(2) NEW HAMPSHIRE. Office of Emergency Management State Office Park South, 107 Pleasant St., Concord, NH 03301, Agency Hotline: NHOEM 24 hr. (accesses Duty Officer or EOC) (603) 271-2231 NH State Police Dispatch (State Warning Point) (603) 271-3636; www.nh.gov/safety/divisions/hsem/

(3) VERMONT. Vermont Division of Emergency Management Department of Public Safety 103 South Main Street Waterbury, VT 05671-2101, Agency Hotline: (800) 347-0488 (24 hours); www.dhs.state.vt.us/vem/

(4) MASSACHUSETTS. Massachusetts Emergency Management Agency 400 Worcester Rd. Framingham, MA 01702, (508) 820-2000; www.mass.gov

(5) RHODE ISLAND. Emergency Management Agency 645 New London Avenue, Cranston, RI 02920-3003, Agency Hotline: (401) 946-9996; www.riema.ri.gov

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(6) CONNECTICUT. Office of Emergency Management, Hartford Armory 360 Broad Street, Room 164, Hartford, CT 06105, 24 hours (860) 566-3180 or Duty Officer (203) 836-7215; www.ct.gov/demhs/

(7) QUEBEC. Ministère de la Sécurité publique, 5e étage 2525, boulevard Laurier, Sainte-Foy (Québec), Emergency numbers (24 hours a day) Quebec City, QC: (418) 643-3256, (866) 776-8345, www.msp.gouv.qc.ca.

(8) NEW BRUNSWICK. Emergency Measures Organization, Victoria Health Centre, P. O. Box 6000, Fredericton, NB, (800) 561-4034, www.gnb.ca/cnb/emo-omu.

(9) PRINCE EDWARD ISLAND. PEI Emergency Measures Organization, National Bank Tower 134 Kent Street, Suite 600 Charlottetown, PEI, 24 Hour Emergency Line (902) 892-9365, www.gov.pe.ca/commmcul/emo.

(10) NOVA SCOTIA. Emergency Measures Organization (Nova Scotia), PO Box 2581 Halifax, NS, 24-hour number: (902) 424-5620, www.gov.ns.ca/emo.

(11) NEWFOUNDLAND and LABRADOR Emergency Measures Organization, P.O. Box 8700 St. John's, NL, (709) 729-3703, www.gov.nl.ca/mpa/emo.

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ANNEX D TO CANADA-U.S. CIVIL ASSISTANCE PLAN (CAP)
LOGISTICS AND ENGINEERING

References: See Annex W.

1. Situation

a. General. This annex outlines the provision of logistics support as the forces of one nation provide support to the forces of the other nation engaged in civil support operations.

b. Assumptions

(1) Temporary or shared use facilities are provided by the supported commander.

(2) New major construction projects to support this plan are not envisioned.

c. Resource Availability. The supported commander will provide specific guidance and direction for logistical support requirements.

d. Planning Factors. In developing supporting plans, commanders will take full advantage of bi-national agreements and or arrangements for mutual support and combined logistics. See refs for a listing of logistics and engineering related bi-national agreements. Supporting plans will follow existing agreements and or arrangements. Planning efforts will emphasize identification of resource requirements for inclusion in contingency plans.

2. Mission. When directed by the GoC and the U.S. President or SecDef, the commander(s) of designated Canadian and U.S. military forces will provide support to the other nation's military force that are engaged in civil support operations in order to save lives, prevent human suffering and mitigate damage to property.

3. Execution

a. Concept of Logistics Support. The following general principles are intended to achieve effective and efficient logistics support:

(1) Every effort is made to integrate logistics support, where feasible, using existing international agreements, memorandums of understanding and implementing arrangements. If the requirement for a new arrangement is identified, the arrangement will integrate logistical support including emphasis on standardization and interoperability.

(2) When agreements and or arrangements for mutual logistics support have not been completed, each nation is responsible for providing logistics support to its own forces.

(3) When emergency conditions prevail, resources of the other country may be used for logistics support as required, with replacement or reimbursement in accordance with applicable agreements and or arrangements.

(4) Refer to Appendix 1 of this Annex for required levels of supply. Units will deploy into the JOA with sufficient contingency contracting capabilities to facilitate logistic sustainment and operational risk mitigation. If no organic capability exists, units will make requests for forces to acquire contingency contracting capabilities. Additionally, to lessen the burden on areas affected by a natural disaster or other emergencies, the required resources and equipment should be procured from outside the province/territory or state, and at a minimum outside the affected area.

(5) Civil support operations are task tailored and scalable. Planning, coordinating with the C/J/JTFs and overseeing the execution of operational support required for deployment, sustainment and redeployment of the C/J/JTFs must be effective, relevant, responsive, and is results-based to ensure that it is provided when and where it is needed. The delivery of operational support is driven by the applicable commander's intent and the requirement for rapid response.

b. Tasks

(1) National Responsibilities. Each nation is responsible to provide logistics support to its own assigned forces for the duration of the mission except as noted below. Canadian and U.S. commanders arrange for the support, administration, and equipping of units for which they are responsible, and subordinate units prepare supporting logistics plans as appropriate.

(2) Supporting Commander. The supporting commander will coordinate logistics for the deployment of supporting forces to the supported commander's area of responsibility (AOR) with the supported commanders designated support agency. After NATO TACON has transferred to the supported commander, the supporting commander retains responsibility for

unit-unique (e.g., special equipment or repair parts) logistics requirements. The supporting commander does not relinquish national command authority.

(3) Supported Commander. The supported commander has responsibility for reception, staging, onward movement, and integration of supporting forces when supporting forces arrive in the AOR. After NATO TACON is transferred, the supported commander is responsible for food, water, sanitation, shelter and logistics support of all forces, and for planning the re-deployment of the supporting forces in collaboration with the supporting forces' national command and designated support agencies.

4. Administration and Logistics

a. Logistics

(1) CF Office of Primary Interest. For the CF, Canada COM J4, supported by Canadian Operational Support Command (CANOSCOM) for control and execution of operational support, has lead responsibility for planning and coordination of sourcing and movement of personnel and is supported by Canadian Operational Support Command (CANOSCOM) personnel for sourcing support personnel and managing all personnel tasking. CANOSCOM J3 Movements has the lead responsibility for planning and coordination of movement of personnel, equipment and material, both trans-border and intra-theatre, until such time as the gaining formation commander assumes NATO TACON. Canada COM Engineer has the primary responsibility for real property requirements for contingency operations within Canada, See Annex E Appendix 1 paragraph 3.q regarding procurement or leasing of real property in Canada.

(2) U.S. Office of Primary Responsibilities. USNORTHCOM J4 will accomplish similar functions for U.S. forces.

(3) Distribution and Allocation. Since forces may have been previously assigned to other theaters prior to execution of operations described in this plan, the commanders involved must be continuously informed of available forces so distribution and allocation of logistics support is tailored accordingly. Planners recommend, through national channels, the location and quantity of supplies to satisfy particular requirements in support of forces. National authorities at the appropriate level will provide regular reports to supported commanders on status of logistics support to their forces using the means and manner indicated by the supported command. The supported commander, in coordination with subordinate commanders, may negotiate with national authorities for resource allocation. In the event that national authorities transfer allocated resources, they will advise appropriate commanders.

b. Supply

(1) General

(a) Major equipment required for a response to a disaster or emergency may be pre-positioned at an appropriate location. Pre-positioning of operational and training stocks as agreed between the supported and supporting commanders is authorized. Pre-positioning of operational and training stock shall be in accordance with applicable command guidance. When pre-positioning of operational and training stocks is required, the supported commander will make every effort to provide suitable facilities (i.e. tanker storage, warehousing, etc.) to the supporting commander. Levels of supply by class are at Appendix 1 of Annex D.

(b) Procedures for reporting operational stocks are coordinated between the supported and supporting commanders.

(2) Salvage. National policies and procedures will prevail in salvaging damaged military materiel. Common use may be made of the repair and maintenance facilities of either country in an emergency.

(3) Local Acquisition of Supplies and Services. Since this plan is predicated upon a deployment into a severely compromised region, the procurement of local supplies may not be possible. In any case, procurement procedures and means prescribed by host national regulations are used. In addition, local requirements must be considered (e.g. environmental laws, prevailing wages, labor laws, etc.). The supported commander should consider the effect on local acquisition of supplies and services to avoid competition that can lead to a price increase or might have a negative effect on the local population. See Annex E Appendix 1 paragraph 3.q regarding procurement or leasing of real property in Canada.

(4) Hazardous Material (HAZMAT) and HAZMAT Disposal. CF and U.S. must coordinate HAZMAT operations IAW each nation's HAZMAT policies and procedures, and develop a plan on HAZMAT handling, spill response and disposal. HAZMAT operations must demonstrate respect of host nation practices and law to the greatest extent possible. In theatre disposal of DND DOD HAZMAT waste (including medical and POL products), cannibalized, destroyed and mutilated material or scrap will be coordinated IAW host nation's HAZMAT policy and procedures.

c. Mortuary Affairs. These services are defined as supervision and execution of locating, tentatively identifying, removing, and burying the dead and processing their personal effects. Each country's military directives will govern mortuary service matters for their personnel. CF and U.S. Armed Forces may provide limited temporary mortuary assistance to PS, FEMA, or other primary agencies, depending on

the severity of the disaster or emergency. In such an instance, host-nation laws and military procedures are followed for civilian casualties as well as military casualties. While the U.S. Geographic Combatant Commanders are responsible for coordinating DOD mortuary affairs operations within their Areas of Responsibilities, the local, territorial, or state medical examiner or coroner may have jurisdiction over both military and civilian fatalities, including mass casualty's events, consistent with the NATO SOFA. USNORTHCOM's Joint Mortuary Affairs Office retains responsibility to track Human Remains from Point of Death to Theater Mortuary Affairs Evacuation Point to Dover Port Mortuary IAW U.S. Joint Publication 4-06. If a U.S. DOD person dies while deployed in Canada they will be under the jurisdiction of the provincial coroner and same would apply if a Canadian member dies while in the U.S. After the authorized medical examiner and / or coroner is complete and are satisfied that the death has been thoroughly investigated per the requirements of 10 USC 1471, the body will be released to the military service / family.

d. Mobility and Transportation. To ensure the most economical use is made of land, sea, and air transportation for logistics support, planners will submit their deployment transportation requirements through respective national channels for determination of which agreements, arrangements and/or programs are used to provide the necessary support. Once in the area of operation, supporting force transportation requirements that exceed integral capabilities or follow on support from their nation are staffed upwards to the support command. The primary transportation providers for Canadian and U.S. forces are CANOSCOM and USTRANSCOM. Both nations undertake to make every effort to expedite the movement of forces and their logistics support across their territorial borders. The CANUS Integrated Lines of Communications Program is one method to move and sustain Canadian and U.S. military forces through a shared multi-modal transportation pipeline to connect an operating military force to one or more bases of operations. Any airlift requirement will be validated by USNORTHCOM J47, Mobility Division and coordinated with USTRANSCOM for scheduling and movement. A CANOSCOM point of contact will be provided to USNORTHCOM J47.

e. Finance. Reimbursement for military support will comply with international agreements and/or arrangements and the *The Memorandum of Understanding between the Department of Defense of The United States of America and the Department of National Defence of Canada concerning Acquisition and Cross-Servicing (ACS)*, 28 Feb 2007.

(1) Canada.

(a) Canada COM will not provide funding. Funding will come from service/agency funds or as reimbursable funding in the case of reimbursable support. CF units will be apprised of financial instruction in Warning Orders and/or Operations Orders.

(b) Mutual support provided to the United States of America by Canada will be governed by the DND's Provision of Services Manual (Ref 2k). Goods and services provided by Canada will be reimbursed at "Full Cost," in accordance with the provisions of this manual. However, the Provision of Services manual will be secondary to other Memoranda of Understanding and bilateral agreements between the two countries, and in particular, the mutual support provisions set forth in the ACS MOU at international documents reference q. It should be noted reference q makes provision for financial reimbursement, Replacement in Kind, Exchange for Equal Value and temporary use, for the provision of most logistic support, supplies and services. There are also other general MOUs that will apply, including MOUs for the provision of Aviation Petroleum, Oil and Lubricants (AVPOL) and POL. Commanders should consult with supporting HQs and formations to determine if specific MOUs and agreements exist for specific services and supplies.

(c) The ACS MOU (Ref q) provides the authority for the militaries of the two nations to exchange logistics support, services, and supplies either with reimbursement, or with in-kind support. The provider of the support at the major command or service level is responsible to negotiate the terms of the exchange and prepare the implementing arrangements, if required. NC/J4 and Canada COM DCOS Support must validate these transactions as authorized under the ACS MOU, and to track actual costs as the support is concluded.

(2) United States.

(a) USNORTHCOM will not provide funding. Funding will come from service/agency funds or as reimbursable funding in the case of reimbursable support.

(b) If Canada requests United States assistance with a Diplomatic Note and military forces are directed to support, military forces that mobilize will send a request for financial reimbursement through their components to the Office of the Secretary of Defense for further transfer to the U.S. Department of State.

(c) If a request for U.S. support is not received and military forces are mobilized, then the unit and/or USNORTHCOM may be held financially liable for expenses incurred.

(d) Normally requests for civil assistance from Canada are processed through the DOS. As such, DOS would become the primary agency. The primary agency will identify the requested support that is reimbursable and define the processes and procedures for requesting reimbursement.

(e) In the absence of a reimbursable order, units supporting CDRUSNORTHCOM will fund operations IAW DODI 7000.14-R, Vol 12, chapter 23 from current fiscal year appropriations provided in direct budget authority, independent of the receipt of specific funds for the operation. Units should also consult any service or agency specific guidance concerning operations and associated cost accumulation/reporting.

(f) The Economy Act (31 U.S.C. 1535) is the funding authority for DOD support in planning, preparing, and providing support to another U.S. federal department or agency. For all support rendered by DOD to a primary agency under terms of the Economy Act, units will accurately capture total costs, including pay and allowances.

f. Environmental Considerations. All forces are responsible for protection of the environment. Personnel will respect the host-nation's environmental policies and laws. The goal is to employ environmentally responsible practices that avoid or minimize adverse effects on the environment. Environmental laws for Canada and the U.S. differ in content but are derived from the same concept of protecting the environment. During all operations, strategies are developed to eliminate or reduce negative effects on the environment, curtail any further environmental damage and minimize environmental effects. Documenting conditions and actions as soon as possible before, during, and after operations facilitate resolution and closure of environmental issues. Crisis-circumstances may make it necessary to take immediate action without preparing the normal environmental planning documents. Emergency exemptions may be required for disposal of contaminated and hazardous material. Therefore, close coordination with local/aboriginal, state, provincial/territorial and federal agencies during operations is essential. Environmental effects must be addressed as soon as operations have stabilized, with the transfer of environmental issues to civil authorities.

g. Engineering Support.

(1) Military engineering support may be required to support the forces of the other nation engaged in civil support operations in the AO. The primary focus of engineering effort is to sustain and assist military forces employed and provide civil assistance when requested and approved in accordance with this and other applicable plans and directives. Specialist military engineering forces may be required to deploy with supported and supporting forces to sustain and protect them and to provide engineering effects in the area of operation. Engineering, construction and facility requirements should first be met through the use of existing local facilities and contract actions where this will not detract from civilian requirements. Organic portable or relocatable substitute facilities or field construction may also be employed by supported and supporting forces where operational effectiveness indicates a requirement.

(2) Coordination with the U.S. Army Corps of Engineers or Defence Construction Canada should be conducted to ensure efficient resource utilization and gain economies of scale when possible. Sufficient local and regional contractors are expected to be available to support most heavy equipment and engineer construction requirements. Any required airlift support from USTRANSCOM will be coordinated and validated through USNORTHCOM/J47 Mobility Division. A CANOSCOM POC will be provided and all required movement information will be provided to USNORTHCOM/J47.

h. Construction Standards. When the situation allows, construction standards, planning factors, development priorities, protective construction and cost estimates are in accordance with established Military Department procedures and local building codes. Deviation from building codes should be allowed only with command approval and as coordinated with local officials.

i. Logistics and Engineering Reporting. Commander Canada COM and CDRUSNORTHCOM will coordinate logistics reporting requirements and formats in accordance with the each nation's regulations.

5. Command and Control

a. Command Relationships. See Annex J.

b. Communication and Information Systems. See Annex K.

//signed//
W. SEMIANIW
Lieutenant-General, CF
Commander,
Canada Command

//signed//
CHARLES H. JACOBY, JR
General, USA
Commander,
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Appendices

1 – Levels of Supply by Class

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Appendix 1 to ANNEX D TO CANADA-U.S. CIVIL ASSISTANCE PLAN (CAP)
Levels of Supply by Class

1. Supply

a. Class I (Subsistence/Rations). Units deploying by land or air will carry sufficient subsistence stocks, including both fresh and combat rations to be self-sufficient for five days. Units deploying by sea will carry sufficient rations to remain self-sufficient for thirty days. The supported commander generally provides rations after NATO TACON of supporting forces is transferred without relinquishing national command authority.

b. Class II (Clothing, individual equipment, tools, administrative supplies/General and Technical). Units will deploy self-sufficient for fifteen days. Additional Class II is identified once the disaster or emergency is fully assessed.

c. Class III Petroleum, Oils, and Lubricants (POL). The supported commander generally provides POL after NATO TACON of supporting forces is transferred without relinquishing national command authority. POL re-supply for one country may be provided from assets of the other country through agreements that designate the responsibilities and circumstances for POL support. To ensure bulk replenishment and compatibility of POL products, the host nation command support agency coordinate with Public Works and Government Services Canada (PWGSC) for support in Canada and with Defense Energy Support Center (DESC) for support in the U.S. Any issues will be made known to the logistics planners of the commanders involved. POL status is reported to the supported commander as required.

d. Class IV (Construction material/Engineering). Engineer units will deploy with their basic deployment equipment sets. Engineer units must requisition for supply and or re-supply as required. Expeditious identification of Class IV requirements should be made to meet required delivery dates.

e. Class V (Ammunition). If approval is granted to carry arms, units will deploy with five days integral holdings; re-supply of ammunition is made through national channels. When the CAP transitions from a plan to an operations order, the determination will be made by the supported commander whether weapons and/or ammunition are needed.

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f. Class VI (Personal demand items/Amenities). Personnel will deploy with five days of personal-use items.

g. Class VII (Major end items/Major Equipment). There is no anticipated replacement of major end items or equipment.

h. Class VIII (Medical materials). Units will deploy with basic and maintenance loads of medical supplies. Military medical units will re-supply as required using respective national requisition methods unless covered by international agreement and or arrangements.

i. Class IX (Repair Parts). Units will deploy with fifteen days integral holdings and will replenish using requisition replenishment via national logistics system unless covered by international agreements and/or arrangements.

j. Class X (Material for Non-Military Programs). Material to support non-military programs is based upon requests from the civilian government through PS, FEMA, or other primary agencies.

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ANNEX E TO CANADA-U.S. CIVIL ASSISTANCE PLAN
PERSONNEL

References: See Annex W

1. Situation. Recognizing that the scale, complexity, and length of operations will dictate the degree of capabilities and resources required, personnel requirements will be addressed when developing component execution plans to facilitate effective and timely mission response.

a. Assumptions. See Base plan.

b. Planning Factors. See Base plan.

2. Mission. This annex defines, establishes, and provides Canada COM and USNORTHCOM policy for personnel support and activities in execution of the base plan. Additional policies to address Canada COM participation may need to be established in coordination with participating agencies to provide consistent and equitable guidance where possible. Policies include:

a. Guidance on personnel support to include awards and decorations, pay and allowances, personnel and unit rotation cycles, and deployment status.

b. Roles and responsibilities in execution of this annex to support the base plan.

c. Policy and guidance on command and control and personnel reporting in execution of the base plan.

d. Policy and guidance on key support services to include Morale, Welfare and Recreation (MWR), postal operations, chaplain activities, and legal assistance/support.

3. Execution

a. Concept of Personnel Support. Due to large variances of potential incidents, level of support and number of agencies involved, personnel support is anticipated to be tailored to each contingency. It is anticipated that commanders at all levels of command will have to deal with situations in the USNORTHCOM and Canada COM AORs under unusually constrained

resources and legal boundaries. It is expected that personnel deployed in support of a contingency response will be provided the same level of support commensurate with their home base IAW national and service policy and procedures. For U.S. personnel, it is recognized that there are some variances allowed per DOD mandate in certain benefits. It is USNORTHCOM's responsibility in coordination with Canada COM to provide equity in distribution across a combined joint service activity. The following issues must be considered in planning personnel support:

(1) In the USNORTHCOM and Canada COM AORs with mission responsibilities assigned under this plan, Canadian forces, DOD forces and staff will have to execute response actions that are unique due to the interagency relationships, broad range of responding agencies and constraints and boundaries addressed by public law.

(2) There is a potential that forces tasked to respond/support a contingency are directly affected by the contingency (pay, housing, MWR, other basic and support services). Commanders will have to mitigate effects to forces to enhance efficiency and ensure support is provided to the members and any affected family members.

(3) A solid communication chain of command at all levels is critical to inform and protect members, their families, and interests in the affected AORs.

b. Responsibilities. Individual, national and service personnel policies and procedures will apply unless otherwise directed by CDR USNORTHCOM or Comd Canada COM.

(1) Personnel Requirements. Includes all Canadian forces, U.S. service members and DOD civilians directed under this plan. The following responsibilities are assigned IAW individual, national and service personnel policies:

(a) USNORTHCOM and Canada COM assigned responsibilities:

1 Develop and publish policies in support of this plan.

2 Request Individual Augmentee (IA) backfills to offset long term Request for Capabilities (RFC) requirements IAW Chairman, Joint Chiefs of Staff (CJCS), Canadian, and Joint Staff (JS) policies.

3 Provide policy for applicable awards and decorations.

4 Establish reporting requirements and responsibilities within the designated area of operations.

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5 Coordinate with the SecDef, MND, and JS on personnel issues.

6 Assess capability to internally source C2 personnel requirements.

(b) Services/Force Generating Command assigned responsibilities. Common CANUS (in coordination with (ICW) CF home unit, servicing home base or supporting personnel activity):

1 Execute pay and allowances with any variations determined or directed.

2 Monitor, task, and process military and civilian evaluations.

3 Monitor, track, and report casualties.

4 Provide required personnel when tasked.

5 Identify shortfalls to USNORTHCOM and/or Canada COM headquarters.

(c) Services assigned responsibilities. U.S. (ICW CF home unit, servicing home base or supporting personnel activity):

1 Submit formal requests to use Reserve Component (RC) to backfill critical gaps caused by contingency operations or deployment.

2 Implement processes to use contractors to back fill gaps left by active duty (AD) deployment.

3 Track number of days member is deployed. Implement all benefits as necessary, unless applicability is waived by service secretary.

4 Coordinate with home base to ensure completion of base required training, and training required for personnel to maintain mobilization status.

5 Coordinate with home base or servicing agency to provide personnel uniform and/or equipment required to support this plan.

(d) U.S. Command Element assigned responsibilities:

1 Identify personnel requirements needed for command and control, and document personnel requirements via the Joint Manning Document (JMD). If a Combined Joint Task Force (CJTF) is established, the CJTF Commander will coordinate the creation of a JMD with USNORTHCOM/J1(NC/J1), NC/J3, and the Service components. Regardless of how it is created, the JMD belongs to the CJTF Commander and will reflect anticipated mission requirements.

2 Establish and manage a Joint Reception Center (JRC) IAW Joint Publication (JP) 3-33, "Joint Task Force Headquarters," or other appropriate policies.

3 Conduct personnel accountability and reporting (to include casualty).

4 Report by specific skills to the NC/J1 (staff or battle staff) if the strength of any force is forecast or actually reaches a level where mission accomplishment is jeopardized in support of this plan.

5 Authorize any special pay and allowances applicable.

6 Track and report mission execution trends and personnel variances required to support the plan.

7 Request in-cycle replacements due to injury, illness, emergency leave, Absent Without Leave (AWOL) IAW USNORTHCOM policy.

8 Publish applicable personnel policies for the designated area of operations.

(2) CANUS Joint Personnel Reception and Processing. Contingency response personnel can include local assets, deployed assets or a combination of both. Despite the source of assets used in contingency response, there are critical aspects of personnel reception and processing that must be initiated at the first stage of contingency response. Initial planning must accommodate personnel reception and accountability aspects. It is the responsibility of the command element (i.e., Joint or Combined functional component or Combined Joint Task Force) to establish/request these activities immediately upon operation execution. Component response plans must address timely establishment of necessary resources to support personnel reception and processing. In large scale, or complex operations, the Combined Joint Force Commander (CJFC) may direct establishment of a Combined Joint Reception Center (CJRC). The CJRC is responsible for all aspects of reception, accountability, processing, redeployment, and demobilization of all personnel supporting a USNORTHCOM or Canada COM response to the defense operation.

(3) CANUS Personnel Accountability and Strength Reporting. Personnel accountability and strength reporting are required for all personnel deployed to or employed in the designated area of operations in support of USNORTHCOM and Canada COM defense operations. Various reports are established to account for the required tracking and information. Coordination with Canada COM must be accomplished to establish required reporting timelines and information. Each response plan should identify a responsible party to

accomplish these reporting requirements on direction. Reporting requirements should be directed at initial execution of contingency operations. In the event a service member is hospitalized, it is incumbent upon the Joint or Combined functional component or Combined Joint Task Force to ensure that proper coding of the member's duty status and tracking of their location is achieved through coordination with the Medical Treatment Facility (MTF) and U.S. Armed Services Medical Regulating Office (ASMRO) and CANOSCOM Pers. In the event that a civilian medical facility is utilized, the CJTF becomes responsible for the tracking, accounting and reporting of all U.S. and Canadian military members.

(4) U.S. Rotation/Replacement Policies

(a) Rotations. Personnel rotation cycles will be determined during the planning stages of contingency response. The initially established cycles may be adjusted as the length, complexity, or personnel skills required changes. Factors of pay and allowances, leave entitlements; personnel availability, need for low supply/high demand skills, environmental issues, geographic constraints as well as other intangible factors (high deployment rates, stress etc.) play a key role in establishing contingency rotation cycles. Rotations/deployments will be based on mission requirements as defined in the execute order (EXORD).

(b) Replacements. Various situations may require replacement of individuals due to death, injury, illness, leave, or rotation due to lengthy contingency operations. Due to the varying conditions for CONUS and Canada contingency operations, the command element will be responsible for requesting replacements in a timely manner. It will be the contingency commander's responsibility to determine replacement policies for individuals who are unavailable to execute the assigned mission due to injury or illness and their loss is detrimental to mission execution.

(5) CANUS Non-combatant Evacuation Operations (NEO). For Canada address according to CONPLAN 20852 (a CEFCOM Contingency Plan) be determined.

(6) U.S.-citizen civilian personnel. Unless waived or amended by an authorized, competent authority, all Federal Guidelines and Regulations regarding the use of U.S. civilian personnel and contractor personnel will remain in effect.

(7) Non-U.S. citizen labor. It is feasible that mutual-aid from border countries could be offered or required by proximity of the response or impact of the contingency event. Due to political/diplomatic sensitivities, it is necessary that the command element coordinate with the USNORTHCOM and/or Canada COM Political/Policy Advisor (POLAD) to determine in-place mutual aid and

support agreements. Additionally, coordination with appropriate legal authorities will be required prior to determining requirements for personnel accountability and tracking. At a minimum, if contracts are established, the command element will be required to capture by-name accountability and contract information of third country and local national contractor personnel and related contracts.

(8) CANUS Casualty reporting. Casualty reporting will be in accordance with national and service policies. The command element will initiate the reporting process to the service components and appropriate agencies. Next of kin notification is a service responsibility. In the event a service member is hospitalized, the Joint or Combined functional component or Combined Joint Task Force (in coordination with medical personnel) will:

(a) Determine if a medical evaluation will be required and how duty status will change.

(b) Determine the anticipated date that the member can return to duty.

(c) Determine if a replacement will be required.

(9) CANUS Decorations and awards. Member recognition of contributions during support to USNORTHCOM or Canada COM will be via designated approving authorities. USNORTHCOM and Canada COM will provide contingency specific guidance to designated approving authorities. Planning factors should incorporate processes to track participants and eligibility for award based on contributions as well as processes for timely submission/approval of recognition (note special approval process for awarding of honors and awards from a foreign service).

(10) Pay and allowances. For U.S. personnel, USNORTHCOM, in accordance with Presidential approval, will establish special entitlement policies. This standard meets the requirement for establishing fair and equitable treatment established by JP 1-0. Policies affecting pay and entitlements will be coordinated with Services, and the CJFC. For pay and allowances unique to the contingency response, the contingency command will validate applicability for members operating in the designated area of operations and coordinate with the services for execution.

(11) U.S. Personnel Travel to Canada (Passport, visa, and theater clearance requirements)

(a) Travel. For U.S. personnel, travel procedures will be in accordance with the Joint Federal Travel Regulation (JFTR) Volume I (military members) and Volume II (DOD Civilian Personnel). Temporary Additional Duty /

Temporary Duty (TAD/TDY) Pay will be in accordance with service component, DOD and USNORTHCOM policies and regulations.

(b) Country access. Access to Canada requires DOD activity duty members or civilian members to possess a valid passport or travel on official orders. Contractors and non-DOD civilians are required to possess a valid passport for entry into Canada. Although passport requirements are normally not waived for U.S. Civilians, circumstances can allow some approval for passport waivers. The contingency command element will submit waivers in accordance with the DoD Foreign Clearance Guide. To facilitate mission success in lieu of waiver approval, planning should pre-identify those individuals who may be required to support this plan. Review of applicable contracts and associated costs should be vetted to encourage procurement of passports.

(c) Split year trip w/o DOD Appropriation Act/resolution. IAW DoD Financial Management Regulation Volume 9, Chapter 5 050301, in the event of a split year funded trip, the civilian or military traveler must return to his or her official duty station if no DoD Appropriation Act has been signed or continuing resolution has been enacted. Expenses incurred in returning to the traveler's duty station will be posted in the new fiscal year as necessary costs to close down operations. Services should plan for this funding contingency appropriately to prevent impact to contingency response operations.

(12) U.S. Medical Returnees to Duty. Once released and approved for return, all DOD personnel returning to duty after hospitalization will report to a reception station designated by the Joint or Combined functional component or Combined Joint Task Force Commander, prior to returning to their parent unit. Service members unable to return to duty will be processed per service procedures.

(13) Leave policy. For U.S. personnel, it is CDRUSNORTHCOM's policy that ordinary leave requests/approval during personnel support to a USNORTHCOM CONPLAN execution should be limited. Any leave approved should be evaluated to ensure execution does not impact current or future mission readiness or cause detriment to the individual for the following reasons: first, this will maximize the readiness and response of required capabilities and personnel. Second, the safety of personnel is considered, i.e. the situation may warrant minimizing travel, or minimizing contact within a contaminated or hazardous environment. If leave is approved, the member may be subject to recall to duty prior to the end of the approved leave period.

(a) Terminal/separation. Stop-loss may be enacted if mobilization of targeted Reserve Components is implemented. This effectively stops all departures/resignation of personnel on active duty in transition to a non-active duty status.

(b) Emergency/special leave. Emergency and special leave circumstances will be considered on a case by case basis with consideration on any environmental, transportation, or personal impacts that would either increase risk to the unit, mission or individual. It is anticipated that the CJTF Commander will not request replacement personnel for personnel with approved emergency or special leave.

(14) U.S. deployability criteria for personnel unique to this operation. It is required that all personnel (military and civilian, to include contractors) deployed in support of contingency operations meet all deployability criteria and training as required by personnel skill codes, established medical criteria, contractual agreements, DOD policies, and national and service policies. Successful screening for adherence to deployability criteria must be accomplished prior to deployment. Any equipment to include personal protective equipment must be issued from the member's home station or by the military organization responsible for contracted support.

(15) U.S. Benefits and entitlements

(a) Special leave. Under Title 10 section 710F (1) and (2): The secretary concerned, under uniform regulations to be prescribed by the Secretary of Defense, may authorize a member, who would lose any accumulated leave in excess of 60 days at the end of the fiscal year, to retain an accumulated total of 120 days leave. In consideration of the effective date(s) or length of contingency, the Joint or Combined functional component or Combined Joint Task Force Commander will advocate uniform application across members supporting USNORTHCOM operations.

(b) Pass program. This program is intended for allowing personnel relief from stressors. Use of this program is dependent on CJTF Commander implementation policies. However, availability must be fair and equitable to all members deployed as allowed by each nation. Most support to contingencies will be sufficiently short to prevent CJTF Commander from implementing this program. However, in cases of lengthy deployments (personnel rotations beyond 60 days), shift rotations prevent adequate decompression time, or environmental conditions exist that restrict movement (preventing the member from taking normal leave), CJTF Commander should consider implementation of a pass program.

(c) Sole surviving son or daughter. In the military, a "sole surviving son or daughter" is one who is any son or daughter in a family whose parent or one or more sons or daughters served in the Armed Forces of the United States and was killed in action, died as a result of wounds, accident, or disease while serving in the U.S. Armed Forces, is in a captured or missing-in-action status, is permanently 100 percent physically disabled or 100 percent mentally

disabled due to service connection. In preexisting DOD directives, this policy previously only applied to a hostile fire/imminent danger zone and excluded times of war or national emergency, so it should not be of concern for the services unless there is such declaration for CONUS response. It is incumbent on the service to apply service policies.

(d) Absentee voting/voter information. For U.S. personnel, it is anticipated that the services in coordination with the Federal Voting Assistance Program (FVAP) will make every effort to ensure that a deploying member has the opportunity to participate in applicable election voting. It is the command elements responsibility to provide access to the FVAP and available web based, or mail programs if feasible.

(e) Red Cross notification and coordination for additional services. The Joint or Combined functional component or Combined Joint Task Force Commander will ensure events or incidents requiring Red Cross involvement are coordinated with the Red Cross in a timely manner.

(16) U.S. military evaluations. Services or nations will retain responsibility for completion and processing of military evaluations. To minimize impacts to promotion actions, personnel placed in OPCON to USNORTHCOM or Canada COM contingency operations for greater than 90 days will be handled on a case by case basis. It is the service or nation responsibility to track evaluation completion dates and notify the contingency command element of required actions.

(17) U.S. civilian personnel policies and procedures. Policies for allowances and benefits such as danger pay allowances, overtime, compensatory time, shift differential, and Sunday/holiday premium pay and leave will be in accordance with the parent service. Biweekly Earning Limitation, Annual Limitation on Premium Pay for Emergency Work, and Annual Aggregate Limitation will be executed IAW 5 USC 5546. For allowances such as danger pay that require appropriate declaration, the CJFC will advocate on behalf of all the services.

(18) U.S. finance and disbursing. Units supporting CDRUSNORTHCOM will fund operations as contingency operations IAW DODI 7000.14-R, Vol 12, chapter 23 from current fiscal year appropriations provided in direct budget authority, independent of the receipt of specific funds for the operation. Incremental costs will be captured using unique special program codes and reported to service/agency comptrollers for potential future reimbursement. Units should also consult any service or agency specific guidance concerning contingency operations and associated cost accumulation/reporting.

(19) Legal. See Appendix 1.

(20) Military Postal Services. Not Applicable.

(21) Chaplain Activities. See Appendix 2.

4. Administration and Logistics. The length and complexity of the response will determine the requirement for force reconstitution and personnel rotations. Forces will be identified using the Request for Forces process for U.S. formations.

5. Command and Control. See Annex J.

//signed//
W. SEMIANIW
Lieutenant-General, CF
Commander,
Canada Command

//signed//
CHARLES H. JACOBY, JR
General, USA
Commander,
U.S. Northern Command

Appendices

- 1 - Legal
- 2 - Chaplain Activities

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APPENDIX 1 TO ANNEX E TO CANADA-U.S. CIVIL ASSISTANCE PLAN LEGAL

1. General Guidance and References: See References for Base Plan. Additional references and general guidance:

a. Legal framework for the CAP and primary treaties, international agreements and implementing orders and instructions:

(1) There is no pre-existing CANUS legal authority to execute the CAP. The CAP is a plan only, and should be analyzed strictly as a framework for cross-border CANUS military operations that require separate CANUS legal execution authority. Any execution of the CAP will require mission-specific legal authority, typically in the form of a CANUS exchange of diplomatic notes (DOS and DFAIT) and execution orders issued by the SecDef and CDS. The exchange of diplomatic notes will be tailored to the specific event and will establish the parameters of permissible mil-to-mil support. An exchange of diplomatic notes may support pre-planned events (e.g., Vancouver 2010 Winter Olympics), or alternatively, unanticipated crisis or emergency events (e.g., a natural disaster or terrorist attack).

(2) U.S. and Canadian Exchange of Diplomatic Notes on Broadening Bi-National Defence Arrangements for North American Security (2002). This exchange of diplomatic notes provides the legal authority for DOD and the CF to develop and adopt the CAP, but not to implement the CAP (see para. 1.a(1)).

(3) North Atlantic Treaty Organization Status of Forces Agreement (SOFA). Once legal authority is established to execute the CAP, the NATO SOFA establishes the general legal framework supporting cross-border CANUS military operations.

(a) DoDD 5525.1, Status of Forces Policies and Information (U)

(b) *Visiting Forces Act*, R.S.C. 1985, c.V-2; CFAO 36-42, *Logistic Support for Canadian Forces Outside Canada*; CFAO 223-1, *Agreements with NATO Countries – Visiting Military Aircraft and Crew* (U)

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(4) U.S. and Canadian Agreement on Principles and Procedures for Temporary Cross-Border Movement of Land Forces (1968);

(a) USNORTHCOM Instruction 10-213, Temporary Cross-Border Movement of Land Forces (1 Feb 2008);

(b) CFAO 20-45 , Canadian Forces Administrative Order on Temporary Cross-Border Movement of Land Forces, 29 May 1987 (U).

b. Claims:

(1) *NATO Status of Forces Agreement*

(2) AR 27-20; DA Pam 27-162 , JAGINST 5890.1; JAGMAN; AFI 51-501 ; DoDD 5515.8, Single-Service Assignment of Responsibility for Processing Claims (U).

(3) DAOD 7004-0, *Claims By or Against the Crown and Ex gratia Payments*; DAOD 7004-1, *Claims and Ex gratia Procedures*; DAOD 7004-2, *Compensation for Loss or Damage to Personal Property*; JAG Policy Directive 040/08, Delegation of Authority – Claims and *Ex Gratia* (U)

c. Legal assistance:

(1) AR 27-3; JAGMAN ; AFI 51-504 (U)

(2) CFAO 56-5, *Legal Assistance; Policy on Indemnification of and Legal Assistance for Crown Servants*, Treasury Board of Canada Secretariat (U)

d. Military Justice:

(1) Manual for Court-Martial (MCM); Uniform Code of Military Justice (UCMJ); DoDD 5510.3, Authority to Convene General Courts-Martial; AR 27-10; JAGMAN; AFI 51-201; AFI 51-202; COMDTINST M5810.1D, CG Military Justice Manual (U)

(2) QR&O Vol II *Discipline*; JAG Policy Directive 008/00, *General Instructions in Respect of Prosecution*; JAG Policy Directive 009/00, *General Instructions in Respect of Defence Counsel Services*; JAG Policy Directive 010/00, *Charge Screening Policy* (U)

e. Ethics:

(1) DoD 5500.7-R, Joint Ethics Regulation (JER) ; DoDD 1005.13, Gifts from Foreign Governments; DoDD 7250.13, Official Representation Funds (ORFs) (U)

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(2) DAOD 7021-1, *Conflict of Interest*; DAOD 7021-2, *Post-Employment*; DAOD 7121-3, *Acceptance of Gifts, Hospitality and Other Benefits*; DAOD 7021-4, *Sponsorship and Donations*; DAOD 7023-0, *Defence Ethics*; DAOD 7023-1 *Defence Ethics Program* (U)

f. Negotiating and concluding international agreements:

(1) NATO Document AC/313 - *Guidelines and Sample Provisions for Memoranda of Understanding* (U)

(2) DoDD 5530.3, *International Agreements*; CJCSI 2300.01, *International Agreements* (U)

(3) DAOD 7014-0, *Memoranda of Understanding (MoU)*; DAOD 7014-1, *Memoranda of Understanding (MoU) Development* (U)

g. Reporting violations of the law of war:

(1) DoDD 2311.01E, *DoD Law of War Program*, CJCSI 5810.01C, *Implementation of the DoD Law of War Program* (U)

(2) B-GJ-005-104/FP-0232, *Code of Conduct for CF Personnel* (U)

h. Political asylum and temporary refuge:

(1) 1967 Protocol Relating to the Status of Refugees (U); Refugee Act of 1980, 8 USC 1101; DoDD 2000.11, *Procedures for Handling Requests for Political Asylum and Temporary Refuge*; AR 550-1 (U)

(2) CFAO 99-6, *Safehaven – Foreign Countries* (U)

i. Host nation relations:

(1) DoDD 2000.13, *Civil Affairs*; DoDD 2205.2, *Humanitarian and Civic Assistance (HCA) Provided in Conjunction with Military Operations*; DoDD 5100.46, *Foreign Disaster Relief* (U)

(2) B-GJ-005-307/FP-040, *Humanitarian Operations and Disaster Relief Operations*; B-GJ-005-900/FP-000, *Civil-Military Cooperation in Peace, Emergencies, Crisis and War* (U)

j. Rules of Engagement/Rules for the Use of Force:

(1) CJCSI 3121.01B, *Standing Rules of Engagement/Standing Rules for Use of Force for U.S. Forces* (S).

(2) B-GJ-005-501/FP-001, *Use of Force for CF Operations* (C, U less Annexes)

k. Law enforcement and regulatory functions:

(1) 18 USC 1385, The Posse Comitatus Act (PCA); 10 USC 371-381, Military Support for Civilian Law Enforcement; 10 USC 331-335, Enforcement of Laws to Restore Public Order; Chapter 18 Title 10 USC; DoDD 5525.5, DoD Cooperation with Civilian Law Enforcement Officials; DoDD 3025.12, Military Assistance for Civil Disturbance (U)

(2) *National Defence Act*, R.S.C. 1985, C. N-5 (as amended) ss. 273.6(2), 274 – 285; *Canadian Forces Armed Assistance Directions*, P.C. 1993-624; *Canadian Forces Assistance to Provincial Police Forces Directions*, P.C. 1996-833; B-LG-007-000/AF-001, *Domestic Operations – Collection of Documents* (U)

l. Acquisitions during combat or military operations:

(1) Federal Acquisition Regulation (FAR); Defense Federal Acquisition Regulation Supplement (DFARS); DoDD 2010.9, Mutual Logistic Support Between the United States and Governments of Eligible Countries and NATO Subsidiary Bodies (U); references at Annexes D and W

(2) 3004-0, *Contracting*; DAOD 3004-1, *Procedural Overview – Contracting*; DAOD 3004-2, *Service Contracts*; A-LM-007-014/AG-001, *Canadian Forces Supply Manual*, 12 APR07 (U)

m. Nuclear, biological, and chemical weapons:

(1) *Chemical Weapons Convention* (U), 1993; Biological Weapons Convention (U), 1972; CJCSI 2030.01C, 9 April 2010, “Chemical Weapons Convention Compliance Policy Guidance”

(2) Executive Order 11850, 8 April 1975, “Renunciation of Certain Uses in War of Chemical Herbicides and Riot Control Agents; CJCSI 3110.07, 22 November 2006, current as of 21 Nov 2008(U) Guidance Concerning Chemical, Biological, Radiological, Nuclear Defense and Employment of Riot Control Agents and Herbicides (S)

(3) B-GJ-005-104/FP-021, *Law of Armed Conflict at the Operational and Tactical Levels*; B-GJ-005-027/AF-022, *Collection of Documents on the Law of Armed Conflict*; B-GJ-005-311/FP-000 *Nuclear, Biological and Chemical (NBCD) Strategic Doctrine*; B-GJ-005-311/FP-010 *Nuclear, Biological and Chemical (NBCD) Operations*; B-GJ-005-311/FP-020 *CF Nuclear, Biological and Chemical Defence, Tactics, Techniques and Procedures*(U)

n. Intelligence oversight:

(1) EO 12333, United States Intelligence Activities; DoDD 5240.1, DoD Intelligence Activities; DoD 5240.1-R, Procedures Governing the Activities of DoD Intelligence Components that Affect United States Persons.(U)

(2) DAOD 8002-0, *Counter-Intelligence* ; DAOD 8002-1, *National Counter-Intelligence Program*; DAOD 8002-2, *Canadian Forces National Counter-Intelligence Unit*; DAOD 8002-3, *Security Intelligence Liaison Program* (U)

2. Role of the Legal Advisor

a. Mission. USNORTHCOM Staff Judge Advocate (SJA) and subordinate/Task Force component SJAs, and CF legal advisors will provide the fullest possible range of legal services to units and personnel in the joint operations area (JOA) as far forward as circumstances permit. The nature of combined or coordinated CANUS operations will require close and continuous coordination and communication among legal advisors at all levels in both nations.

b. USNORTHCOM SJA responsibilities. The SJA will:

(1) Provide legal advice to the USNORTHCOM Commander and staff and provide oversight of all legal advice provided at the subordinate and component levels.

(2) Serve as the single USNORTHCOM point of contact for all legal issues during all phases of planning and execution, to include, but not limited to the following areas:military justice, claims, legal assistance, contracting and fiscal law, international law, intelligence oversight, the application and development of ROE, RUF, Use of Force, and arming authorities.

(3) Monitor all legal activities within the JOA.

(4) For further elaboration, see Joint Publication 1-04, Legal Support to Military Operations (1 Mar 2007)

c. CF Legal Advisor roles and responsibilities. The principal role of legal officers in the Canadian Forces is to provide advice to supported commanders and staff, as required. However, Legal Advisors continue to remain under the command of the Judge Advocate General and not the supported commander. The main areas of legal advice provided include:

(1) the legal basis for each task, including its legal authority and limitations;

- (2) ROE;
- (3) use of force;
- (4) application of all federal and provincial legislation, regulations, OICs, MOUs, and other directives;
- (5) legal implications of CF members having or not having peace officer status;
- (6) legal aspects of communications monitoring or interception;
- (7) liaison and coordination with the legal advisors and staffs of OGDs and OGAs;
- (8) other operational law topics such as CF maritime/land/air ops, CT, CBRN, DCAARs/ISDRs, special duty issues, permissible activities under Ministerial and OIC authorizations, etc.;
- (9) review of arrangements for provision of logistical, technical or administrative support;
- (10) CF and individual liability exposure;
- (11) risk management;
- (12) claims by and against the Crown;
- (13) military justice and the *Code of Service Discipline*;
- (14) military administrative law, including personnel issues, summary investigations and boards of inquiry; and
- (15) other legal matters of particular interest to commanders and the CF.

3. Specific Guidance

a. Claims. The claims procedures in Article VIII of the *NATO SOFA* will apply to claims arising out of U.S. military operations in Canada and Canadian Forces operations in the U.S. Commanders will ensure that all claims arising out of U.S. military operations within the U.S. are promptly reported and thoroughly investigated in accordance with applicable law and policy.

- (1) United States. Claims handled by the U.S. Forces will be IAW Service regulations and DOD Directives (see references at paragraph 1.b).

(2) Canada.

(a) Where information is received by the CF that claims by or against the Crown appear likely, the appropriate CF authority will order an investigation IAW appropriate QR&Os and DAODs. Claims for damage to property, death, or personal injury will be dealt with in accordance with existing Government of Canada policy by the AJAG of that area working with DND/CF LA Claims and Civil Litigation as appropriate. These offices have the sole authority within an operation to settle claims of any kind.

(b) Members are prohibited from accepting responsibility for any claim or potential claim, or otherwise admitting liability for a claim against the Crown without the express authority of a legal officer (QR&O 19.41). Anyone who improperly authorizes the payment of a damages or related claim may be in violation of the *Financial Administration Act* and possibly held personally liable to reimburse the Crown for such amounts as he or she authorizes to pay out of Public or NPF funds.

b. United States Legal Assistance. Service component commanders will arrange legal assistance for personnel assigned or attached to their respective forces (see references at paragraph 1.c).

c. Legal Support to Military Police - Legal advisors will provide legal advice to MP on matters such as jurisdiction, investigations, search and seizure, arrest and detention and the application of laws and regulations.

(1) Canada. Peace Officer jurisdiction of MP activities is generally limited to defence establishments and persons who are subject to the Code of Service Discipline. Accordingly, civilian police should be encouraged to seek assistance from other police forces whose members have peace officer status, before seeking law enforcement assistance from MP.

(2) United States. The jurisdiction of MP activities is generally limited DOD installations and persons subject to the UCMJ.

d. CF National Investigation Service (CFNIS). Investigations of a serious or sensitive nature conducted under the jurisdiction of the CFNIS may result in charges being laid by the CFNIS. Legal officers assigned to a specific operation can act as liaison between the Regional Military Prosecutor and commanders as required.

e. Military Justice. The jurisdictional provisions in Article VII of the *NATO SOFA* will apply.

(1) United States. U.S. forces are subject to world-wide jurisdiction under the UCMJ. Military justice will be administered IAW the guidance

contained in the references at paragraph 1.d; A General Order No. 1, "Prohibited Activities for U.S. Personnel Serving in the USNORTHCOM AOR" may be drafted and implemented upon execution of the CAP. The USNORTHCOM SJA shall advise on the drafting and enforcement of all General Orders and provide training, as required.

(2) Canada. Members continue to be bound by Canadian federal law in accordance with applicable references. The *Code of Service Discipline* applies to all CF personnel deployed on the operation. Legal advisors can provide further clarification as to the applicability of the *Code of Service Discipline* to Reserve Force members. QR&O 107.03 and 107.11 stipulate that a legal officer must be consulted in certain circumstances during two key steps of the disciplinary process: before a charge is laid, and prior to conducting a summary trial. Persons authorized to lay charges and presiding officers should consult with their legal advisors in order to ensure that these QR&O provisions are respected. The chain of command must be informed of any CF member taken into custody by civilian authorities.

f. Canadian Forces Protection from Civil Liability. Any member of the Canadian Forces, when properly authorized to act as a peace officer, acting on reasonable grounds, is justified in doing what he or she is authorized to do IAW s. 25 of the *Criminal Code of Canada*. CF members acting in accordance with their orders and ROE will be indemnified against civil liability so long as they act in good faith, within the scope of their duties or course of employment, and not against the interests of the Crown. Legal officers can provide further information as required.

g. Reporting violations of the law of war and non-compliance with ROE.

(1) United States. U.S. forces will comply with the law of armed conflict (LOAC). Commanders who receive information concerning a possible violation of LOAC and/or ROE/RUF will:

(a) Conduct a preliminary inquiry to determine whether violations were committed by or against U.S. forces in coordination with the servicing SJA and military investigators;

(b) Cooperate with appropriate military, civil and international authorities;

(c) Immediately report suspected violations by or against U.S. forces to HQ USNORTHCOM through the chain of command;

(d) When U.S. forces are involved as either victims or perpetrators, or when directed by USNORTHCOM, conduct a complete investigation, preserve all evidence and take appropriate corrective and/or disciplinary action. A

decision not to investigate or to discontinue an investigation will be made only after coordination with the USNORTHCOM SJA;

(e) Provide copies of all OPREPs, initial reports, and reports of investigation to the USNORTHCOM SJA through the chain of command support SJAs.

(2) Canada. CF members will observe and enforce regulations, rules, orders and instructions and will report infringements IAW QR&O 4.02 and 5.01. CF personnel will immediately report all acts of violence, to include homicides, assaults, rapes, robberies, abductions, and instances of mayhem or mass disorder, to their commander. Commanders will immediately pass reports to the senior commanders and the Senior Legal Advisor for the component command

h. Host-nation support. Host nation support will be governed by applicable bilateral agreements to include the NATO SOFA and the Acquisition and Cross Servicing Arrangement between the U.S. and Canada. See references at paragraph 1(l), and Annexes D and W.

i. Legal review of rules of engagement (ROE) rules for the use of force (RUF). All supplemental ROE/RUF request will be coordinated with the supporting SJA/Legal Advisor. References at 1. apply. For CF, controlling the use of force is both an operational and a legal imperative. Under the Canadian system the use of force in personal, unit and force self-defence is separate from ROE. With or without ROE, CF members are entitled to use force in self-defence. All use of force by military forces within Canada must comply with domestic law, specifically the *Criminal Code of Canada*. Commanders should consult with their legal advisors to ensure that their ROE/RUF are compliant with domestic law. USNORTHCOM and CF legal advisors shall coordinate with their respective operations staff (J3) and one another to identify potential U.S. and Canadian ROE/RUF differences and proactively work to harmonize those differences, when lawful and feasible.

j. Law enforcement and regulatory functions.

(1) United States.

(a) USNORTHCOM forces are generally prohibited from directly participating in the enforcement of U.S. law. Exceptions to this general rule and categories of permissible support to law enforcement are outlined in the references at paragraph 1.k(1) of this Appendix. The NORTHCOM SJA shall advise on any contemplated USNORTHCOM support to U.S. law enforcement.

(b) The PCA does not prohibit USNORTHCOM forces from directly participating in the enforcement of U.S. law outside of U.S. territory; however,

DOD policy prohibits such activities unless authorized by SecDef (see DoDD 5525.5). The PCA does not prohibit USNORTHCOM forces from supporting Canada Command in the enforcement of Canadian law; however, such operations must be authorized by the SecDef and CDS and must be consistent with Canadian law. The NORTHCOM SJA shall advise on any contemplated USNORTHCOM support to U.S. law enforcement. (See references at paragraph 1.k(1))

(2) Canada.

(a) The CF has no mandate to conduct civilian law enforcement activities but can assist law enforcement agencies. The CF support can never be greater than the authority of the requesting law enforcement groups to conduct law enforcement activities themselves (see references at paragraph 1.k(2)).

(b) Peace Officer Status for CF. Peace Officers are public authorities responsible to maintain the public peace and enforce the law. CF personnel employed on an operation may have Peace Officer status if it would be appropriate for them to perform law enforcement duties but only when so employed, IAW QR&O 22.01. Peace Officer status ceases when CF personnel are no longer performing assistance to law enforcement duties. CF personnel with Peace Officer status have all the powers and protections of Peace Officers as set out in the *Criminal Code* and the special protection from civil and criminal liability enjoyed by Peace Officers. CF members without Peace Officer status have no more authority over the civilian population than they would otherwise have when performing their normal day-to-day duties. Specifically, CF personnel without Peace Officers status do not have the enhanced powers of arrest, detention, investigation, or traffic control enjoyed by Peace Officers. A legal advisor should be consulted to know whether CF personnel have peace officer status and when.

k. Environmental Protection. USNORTHCOM forces and the CF will comply with all applicable law and policy pertaining to environmental protection consistent with the NATO SOFA, and will exercise care to minimize damage to the environment. Legal officers are available to provide legal advice on the risk of liability associated with NORTHCOM and CF operations that may adversely impact the environment.

l. Military Administrative Investigations. The nature of service investigations and their subsequent legal ramifications, both for the CF, USNORTHCOM and for individual service members, merits legal officer involvement from the earliest stages of any investigation. Terms of Reference (TOR) and letters of appointment for service investigations should be reviewed by a legal officer to ensure they are complete and incorporate guidance on any legal issues that the investigating officer/board is likely to encounter. Of

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specific concern in the CF is the issue of the incorrect use of administrative investigations (SI/BOI) for primarily disciplinary purposes.

m. United States component and supporting commanders' and staff responsibilities. Subordinate component commanders will:

(1) Ensure all plans, orders, policies, procedures and operations comply with applicable law and policy, including the law of war and ROE/RUF.

(2) Provide a weekly status of general legal operations to CDR, USNORTHCOM, ATTN: SJA. This report will include, at a minimum, the following information:

(a) International law. Incidents affecting international agreements, suspected violations of the law of war or ROE/RUF, and incidents involving U.S. Forces and the forces, government agents, or nationals of another country.

(b) Domestic law. Incidents affecting local civil authorities, suspected violations of the law of war or ROE/RUF and incident involving U.S. Forces and civil authorities or U.S. Citizens.

(c) Military Justice. Incidents that may result in disciplinary action under the UCMJ, as well as the final disposition of such actions, and Service personnel in pretrial confinement. Immediately report serious incidents.

(d) Claims. Any incidents that may give rise to claims for or against the U.S. government.

n. Acquisitions during combat or military operations. References at paragraph 1.1., and Annexes D and W apply.

(1) United States.

(a) Goods and services to satisfy U.S.-specific requirements will be obtained in accordance with applicable U.S. and host nation laws, treaties, international agreements, directives, and regulations. Component and Joint Commanders do not have the authority to waive any of the statutory or regulatory requirements contained in the Federal Acquisition Regulation (FAR), absent specific authorization.

(b) Goods and services to satisfy CF specific requirements will be obtained in accordance with applicable Canadian and Host nation laws, treaties, international agreements and directives.

(c) Only U.S. contracting officers may enter into and sign contracts on behalf of the U.S. Government. Only those persons who possess valid

contracting warrants may act as contracting officers and then only to the extent authorized. Only those persons who have been appointed as ordering officers by competent authority may make obligations pursuant to contracts.

(d) U.S. Forces must avoid unauthorized commitments. Although an unauthorized commitment is not binding on the USG, in appropriate cases it may be ratified by an authorized person in accordance with the FAR. Unratified unauthorized commitments are the responsibility of the person who made the commitment. In appropriate cases, such persons may also be subject to disciplinary action.

(2) Canada.

(a) Canadian contracting authorities are identified in A-FN-100-002/AG-006 - *Delegation of Authorities for Financial Administration for the Department of National Defence (DND) and the Canadian Forces (CF)*.

(b) Short term or ad hoc CF arrangements for logistic support to cover a deployment may be made by exchange of correspondence or verbally if circumstances so warrant. Requests for authority to enter into short term or ad hoc arrangements shall be submitted to NDHQ/J4 Logistics and shall contain sufficient detail to permit adequate consideration.

o. Contracts.

(1) United States. The USNORTHCOM J4 is generally the lead for identifying supply and services needs and may participate in negotiating contracts for them. The servicing SJA at all levels should be consulted on contracting matters. USNORTHCOM J8 should be consulted with regard to applicable fiscal authorities.

(2) Canada. As a general rule, the CF will negotiate and compensate in the normal fashion the use of goods and services that are required for any operation. Although there may arise situations in which the CF has the right to seize property or goods for operational purposes, this will be extremely unusual and must be dealt with on a case-by-case basis. It is not foreseen that such actions will be required for operations in accordance with the CAP. Specific legal advice should be sought prior to ordering any such seizure. Spending authorities are governed by A-FN-100-002/AG-006 - *Delegation of Authorities for Financial Administration for the Department of National Defence (DND) and the Canadian Forces (CF)*.

p. Canadian Real Property. Canada COM JEngr is the lead for identifying and negotiating the use of real property, i.e. buildings and lands. C-08-005-120/AG-000 *Realty Asset Management Manual* deals with the Departmental authorities for entering into transactions, such as leases. It should be noted

that no operational commander in Canada has the authority to enter into real property transactions. The NDHQ office that deals with this matter is the Director General Real Property.

q. Canadian Rental Vehicles. The CF is responsible for damage caused to rental vehicles when they are being used for official purposes. Rental vehicles are not to be used for personal or pleasure use. In addition, the acceptable use for rental vehicles is outlined in the rental agreement and standing offer. Certain uses, for example off-road use, may violate the rental agreement, and may create liability for the DND/CF, and personal liability for the CF member. The use of rental vehicles shall be in accordance with any agreements in place with the rental company. Legal advisors are available to review these agreements and advise on what is considered authorized use. Claims against the Crown cannot be settled unless there is a record of the damage caused. In accordance with A-LM-158-005/AG-001 *Transportation Manual*, all personnel driving rental vehicles must maintain a vehicle log and must report any damage caused to the vehicle, the circumstances under which the damage was caused, and witness reports. Failure to do so may result in individuals and or their units being held responsible for the cost of any required repairs.

r. Memorandums of Understanding/Agreement.

(1) United States. Prior to being signed, proposed U.S. memoranda of understanding/agreement will be forwarded to USNORTHCOM SJA for review.

(2) Canada. Prior to commencing a CF Memorandum of Understanding (MoU), the OPI will ensure compliance with DAOD 7014.

s. International agreements. References at 1.f apply.

(1) United States. All international agreements involving the U.S. will be in writing. Written authorization of USNORTHCOM is required before negotiating or concluding international agreements of any kind in which the U.S. or a military component is a party. Requests for authorization to negotiate or conclude an international agreement require the written concurrence of the Combatant Commander and USNORTHCOM SJA review.

(2) Canada. All proposed international agreement with Canada will be directed to DFAIT.

t. Nuclear, biological, chemical, and other weapons subject to special restrictions. Reference (m) on page E-1-4 applies.

u. Intelligence oversight - Information and Intelligence Collection and Sharing

(1) United States.

(a) References at paragraph 1.n(1) apply to USNORTHCOM operations. The USNORTHCOM SJA shall provide legal review and oversight of intelligence activities as required.

(b) Information and intelligence collection and sharing may be possible for domestic operations. Ops must be based on appropriate legal authority. Specific legal advice should be sought on a case-by-case basis for matters of this nature. In general, the CF may collect and share defence intelligence pursuant to the *National Defence Act* and the CF's defence of Canada mandate, in accordance with existing intelligence programs and legal authorities. The collection, production, and dissemination of security intelligence shall be performed primarily by CFNCIU in accordance with Reference J.

(2) Canada.

(a) While acting in support of a law enforcement agency for an operation, the CF is permitted to assist this agency in collecting information, pursuant to the mandate and lawful authority of that agency to do so. The law enforcement agency remains responsible to obtain any required judicial authorizations and to ensure that any CF assistance to act upon such authorizations is sought in strict accordance with the terms and limitations of those authorizations.

(b) Subject to any specific arrangement or agreement, the CF may share with a law enforcement agency classified information and intelligence in accordance with Reference K, under limited circumstances. Questions on intelligence sharing should be directed to the CF functional authority, the Chief of Defence Intelligence.

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Appendix 2 to ANNEX E TO CANADA-U.S. CIVIL ASSISTANCE PLAN (CAP)
Chaplain Services

References: See Annex W.

1. Chaplain Employment.

a. Provision of military chaplain services is a national responsibility. Each nation is responsible to manage mobilization and employment of active duty, reserve and/or National Guard chaplains, and of contracted civilian clergy in accordance with national policies.

b. In civil support disaster response situations, when the need for military chaplain support exceeds available national resources, either nation may request augmentation resources from the partner nation. Each nation will fill requests based on chaplain availability.

c. The primary focus of all military chaplains is to minister in a multi-faith, sensitive manner to the spiritual and or religious support needs of military personnel and their families.

d. In civil support disaster response situations in the United States, military chaplains normally do not engage in providing religious support to non-DOD affiliated civilians. This limitation does not preclude military chaplains from providing necessary pastoral care in emergency situations where certain acute needs require immediate and incidental assistance that cannot be reasonably attended by non-DOD clergy.

e. Military chaplain pastoral care religious support should be available to all, regardless of religious affiliation or non-affiliation.

2. Chaplain Roles.

a. General. Chaplains will fulfill their roles according to their respective national doctrine, directives, policies, and procedures.

b. Roman Catholic Pastoral Associates. Canadian military chaplains, who are Roman Catholic pastoral associates, when supporting U.S. military forces, will provide religious and or spiritual support to the same level as provided to CF. Chaplains will endeavor to minister with and support the

ministry of Roman Catholic Pastoral Associates and while on DND installations, will abide by the policies of the Roman Catholic Military Ordinariate of Canada. While on installations of DOD or Department of Veterans Affairs Hospitals, the policies of the Archdiocese of the Military Services, USA, especially regarding Communion Services, will apply to all Catholic Chaplains of either the United States or Canada.

c. Chaplain Assistants. U.S. military chaplain assistants are enlisted specialists. These specialists provide important administrative, logistical, and staff support to U.S. military chaplains, and are an important part of the Religious Support Team. No equivalent specialty exists within the CF chaplain service. Administrative, logistical and staff support required by chaplains is the responsibility of the supported commander. Chaplain assistants and/or other assigned personnel may provide this support as appropriate.

d. Chaplain/Client Confidentiality. Given differences of national policies with respect to issues regarding confidentiality of chaplain and client communication, all chaplains will provide clients with a clear understanding of the level of confidentiality provided. U.S. military chaplain assistants will be governed by U.S. military chaplain and client privileged communication policies.

e. Casualty Notification. Responsibility for next-of-kin (NOK) casualty notification remains a command responsibility in both nations. The level and nature of chaplain involvement in the notification process may be different. Tradition and policy of the host nation will be respected, and command direction will be followed.

3. Chaplain Command, Control and Communication.

a. In addition to direction provided in Annexes J and K, establishment of an integrated chaplain reporting chain within the mission area, in accordance with the host nation's protocols for chaplain reporting will be the responsibility of the senior chaplain assigned to the supported commander.

b. All chaplains assigned to the NATO TACON of the supported commander will be responsive to chaplain specific direction and reporting requirements of the senior chaplain assigned to the supported commander.

c. The senior chaplain assigned to the supported commander will, as authorized by the commander, be responsible for coordinating chaplain-specific liaison with civilian religious and spiritual care providers within the mission area.

d. The senior chaplain assigned will coordinate chaplain support to authorized DND and DOD personnel conducting consequence management or

civil support operations. Military chaplains deploy to provide religious support to authorized DND and DOD personnel. However, under very limited circumstances, military chaplains may also assist local, provincial, territorial, state, tribal/first nation and other federal authorities in alleviating human suffering and restoring communities during emergencies, or exigent circumstances or following natural disasters, catastrophic terrorist attacks, and acts of war.

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ANNEX F TO CANADA – U.S. CIVIL ASSISTANCE PLAN (CAP)
PUBLIC AFFAIRS (PA)

1. Situation

a. General. This annex assigns responsibility and provides guidance for the conduct of military PA when the forces of one nation support the forces of the other nation that are engaged in civil support operations.

b. Threat. There may be elements that seek to exploit the situation. Such exploitation may include false messages disseminated through public channels to exacerbate the situation or foster disunity or mistrust between the public and responders.

c. Friendly. PA resources of all assisting agencies will be in support of the lead civil authority's PA.

d. Policy. All PA personnel will adhere to national guidance and directives issued by DND and/or DOD, and guidance and directives from the Supported Commander. This may include direction to follow PA guidance issued by the lead civil authority's PA.

e. Assumptions:

(1) PA resources are personnel, equipment and other resources required for mission accomplishment.

(2) The supporting force's PA resources will be integrated with the Supported Commander's PA resources as appropriate.

2. Mission. When directed, PA will provide internal and external audiences with accurate and timely information as the forces of one nation support the forces of the other nation that are engaged in civil support operations.

3. Execution

a. Concept of Operations. The Supported Commander will coordinate the military PA activities in conjunction with the lead civil authorities. The Supported Commander's PA staff will be the primary point of contact and will develop PA Guidance (PAG) and communication strategy.

b. End State. Public confidence that the military response in support of lead civil authorities is effective.

c. Tasks

(1). Supported Commander

(a) Direct overall PA activities for all forces supporting the efforts of civil authorities.

(b) Coordinate with PA staff of other commands and agencies, as appropriate.

(c) Provide direction and guidance to the supporting forces' PA staff.

(2) Supporting Commander

(a) Ensure the supporting force has adequate PA resources to operate 24 hours per day for at least 14 consecutive days.

(b) Conduct PA operations in support of the Supported Commander's PA.

d. Coordinating Instructions

(1) PA Coordination. Supported Commander's PA staff will coordinate on all matters related to PA issues with DND Assistant Deputy Minister for Public Affairs (ADM(PA)), Office of the Assistant Secretary of Defense (OASD) PA, the lead civil authority PA, Supporting Commander's PA, PA offices in other organizations, departments and agencies, and the Information Operations directorate staff of the Supported and Supporting Commands.

(2) OPSEC. The Supported Commander, or delegated authority, is the releasing authority for public information relating to military matters.

(3) Embedded Media. The Supported Commander will be the approving authority for embedded media.

4. Administration and Logistics. Requests from media for logistical support or escort into the AO will be forwarded to the Supported Commander's PA staff.

5. Command and Control

a. Command Relationships. See Annex J.

b. Communication and Information Systems. See Annex K.

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ANNEX J TO CANADA- U.S. CIVIL ASSISTANCE PLAN (CAP)
COMMAND RELATIONSHIPS

References: See Annex W.

1. General

a. Purpose. This annex describes command relationships for the planning and execution of operations in Canada and the United States where the military forces of one nation provide support to the forces of the other nation that are engaged in civil support operations. These relationships include the relationship between GoC and USG, the relationship between both governments and the designated bilateral commanders, and the operational relationship between designated bilateral commanders and those forces operating in support of the CAP. This Annex defines typical command and control relationships between national commanders and national forces, and may be tailored to the specific situation.

b. Scope. Relationships in this annex apply to all Canadian and U.S. personnel, forces, and organizations designated for military support operations by the direction and mutual agreement of the GoC and USG. Whenever possible, these relationships will also be employed in training and exercises.

c. Definitions. The command and control terms used in this Annex are as follows:

(1) Canada

(a) OPCOM. The authority granted to a commander to assign missions or tasks to subordinate commanders, to deploy units, to reassign forces, and to retain or delegate operational/tactical command or control as may be deemed necessary.

(b) OPCON. The authority delegated to a commander to direct forces assigned so that the commander may accomplish specific missions or tasks which are usually limited by function, time, or location; to deploy units concerned and to retain or assign tactical control of those units. If the requirement develops for separate employment, the higher commander must approve the change. (Ref 2y).

(c) OPCON is more limited than OPCOM. OPCON does not include the authority to reassign forces or employ a formation, or any part of it, other than on the assigned task, or to disrupt its basic organization so that it cannot readily be given a new task or redeployed elsewhere.

(d) NATO TACON. Authority over assigned or attached forces or commands, or military capability or forces made available for tasking that is limited to the detailed direction and control of movements or maneuvers within the operational area necessary to accomplish missions or tasks assigned. Tactical control is inherent in operational control.

(2) United States

(a) OPCON. The command authority that may be exercised by commanders at any echelon at or below the level of combatant command. OPCON is inherent in combatant command (command authority) and may be delegated within the command. (Ref 4jj). U.S. OPCON and Canadian OPCOM are similar terms.

(c) NATO TACON. Authority over assigned or attached forces or commands, or military capability or forces made available for tasking that is limited to the detailed direction and control of movements or maneuvers within the operational area necessary to accomplish missions or tasks assigned. Tactical control is inherent in operational control.

d. Principles. The following command and control principles are applicable with respect to bilateral military support; these principles may be modified to fit specific situations.

(1) Supporting Forces will normally be under the NATO TACON of the supported commander without relinquishing national command authority.

(2) Discipline, training, and internal organization will be a national responsibility.

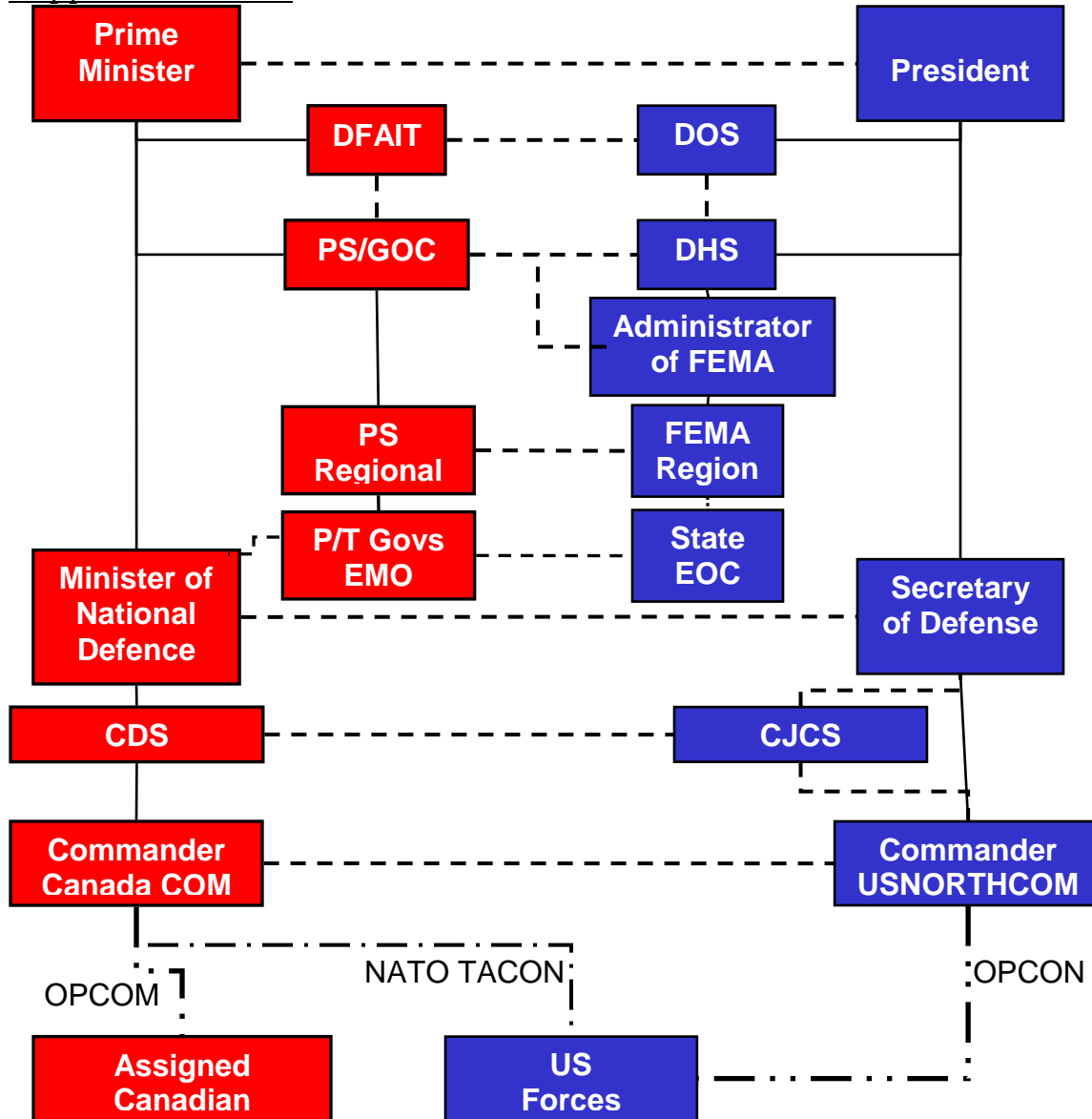
(3) CDRUSNORTHCOM exercises NATO TACON for FP of all assigned DOD elements, whether Active Duty or Reserve Component and, as directed by the President, the U.S. Coast Guard forces assigned to USNORTHCOM. Reserve Components of the Armed Forces of the United States include the Army National Guard of the United States, the Army Reserve, the Naval Reserve, the Marine Corps Reserve, the Air National Guard of the United States, the Air Force Reserve, and the Coast Guard Reserve. National Guard forces will normally be under the control of the respective governors in either State Active Duty status or Title 32 status within the U.S. They are under USNORTHCOM if ordered to Title 10 Active Duty status.

e. USNORTHCOM has three Service components assigned. These are ARNORTH, AFNORTH, and MARFORNORTH. The Commander, U.S. Fleet Forces Command (COMUSFF) is a Supporting Service Component Commander to USNORTHCOM. COMUSFF is designated the Joint Force Maritime Component Command North (JFMCC-N) in an OPCON relationship to CDRUSNORTHCOM. Additionally, when directed by SecDef, ARNORTH has the assigned mission to establish one Contingency Command Post (CCP), which, if augmented, can become Joint Task Forces. In addition, USNORTHCOM has JTF-Civil Support, JTF-North, and JTF-Alaska. During contingencies, Joint Force Headquarters National Capital Region forms the basis of JTF-National Capital Region.

2. Command and Control Structure. The lead nation will determine the command and control structure. Generally, the structure is characterized by one nation assuming responsibility for the conduct of operations, supported by forces from the other nation. The Supported Commander normally exercises NATO TACON over the Supporting Forces, and is supported by a staff, which may include representation from the supporting nation. The Supporting Commander does not relinquish national command authority. The Supported Commander is directly responsible to his/her own nation's government. The Supporting Force will maintain a reporting requirement back to its national command. Bilateral coordination of the operation will be conducted at the strategic, operational, and tactical levels. Reporting mechanisms, which ensure this direct relationship, shall be specified prior to the deployment of Supporting Forces. Additionally, bilateral direction shall clearly specify the extent of the Supported Commander's authority in relation to the Supporting Force.

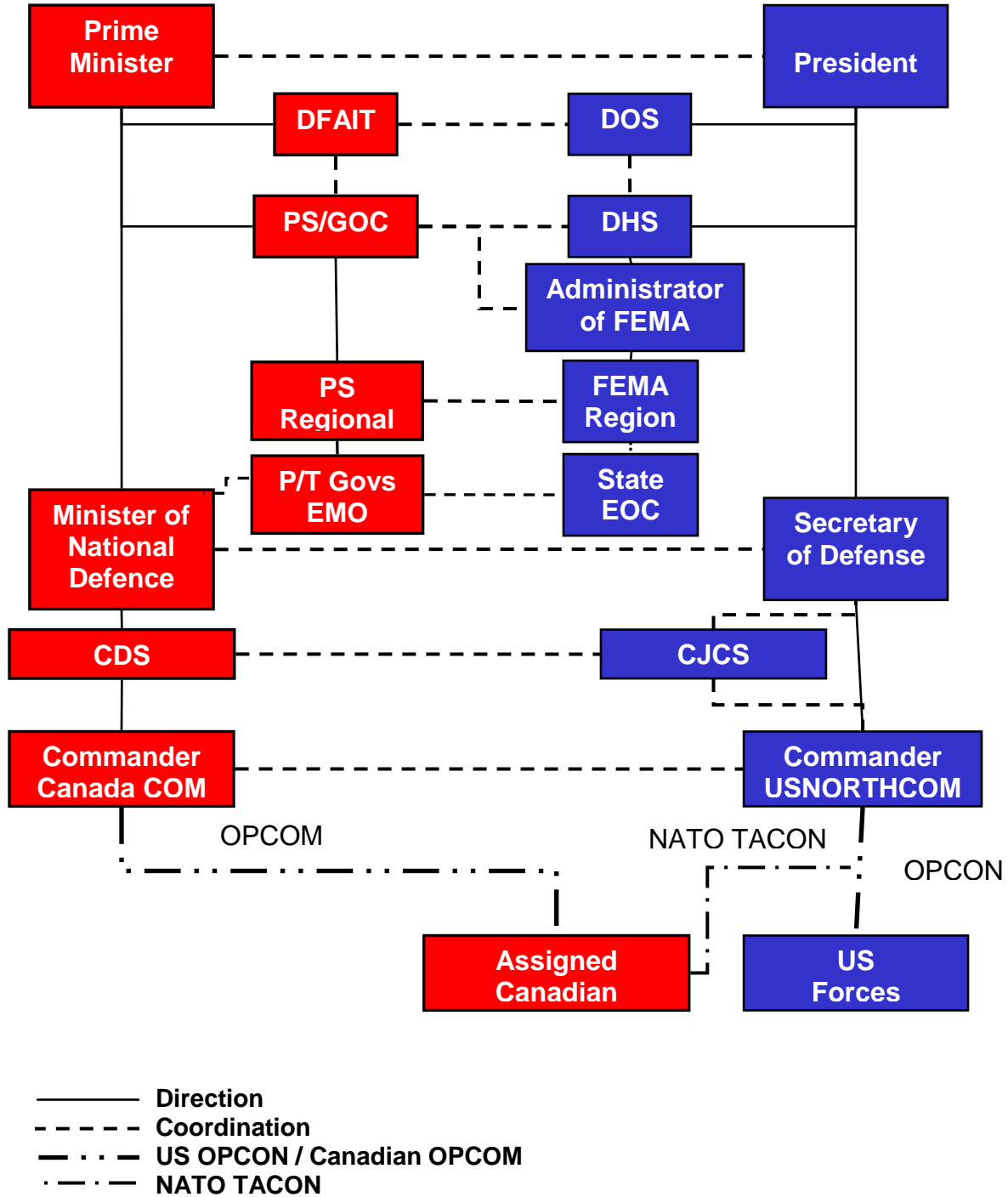
Note: The following diagrams are representative only and do not represent all possible relationships.

Support to Canada



- Direction
- - - - Coordination
- . . . US OPCON / Canadian OPCOM
- NATO TACON

Support to the United States



3. Command Lines

a. Establishment of Command Lines. These command structures are only for illustration. Specific command lines and reporting responsibilities shall be clarified prior to commencement of a bilateral operation.

b. Service and Functional Components. The degree to which Service Components or Supporting Commands are tasked will vary based on the specifics of the mission.

c. Canada Command (Canada COM). Comd Canada COM will designate the appropriate Joint Task Force Commander (JTF Comd), Regional Joint Task Force Commander or CFACC to provide civil support, and may be supplemented with additional personnel and equipment from other CF components.

Joint Task Force Pacific	JTFP
Joint Task Force West	JTFW
Joint Task Force Central	JTFC
Joint Task Force East	JTFE
Joint Task Force Atlantic	JTFA
Joint Task Force North	JTFN
Combined Force Air Component Commander	CFACC

d. U.S. Northern Command (USNORTHCOM). USNORTHCOM may use a variety of structures to tailor the force to the request for assistance. This may range from a Defense Coordinating Officer (DCO) on site with the lead civil authority, to a complete JTF. Also, USNORTHCOM can tailor the chain of command to suit the situation. USNORTHCOM may use a functional component commander (JFLCC, JFACC, JFMCC) to serve as an intermediary headquarters to handle the operational aspects of the military support, and have the forces report directly to USNORTHCOM.

e. USNORTHCOM Standing Joint Force Headquarters (NC/SJFHQ). USNORTHCOM has embedded in its headquarters, NC/SJFHQ—an adaptable, deployable support cell. USNORTHCOM deploys NC/SJFHQ subject matter experts (SMEs) to the scene to aid deployed JFH-HQ or constitute the JTF. NC/SJFHQ also deploys the NSAT, a 2-4 person element to provide an initial on-scene evaluation used to determine the true nature of an incident and the possible scope of military support requirements.

f. JTF-CS. Joint Task Force Civil Support is the primary U.S. JTF headquarters tasked with responding to CBRN events and is oriented to executing consequence management operations, but may be employed in a range of missions.

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ANNEX K TO CANADA – U.S. CIVIL ASSISTANCE PLAN (CAP)
COMMAND, CONTROL, COMMUNICATIONS AND COMPUTER (C4) SYSTEMS

References: See Annex W.

1. Situation.

a. General. This annex provides for provision of communications support where the forces of one nation support the forces of the other nation that are engaged in civil support operations.

b. Assumptions

(1) Canadian and U.S. Joint Communication Groups are under high demand as principal critical national assets, are subject to recall, and may not be available.

(2) Effects from disasters may reduce the effectiveness of Canadian and/or U.S. surveillance, communications, computer, and power facilities.

(3) Lead civil authorities and other supporting agencies and departments normally deploy with communications support sufficient for their internal communications requirements and cannot provide augmentation to supporting or supported military forces for civil support operations.

(4) Civilian communications networks and nodes may not be available to military forces providing assistance to civil agencies.

(5) Canada COM and USNORTHCOM will operate from their permanent land-based locations, or from sites designated for continuity of operations (COOP) should a COOP plan be activated.

2. Mission. When directed, the Commander(s) of designated Canadian and U.S. Armed Forces will install, operate, and maintain communications and information systems and equipment for military support operations pursuant to this plan.

3. Execution

a. Guiding Principles. Minimum essential Command, Control, Communications and Computer (C4) systems will support command requirements in accordance with policies and procedures. Lateral communications between Canadian and U.S. headquarters will be maintained through the Canada COM Joint Command Centre and the NORAD-U.S. NORTHCOM Command Center.

(1) Existing military and commercial communications infrastructure will be used to the maximum extent possible.

(2) Communications and information plans will be designed to promote flexibility, survivability, and continuity of operations.

(3) Communications and information systems rely extensively upon organic and peacetime systems. Communications frequencies will be tactical frequencies as coordinated between supported and supporting commands.

b. Operational Concept

(1) Command and Control Communications. The primary means of telecommunications between the supported and supporting forces will consist of leased telecommunications circuits and Defense Switched Network (DSN), if available. Alternate C4 may include Ultra High Frequency (UHF)/Super High Frequency (SHF) Tactical Satellite (TACSAT), or High Frequency (HF) radio networks once frequency clearance(s) are received from the supported command. The GRIFFIN and Consolidated Secret Network Infrastructure (CSNI) domain will be used as the primary means of exchanging classified information to Canadian and U.S. Forces to support the strategic and operational level planning and execution of support operations pursuant to this plan.

(2) Liaison Communications. Where incompatible organic tactical communications capabilities exist, communications between supported forces and supporting forces will be via collocation of military command posts, use of commercial telephones, or exchange of telecommunications equipment and liaison personnel.

c. Liaison. Direct liaison is authorized between Canada COM J6 and NORAD-USNORTHCOM/J6.

d. Tasks and Responsibilities: Supported and Supporting Commanders

(1) Supported Commander

(a) Establish and maintain communications with the supporting commander.

(b) Coordinate communication between the supported and supporting forces.

(c) Coordinate spectrum/frequency requirements between the supported and supporting forces.

(2). Supporting Commander

(a) Establish and maintain communications with the supported commander.

(b) Ensure supporting forces deploy with adequate communications capabilities to communicate with the supporting command.

e. Special Measures

(1) All references to time will be expressed as Greenwich Mean Time (ZULU Time).

(2) Supporting forces will comply with supported command's communications procedures.

4. Administration and Logistics. See Annex D.

5. Command and Control. See Annex J.

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ANNEX M TO CANADA-U.S. CIVIL ASSISTANCE PLAN (CAP)
GEOSPATIAL INFORMATION AND SERVICES (GI&S)

References: See Annex W.

1. Situation

a. Geospatial Information and Services (GI&S), Requirements. This annex defines the GI&S requirements in support of the Canada-U.S. CAP.

b. Friendly Forces

(1) United States. The National Geospatial-Intelligence Agency (NGA) is responsible for providing GI&S support to military forces deployed in support of U.S. emergency management operations. NGA will coordinate this support with the following U.S. National GI&S Authorities:

(a) The United States Geological Survey (USGS) is the primary source for U.S. map coverage at tactical and operational scales. The USGS web page at <http://nationalmap.gov> provides specific USGS coverage information. In addition, Geodata.gov-Geospatial-One-Stop is a “Web-based portal for one-stop access to maps, data, and other geospatial service from across all levels of government, including the USGS”. Geospatial-One-Stop may be accessed at <http://gos2.geodata.gov>.

(b) National Oceanographic Atmospheric Administration (NOAA) is the primary producer of nautical products within U.S. territories. The NOAA web page at <http://www.noaa.gov> provides specific NOAA coverage information.

(c) National Aeronautical Charting Office (NACO) is the primary producer of aviation products within U.S. territories. The NACO web page at <http://acc.nos.noaa.gov> provides specific NACO coverage information.

(2) Canada. Canada COM is responsible to provide coordinated GI&S support to military forces deployed in support of Canadian emergency management operations. Canada COM will determine and coordinate requirements for this support with Chief of Defence Intelligence (CDI)/Director Geospatial Intelligence (D Geo Int) who will arrange for the provision of this

support with the following Canadian federal government agencies, amongst others:

(a) Natural Resources Canada (NRCAN) as the primary source for Canadian map coverage at tactical and operational scales. The NRCAN web page at <http://www.nrcan.gc.ca> provides specific NRCAN product information.

(b) Canadian Hydrographic Service (CHS) as the primary producer of nautical products and hydrographic charts within Canadian territorial waters. The CHS web page at <http://www.chs.gc.ca> provides specific CHS product information.

(c) NAV CANADA (NAVCAN) as the primary producer of navigational aids and civil aviation products within Canada. The NAVCAN web page at <http://www.navcanada.com> provides specific NAVCAN product information.

2. Mission. To provide GI&S support to bilateral defense support of civil authorities operations in accordance with the CANUS CAP.

3. Execution

a. Concept of GI&S Operations

(1) General. Canadian and U.S. planners will define, request and store GI&S planning and execution products required in support of this plan. GI&S products and information are obtained by formal request to NGA or through Canada COM HQ to D Geo Int.

(2) GI&S Support Teams. Upon request:

(a) NGA may deploy Geospatial-Intelligence support personnel in support of GI&S requirements.

(b) Canada COM HQ may request a Geomatics and Imagery Support Team (GIST) from D Geo Int to provide custom GI&S support augmenting integral resources.

(3) Critical Infrastructure Information. In cooperation with federal and civilian partners in the U.S., NGA provides the Homeland Defense and Security Communities security critical infrastructure data through the Homeland Security Infrastructure Program (HSIP). Some of the infrastructure layers are license restricted 100 nautical miles south of the CNAUS border. Through a cooperative GEOINT sharing relationship with NGA, D Geo Int NDHQ, Public Safety Canada, and the Natural Resources Canada (NRCAN), the

Cross Border infrastructure program (CBIP) seeks to populate a shared database of critical infrastructure information with minimal license restrictions for the Homeland mission. Like other GI&S products and information, HSIP and CBIP information is obtained by formal request to NGA or through Canada COM HQ to D Geo Int.

b. Coordinating Instructions. Canadian and U.S. commands, Military Departments and GI&S agencies may conduct direct liaison with NGA and D Geo Int respectively for planning. Canada and the United States maintain GI&S liaisons between D Geo Int and the NGA.

4. Administration And Logistics. See Annex D.

5. Command And Control

a. Command Relationships. See Annex J.

b. Command, Control and Communications Systems. See Annex K.

//signed//
W. SEMIANIW
Lieutenant-General, CF
Commander,
Canada Command

//signed//
CHARLES H. JACOBY, JR
General, USA
Commander,
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ANNEX Q TO CANADA –UNITED STATES CIVIL ASSISTANCE PLAN
MEDICAL SERVICES

References: See Annex W

1. Situation

a. General. Canada COM and USNORTHCOM must be prepared to support Canadian and U.S. civil authorities (Federal, State, Provincial, local, and tribal) in providing health services support in response to disasters and other mass casualty producing incidents. The CAP has been used to provide aero medical support from Canada to the U.S. Gulf States during hurricane incidents and allowed for deliberate planning for USNORTHCOM support to Canada Command during the Vancouver 2010 Winter Olympics.

b. Purpose. To identify processes needed for the efficient cross border utilization of health services capabilities from each other's country. To incorporate civilian requirements for the provision of health care within each of the provinces and states to ensure that legal standards are being met.

c. Applicability. This annex applies to CF and DOD health service support forces deployed in support of CANUS CAP Civil Assistance missions.

d. Assumptions.

(1) Both military and civilian medical assets will be available to respond but may be limited throughout the operation due to competing operational commitments.

(2) Patient movement by civilian or military assets will be available, but may be limited, throughout the operation due to competing operational commitments. This may create a competing demand for patient movement and hospitalization assets that require prioritization at the strategic and operational levels.

(3) Public Health Agency Canada will be the lead agency for patient movement and regulation within Canada. The Department of Health and Human Services will be the lead agency for patient movement and regulation within the United States.

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(4) Although CF and DOD forces are expected to be healthy, fit, and to have received appropriate immunizations upon deployment, many units will be unidentified up to the time of deployment and may not have received necessary work-ups and immunizations.

(5) Deployed forces will provide their own integral health services support unless otherwise agreed upon.

2. Mission. When directed by the GoC and the U.S. President or SecDef, the commander(s) of designated Canadian and U.S. military forces will provide health services support to the other nation's military force that are engaged in civil support operations in order to save lives and prevent suffering.

3. Execution

a. Concept of Operations. To assist in assessing and identifying health services support requirements including identification of requirements that cannot be met within the requesting nation's capabilities. To shape the requests for health services support that will move through diplomatic note from one country to the other. To provide Combined/Joint Health Service Support (HSS), including force health protection to deployed forces and patient care to civilians within the JOA, under direction of the assigned Joint Task Force and in support of the requesting provincial/state government.

(1) Hospitalization. Military forces will utilize organic medical assets before requesting civilian assistance. Civilian casualties will be treated within civilian facilities as much as practical. Military medical personnel may augment civilian facilities when possible.

(2) Patient Movement. All strategic movement of patients using military assets will be coordinated by 1 Canadian Air Division Staff for patients originating within Canada and will be coordinated by the GPMRC under USTRANSCOM for patients originating within the United States. All requests for patient movement between Canada and the U.S. will require coordination between GPMRC and 1 Cdn Air Div Aero Medical Evacuation Coordination Officer (AMECO). 1 Cdn Air Div AMECO and USTRANSCOM GPMRC will coordinate with their respective federal-level lead agencies for patient regulation and movement.

(3) Civilian (National) HSS capabilities. Civilian HSS capabilities may be used, as required and when approved by the respective commanders, to offset HSS requirements or to augment deployed capabilities. If CF or DOD Forces are receiving care in civilian facilities, all efforts should be made to return the service member to the coordination/control of a military treatment facility.

(4) HSS to non-Beneficiaries. When directed and authorized by appropriate authorities, HSS will be provided to affected civilians when no other alternatives are available in order to relieve pain and suffering, returning them to their National healthcare system as rapidly as possible. DOD civilians who are deployed with the Force in the designated Area of Operations (AO) are eligible for treatment. DOD contractors who are deployed in support of the Force are only eligible for emergency care (life, limb, eyesight or undue suffering) unless it is specified differently in their contract. CF civilians and contractors who are deployed in support of the Force are only eligible for emergency care (life, limb, eyesight or undue suffering) unless otherwise approved and authorized by the MND. When directed, HSS will be provided to other personnel.

(5) Credentialing of Health Care Providers.

(a) Deliberate planning. Scheduled events requiring military HSS. Licensing for health care professionals in both the United States and Canada is the responsibility of the state/province. The licensing requirements of each state/province may vary from other states/provinces.

(i) In Canada - Go through the professional colleges responsible for the licensing of health care professionals as dictated by the province. The NATO SOFA and the *Canadian Visiting Forces Act* addresses the liability coverage for U.S. forces providing care within their scope of their duties.

(ii) In the United States – Go through the state appointed licensing boards within the individual state. The NATO SOFA and addresses the liability coverage for CF providing care within the scope of their duties.

(b) Crisis Action Planning. No notice requests for military HSS. Review applicable state or provincial requirements for emergency waiver of licensure/credentialing under existing law (e.g. statutory or regulatory authorities that authorize military personnel to provide care). Use this authority if possible. If not available, work directly with Governor's or Premier's staff to facilitate a waiver for provision of care. MND to authorize Canadian and/or U.S. military care providers to provide care under QR&O 34.30

(c) Waiver. In an event a waiver will be drafted for the use of military HSS, check with the state for specific requirements. Figure Q-1 is an example of a waiver request USNORTHCOM implemented during the 2008 hurricane season.

(State of Louisiana Letterhead)

EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. KBB 2005 -33

***DECLARATION OF PUBLIC HEALTH EMERGENCY AND
SUSPENSION OF IN-STATE LICENSURE FOR MEDICAL PROFESSIONALS
AND PERSONNEL LICENSED OUT-OF-STATE AND OUT-OF-COUNTRY***

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency was declared through Proclamation No.(Add new proclamation number);

WHEREAS, subsequently, Hurricane Gustav struck the state of Louisiana causing severe flooding and damage to the southeastern part of the state which has threatened the safety, health, and security of the citizens of the state of Louisiana, along with the private property and public facilities;

WHEREAS, although scores of people have been rescued, there are many more persons waiting for rescue, evacuation, and medical assistance, and many citizens have suffered or will suffer injury and/or illness;

WHEREAS, the number of medical professional and personnel and evacuation aircraft currently available to the state to respond to this emergency are insufficient and there is a need to immediately supplement their number in order to serve those affected by this disaster;

WHEREAS, R.S. 29:766 authorizes the governor to declare a state of public health emergency and to suspend the provisions of any regulatory statute prescribing procedures for conducting state business, or the orders, rules, or regulations of any state agency, if strict compliance with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with this emergency; and

WHEREAS, the secretary of the Department of Health and Hospitals and the state health officer have requested that the Louisiana State licensure laws, rules, and regulations for medical professionals and personnel be suspended for those professionals and personnel from other states and nations offering medical services to those needing medical services as a result of this disaster provided that said out-of-state or out-of-country medical professional and personnel possess a current medical license in good standing in their respective state or country of licensure and that they practice in good faith, and within the reasonable scope of his or her skills, training, or ability; 2 **NOW THEREFORE I, BOBBY JINDAL**, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: Pursuant to Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:724, *et seq.*, and more specifically R.S. 29:766, a state of public health emergency is hereby declared.

Figure Q-1

Q-4

SECTION 2: The Louisiana State licensure laws, rules, and regulations for medical professionals and personnel are hereby suspended for those medical professionals and personnel from other states or other countries offering medical services in Louisiana to those needing medical services as a result of this disaster provided that said out-of-state or out-of-country medical professionals and personnel possess a current medical license in good standing in their respective state or country of licensure and that they practice in good faith and within the reasonable scope of his or her skills, training, or ability.

SECTION 3: All out-of-state or out-of-country medical professionals and personnel offering services to the state of Louisiana by authority of this Order shall be covered by R.S. 40:1299.39, *et seq.*, and shall thus be considered agents of the state of Louisiana for tort liability purposes contingent upon said out-of-state or out-of-country medical professional and personnel possessing a current medical license in good standing in their respective state or country of licensure and that they practice in good faith and within the reasonable scope of his or her skills, training or ability.

SECTION 4: All out-of-state or out-of-country medical professionals and personnel offering services to the state of Louisiana by authority of this Order shall submit to the state health officer, or his designee at the Office of Public Health within the Louisiana Department of Health and Hospitals, a copy of their respective license and photo identification. Such persons shall contact the Public Health Office at 225-763-5762 or 225-763-5763.

SECTION 5: All out-of-state or out-of-country evacuation aircraft, or other appropriate transportation, with crew, are allowed into the State of Louisiana in order to transport any citizens of Louisiana to safety and to provide necessary en-route medical assistance that may be required.

SECTION 5: Executive Order No. KBB 2005-26, issued on September 2, 2005, is hereby rescinded and terminated.

SECTION 6: This Order is effective upon signature and shall apply retroactively from Sunday, August 31, 2008, through Sunday, September 28, 2008, until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at 3 the Capitol, in the city of Baton Rouge, on this ___ day of _____, 20XX.

GOVERNOR OF LOUISIANA

**ATTEST BY
THE GOVERNOR**

SECRETARY OF STATE

Figure Q-1 (cont)

(6) Joint Blood Program. Except under extreme conditions, blood and blood products will be provided by the nation in which incident is occurring and are approved for military personnel.

(7) Force Health Protection (FHP). In the event of a deployment of forces, FHP guidance will be developed by the applicable command authority. FHP guidance will need to be aligned as much as practicable recognizing differences in national guidelines.

(8) Medical and dental forensic support to Mortuary Affairs. In general, civilian medical examiners or coroners will maintain jurisdiction over both civilian and military fatalities. In the event of a mass fatality exceeding civilian capabilities, CF and DOD forensic specialists may be used to support civilian response efforts.

(9) Dental Services. Dental care for civilians is limited to emergency procedures to save lives and alleviate suffering in support of civilian response efforts. Dental care for military forces is limited to treatment necessary to relieve suffering and alleviate impairment of an individual's ability to adequately perform assigned missions. For Canada, the MND may authorize CF providers to provide care to civilians under QR&O 35.12

(10) Mental Health. The majority of deployed military mental health resources are for Force Health Protection, but where excess capacity exists, mental health support can be provided to civilians in support of civilian response efforts. For Canada, the MND may authorize CF providers to provide care under QR&O 34.30.

(11) Veterinary Services. USNORTHCOM will need to provide veterinary support for U.S. military working dogs (MWDs) brought into Canada. Domestic dogs (i.e., MWDs) can enter Canada from the U.S. without quarantine, provided they meet Canadian Food Inspection Agency (CFIA) animal importation requirements <http://www.inspection.gc.ca/english/animal/imp/petani/canine.shtml>); Current requirements are an original valid rabies vaccination certificate and an export health certificate, both documents issued and signed by a licensed U.S. veterinarian. Military veterinary services may be requested to provide support to civilian public health authorities.

(12) Preventive Medicine Services. Each nation's military forces will consume food, water, and ice from approved sources as determined by the U.S. DOD or Canadian DND, respectively. In lieu of adequate approved sources for troop feeding, commanders may request preventive medicine and/or veterinary services conduct a food and water risk assessment (FWRA) for consumption of

food from local sources. Military preventive medicine services may be requested to provide support to civilian public health authorities.

(13) Consumable Medical Materiel. Replenishment will be IAW national procedures. Host nation support can be utilized as appropriate in order to ensure continuity of operational capability. Medical materiel must at all times remain secure within the military health services chain of command unless required for treatment (including medical materiel for government-owned animals). Medical material brought from one nation to the other that is not used during the response will be re-deployed with the unit that brought it

b. Tasks to USNORTHCOM Surgeon / Canada COM Surgeon.

(1) Plan and coordinate Combined/Joint HSS within designated Joint Operations Area with other Combined/Joint Force Commanders (C/JFCs), Provincial and State health authorities, Intergovernmental and Other Governmental Departments at the Provincial/State, regional and local levels.

(2) Establish and implement Force Health Protection measures for the respective nations' deployed forces.

(3) Manage and provide oversight for military patient movement and hospitalization within designated AOs.

(4) Monitor all patient movement requiring aero-medical evacuation with 1 Canadian Air Division or GPMRC as appropriate.

(5) Coordinate to expand infrastructure within military MTFs in response to surge requirements as required.

(6) Collaborate on the health threat analysis of the situation and share medical information with CF and DOD organizations as appropriate.

c. Coordinating Instructions .

(1) Supplemental guidance will be published in subsequent FRAGOs.

(2) Direct liaison is authorized amongst the Command Surgeons as appropriate.

(3) Keep higher headquarters surgeons informed of activities outside the scope of this Plan.

4. Administration and Logistics.

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a. Administration. Once operational, Surgeons will coordinate all activities and reporting requirements for subordinate medical units operating in the designated AO with their respective higher headquarters. Subordinate medical units begin providing medical situation reports (SITREPS) within 12 hours of establishment.

b. Logistics.

(1) Moving medical materiel into Canada - Pharmaceuticals and medical equipment brought into Canada from the United States need to comply with the regulations associated with emergency medical supplies pursuant to Section 30 of the *Food and Drug Act*. A list of pharmaceuticals and medical equipment, to include veterinary, will be submitted by each deploying unit through their chain to the USNORTHCOM Surgeon's Office. This list will be consolidated and sent to Canada Command for submission to Health Canada for approval. Regulation respecting Emergency Medical Supply will be obtained from Health Canada by Canada Command Pursuant to Section 56 to the *Controlled Drugs and Substance Act*; an exemption will need to be obtained by Canada Command prior to moving controlled substances across the border. Medical Counter Measures not approved in Canada will need to be included within the regulation associated with Emergency Medical Supply. No further clearance should be required.

(2) Moving medical materiel into the U.S.

(a) Movement of medical materiel (to include pharmaceuticals) from Canada to the United States is a process which requires coordination by USG. The Food and Drug Administration (FDA) is the approving authority for all cross-border movement medical materiel into the U.S. NORAD-USNORTHCOM Surgeon's Office (SG) will work with Health and Human Services (HHS), DOS, FDA, and CJCS to coordinate the movement of materiel into the U.S.

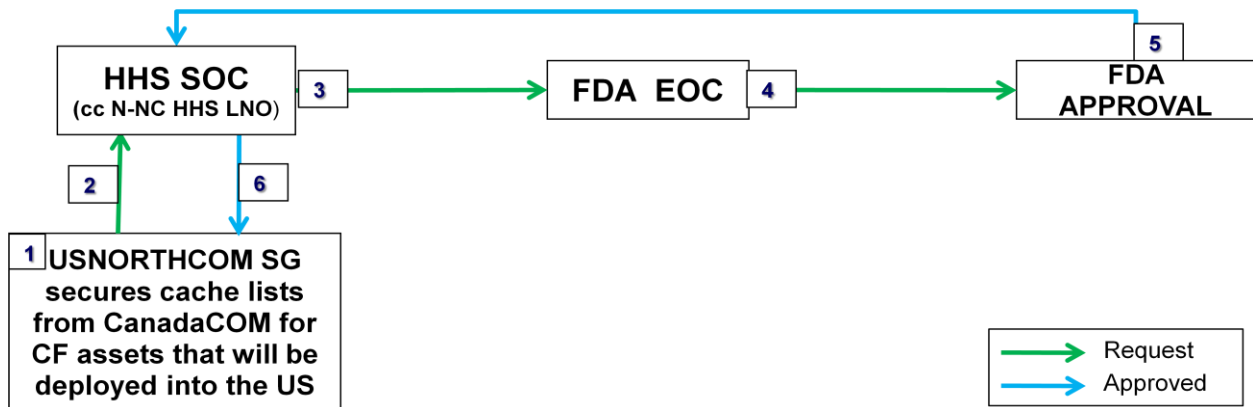
(b) The FDA may use an 'enforcement discretion' option for the use of CF medical materiel in the U.S. The 'enforcement discretion' option means that the FDA, after assessing the situation and based on the product and intended use, decides not to enforce its laws or regulations. FDA would still need to make that decision and it would be made on a case by case basis.

(c) FDA currently uses the Emergency Use Authorization Act for movement of CF medical materiel for use in a CBRN specific event. An "Emergency Use Authorization" (EUA) may be issued by the Food and Drug Administration (FDA) to allow either the use of an unapproved medical product or an unapproved use of an approved medical product during certain types of emergencies with specified agents. Section 564 of the Federal Food, Drug, and Cosmetic Act (the Act), amended by the Project BioShield Act of 2004, permits authorization of such products for use in diagnosing, treating, or preventing

serious or life-threatening diseases or conditions caused by biological, chemical, radiological, or nuclear agents, if certain statutory criteria are met. For more information on the emergency use authorization see the following website: <http://www.fda.gov/EmergencyPreparedness/Counterterrorism/ucm182568.htm>

(d) Language should be included in the Diplomatic Notice (DipNote) which states the following: “Government of the United States requests medical capabilities to perform _____ mission; to include all medical supplies, pharmaceuticals, relief stocks, and re-supply process to complete the mission. Furthermore, this capability has been pre-approved through ESF 8 and the State of _____ – where the support will occur. The State of _____ also accepts all credential and licensure requirements of Canada and assumes all Canadian clinical providers to be adequately trained to perform the mission.”

(e) The follow is the process ‘flow chart’ on how to request FDA approval/waiver to use Canadian medical materiel in the U.S.



5. Command and Control

a. Command Relationships. See Base Plan.

b. Senior Medical Authority (SMA) relationships

(1) The SMA is the senior military medical provider from the supported command.

(2) When there is an established JOA, the SMA will be the senior military medical provider from the supported command within the JOA.

(3) When a JOA has yet to be established, the supported command surgeon will function as the SMA.

(4) The SMA provides overarching clinical responsibility for all medical forces (both supported and supporting) deployed within the JOA.

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(5) The SMA exercises technical oversight for all health related matters within the JOA for both supported and supporting forces.

(6) Military medical forces will remain under the command and control of the military commanders as per the base plan.

(7) DIRLAUTH is authorized between deployed medical forces and the SMA.

//signed//
W. SEMIANIW
Lieutenant-General, CF
Commander,
Canada Command

//signed//
CHARLES H. JACOBY, JR
General, USA
Commander,
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ANNEX W TO CANADA – U.S. CIVIL ASSISTANCE PLAN (CAP)

REFERENCES

1. International Documents

- a. Agreement between the Government of the United States and the Government of Canada on Cooperation in Comprehensive Emergency Planning and Management, 2 Dec 98 (U)
- b. AJP-4, Allied Joint Logistics Doctrine, Jul 99 (U)
- c. American, British, Canadian, Australian (ABCA), Armies Quadripartite Standardization Agreement (QSTAG), 655, Handling of Deceased Personnel (U)
- d. AUS/CAN/NZ/UK/U.S. Combined Joint Military Information Exchange Annex (CJMIEA) concerning Operational and Technical Information for Command, Control Communications, and Computers (C4); (O-AUSCANNZUKUS-02-01) (U)
- e. AUS/CAN/NZ/UK/U.S. MOU for Information Assurance and Computer Network Defence, May 06, 2003 (U)
- f. Canada – United States Basic Defense Document (BDD), 08 July 2006
- g. Canadian Logistics Guidance Document (Log Guide) 2001 (U)
- h. Canada-United States Integrated Lines of Communication (ILOC) Agreement, 23 Apr 08 (U)
- i. Canada-United States (CANUS) Joint Radiological Emergency Response Plan, 27 Jul 96 (U)
- j. Canada-U.S. Agreement for Enhanced Military Cooperation, Dec 02 (as amended)(U)
- k. Combined Joint Multilateral Master Military Information Exchange Memorandum of Understanding (CJM3IEM), 29 Jun 2004 (U)
- l. Memorandum of Understanding (MOU) Between the Department of Defense of the United States of America and the Department of National Defence of Canada Concerning Mutual Support, 21 October 1999 (U)
- m. MOU Between Canada and U.S. Authorities Concerning Cooperation on Evacuation Planning (U)
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- o. North Atlantic Treaty (1949)/NATO Status Of Forces Agreement (1951)
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- Principles and Procedures for Temporary Cross-Border Movement of Land Forces, 13 Mar 1968 (U)
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 - t. Agreement for Operational Cooperation between the U.S. Air Force Military Air Transport Service and the Royal Canadian Air Force Air Transport Command (1965)
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 - x. Arrangement between the Department of National Defence of Canada and the U.S. Department of the Air Force concerning Aviation Fuel Service Accounting (1979)
 - y. Implementing Arrangement (IA) for the Mutual Use of Logistic Support and Services Concerning Reciprocal Port Services between the Department of Defense of the U.S.A. and the Department of National Defence of Canada (1996)
 - z. MOU between the Department of Defense of the U.S.A. and the Department of National Defence of Canada concerning Procurement of Defense Supplies (1996)
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 - bb. MOU between the Department of Defense of the U.S.A. and the Department of National Defence of Canada on the Integrated Lines of Communication (ILOC) Operational Liaison Officer (2004)
 - cc. Implementing Arrangement concerning Services Provided by Defense Transportation Tracking System under the MOU between the

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Department of Defense (DOD) of the U.S.A. and the Department of National Defence (DND) of Canada concerning Mutual Support (1998)

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- b. A-CG-001-000/JD-000, CF Chaplain Branch Manual (U)
- c. B-GJ-005-501/FP-001 CFJP-5.1 Use of Force for CF Operations, Aug 2008
- d. B-GJ-005-300/FP 000, Canadian Forces Operations 2004-11- 05(U).
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- z. Federal Emergency Response Plan (FERP) 2010
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- a. Executive Order 12333, U.S. Intelligence Activities (U)
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- i. NDP-1, National Disclosure Policy and Procedures for the Disclosure of Classified Military Information to Foreign Governments and International Organizations, Oct 1, 1998
- j. National Security Presidential Directive (NSPD)-17 (U)
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ANNEX Y TO CANADA – U.S. CIVIL ASSISTANCE PLAN (CAP)

ACRONYMS

AOR	Area of Responsibility
AUS/CAN/NZ/UK/US	Australia/Canada/New Zealand/United Kingdom/United States
C4	Command, Control, Communications and Computers
CANUS	Canada – United States
CAT	Commander's Assessment Team
CAP	Civil Assistance Plan
CBRN	Chemical, Biological, Radiological and Nuclear
CCDDO	Canada COM Direction for Domestic Operations
CDP	Combined Defense Plan
CDRUSNORTHCOM	Commander, U.S. Northern Command
CDS	Chief of the Defence Staff
CERFP	CBRN Enhanced Response Force Package
CF	Canadian Forces
CFACC	Combined Force Air Component Commander
CJCS	Chairman, Joint Chiefs of Staff
CJIRU-CBRN	Canadian Joint Incident Response Unit – Chemical Biological Radiological Nuclear
Comd Canada COM	Commander, Canada Command
COP	Common Operating Picture
COOP	Continuity of Operations
CST	Civil Support Team
DART	Disaster Assistance Response Team
DCO	Defense Coordinating Officer
DCRF	Defense CBRN Response Force
DEPOD	Deployment Order
DFAIT	Department of Foreign Affairs and International Trade
DHS	Department of Homeland Security
DIRLAUTH	Direct liaison authorized
DND	Department of National Defence
DOD	Department of Defense
DOJ	Department of Justice
DOS	Department of State
DSCA	Defense Support of Civil Authorities

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DSN	Defense Switched Network
EMO	Emergency Management Organization or Emergency Measures Organization
EXORD	Execute Order
FEMA	Federal Emergency Management Agency
FPCON	Force Protection Conditions
GOC	Government Operations Centre
GoC	Government of Canada
HF	High Frequency
HN	Host Nation
HRF	Homeland Response Force
ILOC	Integrated Lines of Communications
JDOMS	Joint Director of Military Support
JFLCC	Joint Forces Land Component Commander
JOA	Joint Operations Area
JRSOI	Joint Reception Staging Onward movement and Integration
JTF	Joint Task Force
JTF-CS	Joint Task Force-Civil Support
JTFP	Joint Task Force Pacific
JTFW	Joint Task Force West
JTFC	Joint Task Force Central
JTFE	Joint Task Force East
JTFA	Joint Task Force Atlantic
JTFN	Joint Task Force North
MAFFS	Modular Airborne Fire Fighting System
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
NARP	Nuclear Weapon Accident Response Procedures
NBC	Nuclear, Biological and Chemical
NDA	National Defence Act
NDCC	National Defence Command Centre
NDHQ	National Defence Headquarters
NG	National Guard
NGA	National Geo-spatial-Intelligence Agency
NPV	Nuclear Powered Vessels
NRF	National Response Framework
NTM	Notice to Move

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OPCOM	Operational Command
OPCON	Operational Control
OPORD	Operations Order
OPSEC	Operations Security
PA	Public Affairs
PAG	Public Affairs Guidance
POL	Petroleum, Oil, and Lubricants
PS	Public Safety Canada
RFA	Request for Assistance
ROE	Rules of Engagement
RSOI	Reception, Staging, Onward movement, and Integration
RUF	Rules for the Use of Force
SAR	Search and Rescue
SecDef	Secretary of Defense
SHF	Super High Frequency
SOFA	Status of Force Agreement
TACSAT	Tactical Satellite
TACON	Tactical Control
UHF	Ultra High Frequency
USARNORTH	U.S. Army North
USG	U.S. Government
USNORTHCOM	U.S. Northern Command
WMD	Weapons of Mass Destruction

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ANNEX Z TO CANADA – UNITED STATES CIVIL ASSISTANCE PLAN (CAP)
DISTRIBUTION

<u>Organizations</u>	<u>Copies *</u>
Bilateral:	
Permanent Joint Board on Defense	
Canadian Co-Chairman	1
U.S. Co-Chairman	1
Canada-U.S. Military Cooperation Committee	
Canadian Co-Chairman	1
U.S. Co-Chairman	1
North American Aerospace Defense Command	10
Canada:	
Department of Foreign Affairs and International Trade	1
Department of National Defence	
Deputy Minister	1
Chief of the Defence Staff	1
Strategic Joint Staff	1
Assistant Deputy Minister (Policy)	1
Assistant Deputy Minister (Public Affairs)	1
Chief of the Maritime Staff	1
Chief of the Land Staff	1
Chief of the Air Staff	1
Canada Command	1
J-Staff	1 each
Canadian Expeditionary Force Command	1
Combined Force Air Component Commander	1
Canadian Special Operations Forces Command	1
Canadian Operational Support Command	1
Joint Task Force Pacific	1
Joint Task Force West	1
Joint Task Force Central	1
Joint Task Force East	1
Joint Task Force Atlantic	1
Joint Task Force North	1

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Canadian Defence Liaison Staff (Washington)	1
Government Operations Centre	1
Public Safety Canada	1
British Columbia - Provincial Emergency Programs	1
Alberta - Emergency Management Alberta	1
Saskatchewan - Emergency Management Organization	1
Manitoba - Emergency Measures Organization	1
Ontario - Emergency Management Ontario	1
Québec - Ministère de la Sécurité publique	1
New Brunswick - Emergency Measures Organization	1
Nova Scotia - Emergency Measures Organization	1
Prince Edward Island - Emergency Measures Organization	1
Newfoundland & Labrador - Emergency Measures Organization	1
Yukon - Emergency Measures Organization	1
Northwest Territories - Emergency Measures Organization	1
Nunavut - Emergency Management	1
United States:	
Department of Defense	
Office of the Secretary of Defense	1
Chairman of the Joint Chiefs of Staff	1
General Counsel	1
J-5 Western Hemisphere	15
Joint Director of Military Support	1
Chief of Naval Operations	1
Chief of Naval Reserves	1
Commandant, U.S. Marine Corps	1
Chief of Staff, U.S. Air Force	1
Chief of Staff, U.S. Army	1
Commandant, United States Coast Guard	1
Chief, National Guard Bureau	1
Commander, U.S. Army Reserve Command	1
Director, Army National Guard	1
Director, Air National Guard	1
Department of Homeland Security	1
Federal Emergency Management Agency	1
Commandant, United States Coast Guard	1
Department of State	1
U.S. Northern Command	
J-Staff	1 each
AFNORTH	1
ARNORTH	1

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MARFORNORTH	1
Standing Joint Force Headquarters-North	1
Joint Task Force-Alaska	1
Joint Task Force-Civil Support	1
Joint Task Force-National Capital Region	1
Joint Task Force-North	1
U.S. European Command J5	5
U.S. Pacific Command J5	5
U.S. Special Operations Command J5	5
U.S. Joint Forces Command J5	5
U.S. Pacific Command J5	5
U.S. Southern Command J5	5
U.S. Special Operations Command J5	5
U.S. Strategic Command J5	5
U.S. Transportation Command J5	5
Alaska Division of Homeland Security and Emergency Management	1
Connecticut Office of Emergency Management	1
Idaho Bureau of Homeland Security	1
Maine Emergency Management Agency	1
Massachusetts Emergency Management Agency	1
Michigan State Police, Emergency Management Division	1
Minnesota Homeland Security and Emergency Management	1
Montana Disaster and Emergency Services Division	1
New Hampshire Office of Emergency Management	1
New York State Emergency Management Office	1
North Dakota Division of Emergency Management	1
Ohio Emergency Management Agency	1
Oregon Emergency Management	1
Pennsylvania Emergency Management Agency	1
Rhode Island Emergency Management Agency	1
Vermont Division of Emergency Management	1
Washington Department Emergency Management Division	1
Wisconsin Emergency Management	1

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