

MEMORANDUM OF UNDERSTANDING
between the
Department of Defense
and the
Federal Emergency Management Agency

1. PURPOSE.

a. Background. Both the Department of Defense (DOD) and the Federal Emergency Management Agency (FEMA) have broad and often inter-related responsibilities in national security emergency preparedness (NSEP) and in national emergencies of all types. Those responsibilities require joint planning and close cooperation between DOD and FEMA for mutual support which enables both agencies to accomplish their missions. An important part of such support is DOD providing military personnel of both active and reserve components to perform work of interest to both agencies at locations designated by FEMA and under the general direction of FEMA or State, regional, or local government agencies designated by FEMA.

b. General Purpose. This Memorandum of Understanding (MOU) therefore prescribes policies, responsibilities, and procedural guidance which will cover the provision of DOD military personnel support to FEMA. It is the intention of the parties of this MOU to facilitate efficient administration in the use of military personnel to support the FEMA mission and goals. This MOU does not commit any individual or unit to any duty or affect the funding or management of any program but expresses the mutual understanding of the parties which will guide specific planning, programming, and budgeting actions and their documentation, as required. The delivery of DOD support to FEMA hereunder shall remain decentralized and subject to programming and budgeting by each military department within the guidance furnished by DOD in accordance with this MOU and departmental planning, procurement, and budget system procedures. This MOU does not cover detailing of FEMA employees to DOD or any military command, and any such action would be subject to a separate MOU or other arrangements.

2. REFERENCES. National Security Decision Directive (NSDD) 188, dated September 16, 1985; NSDD 259, dated February 4, 1987; and the following authorities, all of which are now subject to revision: Executive Orders 10421, 11490, and 12148, and DOD Directives 1215.6, 3025.1, 3025.10, 3025.12, 5030.45 and 5160.54; and DOD Accounting Manual 7220.9-M.

3. SCOPE. This MOU provides guidance for the assignment, attachment, or detail, and the utilization and release of military personnel, either on active duty or in any reserve duty status, to support the FEMA mission. This MOU is applicable to all elements of FEMA and to all DOD components. It is intended to describe the parameters of a system of support whose principal programs include but are not limited to:

a. Military personnel (active duty and reserve component) assigned to accomplish special projects having mutual benefit to FEMA and DOD (see paragraph 6.d., below);

b. FEMA Civil Preparedness Support Detachments (CPSD's) (see paragraph 6.c.(1));

c. FEMA Individual Mobilization Augmentee (IMA) Program (see paragraph 6.b., below);

d. U.S. Army Information Systems Command technical and maintenance support (see paragraph 6.c.(2), below);

e. DOD liaison personnel to FEMA national and regional headquarters and other FEMA components (see paragraph 6.e.(1), below);

f. Regional Emergency Military Coordinators (see paragraph 6.f., below); and

g. Other programs which justify personnel support by DOD as mutually agreed upon and defined within the provisions of this MOU.

4. GENERAL PROCEDURES.

a. Selection of Personnel. Upon the determination of adequate funding and clear mission requirement(s), the Director of FEMA may request from DOD the attachment, detail, or assignment of military personnel to FEMA in either an active duty or a reserve capacity. Requests for personnel shall be made listing the qualifications needed in the military person being assigned. FEMA will provide justification for the use of military personnel in lieu of other alternatives. Such requests shall specify the programs in which the individuals shall participate hereunder and the duties and functions to be performed by each individual. The appropriate DOD component will determine whether such requests can be met without derogation to performance of the DOD element's mission or without violating the DOD element's personnel policies.

b. Mobilization Requirements. Military reserve personnel assigned to FEMA normally will be assigned and trained to meet emergency mobilization requirements of FEMA. If compelled by circumstances to consider the extraordinary reassignment of such personnel to meet DOD emergency requirements, DOD and military departments will consult with FEMA before making such reassignments and shall, insofar as DOD resources permit, make arrangements for alternative support. Active duty personnel normally will be attached or detailed, and in exceptional cases may be assigned, to FEMA to perform specific tasks or responsibilities of specified duration, as more fully described in paragraph 6.d.

c. Termination of Assignment. FEMA shall have the right to refuse any individual prior to a staff assignment and to request that the military department terminate the attachment, detail, or assignment of any individual. If a military department determines that any individual attached, detailed,

or assigned to FEMA should be withdrawn for any reason, it shall take such action only after giving FEMA written notice with reasonable time and such alternative support as may be available under the circumstances.

d. Documentation. For each individual or program (groups of individuals or reserve component units), a separate Interagency Service Support Agreement (ISSA) or Interagency Agreement (IA) will be negotiated between FEMA and the DOD agency which will provide the support. Each ISSA or IA will be in accordance with applicable statutes, departmental and agency regulations, and the policies set forth in this MOU and will include the following:

- (1) Specific details of the support (e.g., individual names or numbers and qualifications, place, duration, etc.) including a statement of work;
- (2) Reimbursement agreement and fund citation, if applicable;
- (3) Method of billing (see paragraph 7, below); and
- (4) Person responsible for administering DOD compliance with the ISSA or IA.

In the event that DOD elects to waive reimbursement for any support, the ISSA or IA will clearly state such waiver. The ISSA or IA may extend beyond the fiscal year in which the ISSA or IA is executed, but performance beyond such fiscal year shall be subject to the availability of appropriated funds.

e. Emergency Requests. Except in cases of emergency requests validated by the Director of FEMA or a person designated by the Director in writing, DOD elements will not issue orders assigning military persons to FEMA until an ISSA or IA signed by a FEMA contracting officer and containing a citation for appropriated funds has been received by such DOD element. In the case of emergency requests, validated as described above, the FEMA validating official shall provide the DOD element with data showing which FEMA appropriation category is to be charged with costs of the services of the assigned military persons and will promptly confirm the emergency request by ISSA or IA. The names of persons designated by the Director of FEMA to validate emergency requests shall be transmitted each fiscal year, or more often if required, to DOD and to each military service.

5. RESPONSIBILITIES.

a. DOD will provide:

- (1) Military personnel, as requested by FEMA and determined by DOD to be in the interests of DOD, so long as providing such personnel does not impair DOD's ability to perform its mission and does not violate any law or DOD or service regulation. Allocation of manpower spaces to

specific programs will be made by the military services based on mutual FEMA and service validation of the requirements, and on service priorities for their contributions to mobilization planning and NSEP. Each request for military spaces shall be validated by FEMA, OSD, and the service concerned as to grade, skills, and training required and tasks to be performed.

(2) A Military Support Liaison Office, shall be established at FEMA's national headquarters with the mission of assisting the responsible officials of each military department, service and unified or specified command, in expediting administrative and planning matters with FEMA. The office shall be directed by an active duty military officer (either active or reserve component) in the grade of O5 or O6, as determined by DOD subject to availability from any service in the Washington, DC, area; and the incumbent will be rated by a DOD official with input from the Director, FEMA. The office shall be staffed with additional military officer and enlisted personnel, either on active duty or in reserve duty status, as jointly determined by DOD and FEMA to ensure effective coordination of all administrative matters relating to military personnel provided by DOD under this MOU. (It is contemplated that up to 12 personnel may be appropriate with no more than 3 on active duty.) FEMA will provide office space, clerical assistance, and logistic support as required.

(3) Personnel services for those personnel assigned, detailed, or attached in support of FEMA will be provided by the appropriate service command. Such services shall be performed or coordinated by the Military Support Liaison Office described in paragraph 5.a.(2) to ensure compliance with service requirements.

(4) Specialized schooling for FEMA military personnel at military service schools provided that such schooling will not interfere with DOD's performance of its mission and if school space quotas are available. If there are any costs charged by the military schools, FEMA and the school shall execute an ISSA or IA to cover costs. However, for members of CPSD's, the military service concerned will bear the costs of basic training and training for basic military occupational skills. For all military personnel attached, detailed, or assigned to FEMA, DOD will bear the costs of normal, professional-level military training (e.g., command and staff schools, officer branch training, etc.).

b. FEMA will provide:

(1) Reimbursement to the military departments for all military personnel, except as waived by the DOD element or as otherwise provided herein, in accordance with the Composite Standard Rate for Reimbursement of Military Personnel prescribed in DOD Accounting Manual 7220.9-M.

(2) Assistance to the Military Support Liaison Office in the provision of personnel services for military personnel assigned, attached, or detailed to FEMA to include, but not limited to, accomplishment of the following functions in the manner prescribed by DOD:

- (a) Providing all essential data for personnel records;
- (b) Support in processing of appropriate security clearances; and
- (c) Travel orders and direct payment of travel costs for all travel in the performance of training or operational tasks for FEMA from program funds.

(3) Full-time or part-time civilian liaison personnel to coordinate related mobilization planning and NSEP activities with major military headquarters, subject to mutual validation or requirements and availability of FEMA resources.

c. Professional Management. To establish clear recognition of the importance of the programs of military support to FEMA within DOD, and to assure that performance in the program will receive appropriate recognition within all military departments, four specific measures are hereby established:

(1) FEMA and DOD will assure that each military officer or enlisted person performing in this program will be rated at the rater, intermediate rater, or senior rater level by a military officer familiar with his or her performance and that all other essential ratings, or input for ratings, which are furnished by civilian personnel, will be carefully reviewed by military officials for compliance with governing military regulations.

(2) FEMA will provide office space and necessary clerical and logistical support for the Military Support Liaison Office (see section 5.a.(2), above) to perform administrative functions concerning military personnel assigned to FEMA. Among the functions being performed by this office will be the review of all performance evaluation reports of people assigned to FEMA headquarters to ensure compliance with applicable DOD and military service regulations. This office also will be responsible for providing guidance to raters on the preparation of performance evaluations. The office will be staffed by DOD military personnel.

(3) Subject to availability of spaces from the services, FEMA and DOD may establish an inactive duty reserve component general officer or flag rank position (in the grade of O7 or O6 - Promotable on Mobilization) as Military Advisor to the Director, FEMA. DOD will support this position on a rotating basis among the services. The primary responsibilities of the incumbent will be oversight of the Military Support Liaison Office, advice to the Director, FEMA, regarding the utilization and management of Reserve Component personnel, and assistance to the Department of Defense in matters of coordination between FEMA Regional Offices and military headquarters under this MOU. This general officer assignment normally will be for a period of three years in a 48-paid drill status funded by DOD; and the incumbent will be rated by a DOD official with input from the Director, FEMA.

(4) DOD may elect to organize, manage, and train some or all of the military personnel covered by this MOU through the mechanism of reserve component units or detachments attached to major military headquarters tasked with planning for mobilization and NSEP (including Missions for Military Support to Civil Defense and Key Asset Protection). To facilitate mutual planning between civil and military sectors, FEMA will coordinate civil interface and use of such personnel with those headquarters as required. DOD and FEMA initially will seek to enhance interfaces between State Area Commands and State offices of emergency services.

6. PROGRAMS.

a. General. Programs are discussed in functional groups to identify the scope of military commitments to specified mutual interests of DOD and FEMA in civil and military planning for mobilization and NSEP. Reimbursement by FEMA is required for those programs which are primarily incidents of military support to programs for civil defense and continuity of operations, as funded through FEMA's budget; and DOD generally funds those liaison activities which primarily facilitate DOD's need to obtain civil support for mobilization preparedness.

b. Civil Defense Planning.

(1) The FEMA IMA Program consists of the services assigning designated reserve officers to FEMA for duty at specified Federal, State, county, and municipal government headquarters. These IMA's will normally serve for periods of 2 to 4 years as civil defense planning and liaison officers, with minimum annual active duty for training requirements of 12 days. Inactive duty training may vary from 0 to 48 periods annually as mutually validated by FEMA and the services for each government headquarters to which reservists are assigned. However, FEMA may request from the services limited numbers of paid drilling reservists in pay Categories A and B for individuals who will lead and administer provisional unit-type groupings, on a joint service basis, where the concentration of reservists and the scope of FEMA and DOD mobilization and related missions will justify the establishment of such spaces by any service.

(2) The FEMA IMA Program is the means by which DOD provides direct military personnel support to civil government elements in peacetime for essential planning and preparedness measures to facilitate military support to civil defense in a mobilization environment. The activities of such personnel will fall within the scope of DOD interests in the National Civil Defense Program and will be covered by appropriate mission and task justifications provided by FEMA to DOD on an annual basis.

(3) All costs of the FEMA IMA Program will be reimbursed by FEMA to the military services under appropriate ISSA's or IA's, and the overall administration of that program shall be in accordance with procedures established by the Military Support Liaison Office with the respective services. The aggregate number of IMA's assigned to the FEMA IMA Program will vary to meet the specific mission and task requirements

justified by FEMA and availability of reserve personnel in the required geographic areas. However, it is anticipated that the aggregate will range between 900 and 1,500 personnel of all services.

c. Information Services Support.

(1) Civil Preparedness Support Detachments (CPSD's). DOD currently provides, through the Department of the Army, U.S. Army Reserve (USAR), CPSD's for mobilization augmentation to FEMA under the Army Capstone Program. These USAR units provide operational, logistical, and security capabilities in support of FEMA's emergency management and information systems programs, particularly for national security emergencies. The following guidelines apply to DOD provision of CPSD's:

(a) All costs attributable to the CPSD's, except those specified in (b) and (c) below, are reimbursable by FEMA to the Department of the Army; premobilization management and training policy for the units are governed by USAR programs.

(b) The Army provides basic training, military occupational skill, and professional level individual training to CPSD members without reimbursement from FEMA. Costs of annual training for CPSD members, and any special individual or unit training requested by FEMA, are reimbursable to the Army.

(c) The Army provides individual weapons, ammunition, and field gear for CPSD members, plus the unit equipment specified in the unit Table of Organization and Equipment, without reimbursement by FEMA. All equipment remains the property of the Army.

(d) In the absence of mobilization, individual members of CPSD's may be ordered to active duty for emergency service with FEMA, with their consent and in accordance with Army and DOD procedures. FEMA reimburses the Army for the cost of such voluntary services by CPSD members.

(e) Within the guidelines of this MOU, administration and funding for the CPSD's shall be covered by agreement between FEMA and the Department of the Army.

(2) U.S. Army Information Systems Command (USAISC) will provide communications-electronics, technical, and maintenance support to FEMA's information systems and installations. The details of such support shall be provided in subsequent agreements between USAISC and FEMA.

(3) Other DOD elements and service commands will provide communications-electronics and logistical support as requested and available. The details of such support shall be provided in subsequent agreements between FEMA and the individual DOD element or command.

d. Military Personnel on Active Duty at FEMA. The assignment or detail of military personnel on active duty at FEMA to do special work

of interest to DOD and FEMA shall be governed in accordance with appropriate DOD regulations and the following policies and procedures:

(1) Except for single tours of duty of 89 days or less for individuals who are permanently assigned to the FEMA IMA Program or to a CPSD (these tours may be processed routinely by the Military Support Liaison Office through reserve component channels), every FEMA request for assignment of a military officer or enlisted person to any FEMA location shall be processed by the Military Support Liaison Office in strict accordance with DOD Directive 1000.17.

(2) Such military personnel shall be assigned to FEMA under an ISSA signed by a FEMA contracting officer and containing an appropriate funds citation. In validated emergencies, emergency request procedures described in paragraph 4.e., above, may be used.

(3) In extraordinary circumstances, where an individual is specifically determined to be serving in a military function administered by DOD, reimbursement by FEMA may be waived by the individual's service in advance of his or her assignment in accordance with DOD Directive 1000.17 and an ISSA.

(4) Where determination is made by any DOD element that direct liaison with or advisory support to any FEMA headquarters is in the best interests of that element, appropriate active duty personnel may be assigned, attached, or detailed to work at the FEMA location under the administration of their military service and without reimbursement other than incremental costs attributable directly to FEMA. Details of any such position shall be set out in an ISSA.

(5) In conjunction with the National Defense University and FEMA, any military department may elect to nominate one or more officers of any service to serve for up to 13 months to work on specified plans, programs and projects relating to National Security Emergency Preparedness (NSEP) following the nominees' graduation from a Senior Service College. If on regular or extended active duty prior to college attendance, such officers shall be attached to FEMA under this program without reimbursement to DOD. If on temporary active duty to attend college, any Reserve Component Officer will be attached to FEMA subject to reimbursement according to DOD policy, unless reimbursement is waived at the service's election for its purposes in accordance with DOD policy.

e. DOD Liaison to FEMA. DOD and its components shall establish liaison personnel positions whose incumbents shall work with FEMA on a nonreimbursable basis.

(1) Each of the military departments shall nominate to FEMA's national headquarters two officers from a reserve component (either Reserve or National Guard), at least one of whom shall be in (or

promotable to) the grade of 06, and, at the election of the department, may nominate two noncommissioned officers, to assist DOD and the services in providing liaison with FEMA's national organization upon mobilization. These individuals shall remain subject to the command and control of their parent services and shall coordinate premobilization NSEP activities and participation in any program under this MOU, as required.

(2) Each military department shall designate to each of FEMA's ten regional headquarters at least one reserve component officer (which may include National Guard officers at the election of the Army or the Air Force) in the grade of (or promotable to) 06 and at least one additional reserve officer or noncommissioned officer to coordinate liaison activities between the department and its major subordinate commands located in that region and the FEMA regional organization upon mobilization. They shall remain subject to the command and control of their parent services and shall coordinate such premobilization activities as may be directed by the parent service to include active participation in any program under this MOU.

(3) It is the intent of DOD that all of these liaison officers be required to participate in 48 drills and at least 12 days of active duty annually, as funded by their respective military departments, and that they maintain an active and continuous relationship with both the parent organizations and the FEMA regions for NSEP planning and related activities. However, it is recognized that service capabilities to supply personnel in specific pay and training categories will vary from time to time.

f. Regional Military Emergency Coordinators (RMEC's). The RMEC and Assistant RMEC positions established by DOD Directive 5030.45 are elements of a Federal emergency resource management system which are distinguishable from programs of military support to FEMA. Individuals having liaison responsibilities under programs covered by this MOU may be designated as RMEC's at the discretion of their parent elements. However, the logistics orientation of the RMEC responsibilities, and the level of demand under each FEMA region's planning and operating program, will guide support by DOD elements for this requirement. As FEMA develops its programs for emergency management and allocation of Federal resources at the regional level, DOD may elect to change, supplement, or reduce its RMEC's at any region while maintaining essential representation of DOD interests in all appropriate regional structures.

7. REIMBURSEMENT PROCEDURE.

a. Charges for the services of military persons assigned to FEMA shall be calculated in accordance with the Composite Standard Rate for Reimbursement of Military Personnel prescribed in DOD Accounting Manual 7220.9-M.

b. Invoices for reimbursement shall be submitted by DOD agencies on SF-1080 quarterly by the military person's parent service to:

Military Support Liaison Office
Federal Emergency Management Agency
ATTENTION: Comptroller
500 C Street, S.W.
Washington, DC 20472

8. DURATION. This MOU shall become effective upon execution and shall continue for 5 years or until either party gives notice of intent to terminate not less than 90 days in advance of the effective date of termination. This MOU shall become effective only when signed by the Director of FEMA and the Secretary of Defense; and any modifications to this MOU shall be executed by the same parties. This MOU shall terminate on September 30, 1992, unless specifically renewed or revised by written agreement.

9. COORDINATION.

a. DOD Coordination. Performance by DOD components under this MOU and DOD policy interpretation shall be coordinated by the Deputy Under Secretary of Defense (Policy). Requests by FEMA for service support under this MOU and the assignment of DOD personnel to any program may be staffed directly with any service, as determined by the service with the Military Support Liaison Office, provided that FEMA and the services shall ensure that OUSD(P) is fully informed of the validation of all requirements for DOD resources hereunder and all commitments of resources are made in compliance with applicable DOD policy.

b. FEMA Coordination. Requests for DOD resources will be coordinated by the Assistant Associate Director for Civil Defense. The use of DOD personnel resources in support of FEMA responsibilities shall be rigorously controlled and will be requested only when to do so clearly is in the furtherance of identifiable interests of DOD.

10. POLICY DETERMINATIONS. Policy determinations under this MOU shall be made in the first instance for DOD by the Deputy Under Secretary of Defense (Policy), and for FEMA by the Director.

UNITED STATES
DEPARTMENT OF DEFENSE

FEDERAL EMERGENCY
MANAGEMENT AGENCY

By Caspar W. Weinberger
CASPAR W. WEINBERGER
Secretary of Defense

By Julius W. Becton, Jr.
JULIUS W. BECTON, JR.
Director

7 JUL 1987

23 June 1987
Date

Date