

# III. Roles and Responsibilities

This section discusses the roles and responsibilities of Federal, State, local, tribal, private-sector, and nongovernmental organizations and citizens involved in support of domestic incident management.

## State, Local, and Tribal Governments

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. In some instances, a Federal agency in the local area may act as a first responder, and the local assets of Federal agencies may be used to advise or assist State or local officials in accordance with agency authorities and procedures. Mutual aid agreements provide mechanisms to mobilize and employ resources from neighboring jurisdictions to support the incident command.

When State resources and capabilities are overwhelmed, Governors may request Federal assistance under a Presidential disaster or emergency declaration. Summarized below are the responsibilities of the Governor, Local Chief Executive Officer, and Tribal Chief Executive Officer.

### Governor

As a State's chief executive, the Governor is responsible for the public safety and welfare of the people of that State or territory. The Governor:

- Is responsible for coordinating State resources to address the full spectrum of actions to prevent, prepare for, respond to, and recover from incidents in an all-hazards context to include terrorism, natural disasters, accidents, and other contingencies;
- Under certain emergency conditions, typically has police powers to make, amend, and rescind orders and regulations;
- Provides leadership and plays a key role in communicating to the public and in helping people, businesses, and organizations cope with the consequences of any type of declared emergency within State jurisdiction;
- Encourages participation in mutual aid and implements authorities for the State to enter into mutual aid agreements with other States, tribes, and territories to facilitate resource-sharing;
- Is the Commander-in-Chief of State military forces (National Guard when in State Active Duty or Title 32 Status and the authorized State militias); and

- Requests Federal assistance when it becomes clear that State or tribal capabilities will be insufficient or have been exceeded or exhausted.

### Local Chief Executive Officer

A mayor or city or county manager, as a jurisdiction's chief executive, is responsible for the public safety and welfare of the people of that jurisdiction. The Local Chief Executive Officer:

- Is responsible for coordinating local resources to address the full spectrum of actions to prevent, prepare for, respond to, and recover from incidents involving all hazards including terrorism, natural disasters, accidents, and other contingencies;
- Dependent upon State and local law, has extraordinary powers to suspend local laws and ordinances, such as to establish a curfew, direct evacuations, and, in coordination with the local health authority, to order a quarantine;
- Provides leadership and plays a key role in communicating to the public, and in helping people, businesses, and organizations cope with the consequences of any type of domestic incident within the jurisdiction;
- Negotiates and enters into mutual aid agreements with other jurisdictions to facilitate resource-sharing; and
- Requests State and, if necessary, Federal assistance through the Governor of the State when the jurisdiction's capabilities have been exceeded or exhausted.

### Tribal Chief Executive Officer

The Tribal Chief Executive Officer is responsible for the public safety and welfare of the people of that tribe. The Tribal Chief Executive Officer, as authorized by tribal government:

- Is responsible for coordinating tribal resources to address the full spectrum of actions to prevent, prepare for, respond to, and recover from incidents involving all hazards including terrorism, natural disasters, accidents, and other contingencies;
- Has extraordinary powers to suspend tribal laws and ordinances, such as to establish a curfew, direct evacuations, and order a quarantine;

- Provides leadership and plays a key role in communicating to the tribal nation, and in helping people, businesses, and organizations cope with the consequences of any type of domestic incident within the jurisdiction;
- Negotiates and enters into mutual aid agreements with other tribes/jurisdictions to facilitate resource-sharing;

- Can request State and Federal assistance through the Governor of the State when the tribe’s capabilities have been exceeded or exhausted; and
- Can elect to deal directly with the Federal Government. (Although a State Governor must request a Presidential disaster declaration on behalf of a tribe under the Stafford Act, Federal agencies can work directly with the tribe within existing authorities and resources.)

## Federal Government

### Department of Homeland Security

The Homeland Security Act of 2002 established DHS to prevent terrorist attacks within the United States; reduce the vulnerability of the United States to terrorism, natural disasters, and other emergencies; and minimize the damage and assist in the recovery from terrorist attacks, natural disasters, and other emergencies. The act also designates DHS as “a focal point regarding natural and manmade crises and emergency planning.”

#### Secretary of Homeland Security

Pursuant to HSPD-5, the Secretary of Homeland Security 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. HSPD-5 further designates the Secretary of Homeland Security as the “principal Federal official” for domestic incident management.

In this role, the Secretary is also responsible for coordinating Federal resources utilized in response to or recovery from terrorist attacks, major disasters, or other emergencies if and when any of the following four conditions applies:

- (1) a Federal department or agency acting under its own authority has requested DHS assistance;
- (2) the resources of State and local authorities are overwhelmed and Federal assistance has been requested;
- (3) more than one Federal department or agency has become substantially involved in responding to the incident; or
- (4) the Secretary has been directed to assume incident management responsibilities by the President.

### Department of Justice

The Attorney General is the chief law enforcement officer in the United States.

#### Attorney General

In accordance with HSPD-5 and other relevant statutes and directives, the Attorney General has lead responsibility for criminal investigations of terrorist acts or terrorist threats by individuals or groups inside the United States, or directed at U.S. citizens or institutions abroad, where such acts are within the Federal criminal jurisdiction of the United States, as well as for related intelligence-collection activities within the United States, subject to applicable laws, Executive orders, directives, and procedures.

Generally acting through the Federal Bureau of Investigation (FBI), the Attorney General, in cooperation with other Federal departments and agencies engaged in activities to protect national security, coordinates the activities of the other members of the law enforcement community to detect, prevent, preempt, and disrupt terrorist attacks against the United States. This includes actions to prevent, preempt, and disrupt specific terrorist threats or actual incidents that are based upon specific intelligence or law enforcement information. Nothing in this plan derogates the Attorney General's status or responsibilities.

Following a terrorist threat or an actual incident that falls within the criminal jurisdiction of the United States, the full capabilities of the United States will be dedicated to assisting the Attorney General to identify the perpetrators and bring them to justice, consistent

with U.S. law and with authorities of other Federal departments and agencies to protect national security.

## Department of Defense (DOD)

DOD has significant resources that may be available to support the Federal response to an Incident of National Significance.

### Secretary of Defense

The Secretary of Defense authorizes Defense Support of Civil Authorities (DSCA) for domestic incidents as directed by the President or when consistent with military readiness operations and appropriate under the circumstances and the law. The Secretary of Defense retains command of military forces under DSCA, as with all other situations and operations.

Concepts of “command” and “unity of command” have distinct legal and cultural meanings for military forces and operations. For military forces, command runs from the President to the Secretary of Defense to the Commander of the combatant command to the commander of the forces. The “Unified Command” concept utilized by civil authorities is distinct from the military chain of command.

Nothing in this plan impairs or otherwise affects the authority of the Secretary of Defense over the DOD, including the chain of command for military forces from the President as Commander in Chief, to the Secretary of Defense, to the commander of military forces, or military command and control procedures. The Secretary of Defense shall provide defense support of civil authorities for domestic incidents as directed by the President or when consistent with military readiness and appropriate under the circumstances and the law. The Secretary of Defense shall retain command of military forces providing civil support.

## Department of State

DOS has international coordination responsibilities.

### Secretary of State

The Secretary of State is responsible for coordinating international prevention, preparedness, response, and recovery activities relating to domestic incidents, and for the protection of U.S. citizens and U.S. interests overseas.

## Other Federal Agencies

During an Incident of National Significance, other Federal departments or agencies may play primary, coordinating, and/or support roles based on their authorities and resources and the nature of the incident. In situations where a Federal agency has jurisdictional authority and responsibility for directing or managing a major aspect of the response, that agency is part of the national leadership for the incident and participates as a Senior Federal Official (SFO) or Senior Federal Law Enforcement Official (SFLEO) in the Joint Field Office (JFO) Coordination Group at the field level, and as part of the Interagency Incident Management Group (IIMG) and/or Homeland Security Council (HSC)/National Security Council (NSC) Policy Coordination Committees (PCC). (See section IV, page 22.)

Some Federal agencies with jurisdictional authority and responsibility may also participate in the Unified Command at the Incident Command Post (ICP). Federal departments and agencies participate in the ESF structure as coordinators, primary agencies, and/or support agencies and/or as required to support incident management activities.

### Emergency Support Function

A grouping of government and certain private-sector capabilities into an organizational structure to provide support, resources, and services.

HSPD-5 directs the heads of all Federal departments and agencies, in the context of domestic incident management, to “provide their full and prompt cooperation, resources, and support, as appropriate and consistent with their own responsibilities for protecting our national security, to the Secretary of Homeland Security, the Attorney General, the Secretary of Defense, and the Secretary of State.”

Several Federal agencies have independent authorities to declare disasters or emergencies. These authorities may be exercised concurrently with or become part of a major disaster or emergency declared under the Stafford Act. Some examples of agencies exercising independent authorities include the following scenarios:

- The Secretary of Agriculture may declare a disaster in certain situations in which a county sustained production loss of 30 percent or greater in a single major enterprise, authorizing emergency loans for physical damages and crop loss.

- The Administrator of the Small Business Administration may make a disaster declaration based on physical damage to buildings, machinery, equipment, inventory, homes, and other property as well as economic injury.
- The Secretary of Commerce may make a declaration of a commercial fisheries failure or fishery resources disaster.
- The Secretary of Health and Human Services may declare a public health emergency.
- The U.S. Army Corps of Engineers (USACE) Chief of Engineers may issue a disaster declaration in response to flooding and coastal storms. USACE is authorized to undertake emergency operations and activities.
- A Federal On-Scene Coordinator (OSC), designated by the Environmental Protection Agency (EPA), DHS/U.S. Coast Guard (DHS/USCG), DOD, or the Department of Energy (DOE) under the NCP, has the authority to direct response efforts at the scene of a discharge or release of oil, hazardous substance, pollutants, or contaminants, depending on the substance and the location and source of release.

The ESF, Support, and Incident Annexes provide further discussion of the domestic incident management roles and responsibilities of other Federal departments and agencies.

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## Emergency Support Functions

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The NRP applies a functional approach that groups the capabilities of Federal departments and agencies and the American Red Cross into ESFs to provide the planning, support, resources, program implementation, and emergency services that are most likely to be needed during Incidents of National Significance. The Federal response to actual or potential Incidents of National Significance is typically provided through the full or

partial activation of the ESF structure as necessary. The ESFs serve as the coordination mechanism to provide assistance to State, local, and tribal governments or to Federal departments and agencies conducting missions of primary Federal responsibility. ESFs may be selectively activated for both Stafford Act and non-Stafford Act incidents where Federal departments or agencies request DHS assistance or under other circumstances as defined in HSPD-5. The ESFs provide staffing for the National Response Coordination Center (NRCC), Regional Response Coordination Center (RRCC), JFO, and ICP as required by the situation at hand.

Each ESF is composed of primary and support agencies. The NRP identifies primary agencies on the basis of authorities, resources, and capabilities. Support agencies are assigned based on resources and capabilities in a given functional area. The resources provided by the ESFs reflect the resource-typing categories identified in the NIMS. The scope of each ESF is summarized in Figure 2 on the following page. ESFs are expected to support one another in carrying out their respective roles and responsibilities. Additional discussion on roles and responsibilities of ESF coordinators, primary agencies, and support agencies can be found in the introduction to the ESF Annexes.

Note that not all Incidents of National Significance result in the activation of ESFs. It is possible that an Incident of National Significance can be adequately addressed by DHS and other Federal agencies through activation of certain NRP elements (e.g., Principal Federal Official (PFO), IIMG) without the activation of ESFs. Similarly, operational security considerations may dictate that activation of NRP elements be kept to a minimum, particularly in the context of certain terrorism prevention activities.

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## Nongovernmental and Volunteer Organizations

NGOs collaborate with first responders, governments at all levels, and other agencies and organizations providing relief services to sustain life, reduce physical and emotional distress, and promote recovery of disaster victims when assistance is not available from other sources. For example, the American Red Cross is an NGO that provides relief at the local level and also coordinates the Mass Care element of ESF #6. Community-based organizations (CBOs) receive government funding to provide essential public health services.

The National Voluntary Organizations Active in Disaster (NVOAD) is a consortium of more than 30 recognized national organizations of volunteers active in disaster relief. Such entities provide significant capabilities to incident management and response efforts at all levels. For example, the wildlife rescue and rehabilitation activities conducted during a pollution emergency are often carried out by private, nonprofit organizations working with natural resource trustee agencies.

FIGURE 2. Emergency Support Functions

ESF	Scope
ESF #1 - Transportation	<ul style="list-style-type: none"> <li>▪ Federal and civil transportation support</li> <li>▪ Transportation safety</li> <li>▪ Restoration/recovery of transportation infrastructure</li> <li>▪ Movement restrictions</li> <li>▪ Damage and impact assessment</li> </ul>
ESF #2 - Communications	<ul style="list-style-type: none"> <li>▪ Coordination with telecommunications industry</li> <li>▪ Restoration/repair of telecommunications infrastructure</li> <li>▪ Protection, restoration, and sustainment of national cyber and information technology resources</li> </ul>
ESF #3 - Public Works and Engineering	<ul style="list-style-type: none"> <li>▪ Infrastructure protection and emergency repair</li> <li>▪ Infrastructure restoration</li> <li>▪ Engineering services, construction management</li> <li>▪ Critical infrastructure liaison</li> </ul>
ESF #4 - Firefighting	<ul style="list-style-type: none"> <li>▪ Firefighting activities on Federal lands</li> <li>▪ Resource support to rural and urban firefighting operations</li> </ul>
ESF #5 - Emergency Management	<ul style="list-style-type: none"> <li>▪ Coordination of incident management efforts</li> <li>▪ Issuance of mission assignments</li> <li>▪ Resource and human capital</li> <li>▪ Incident action planning</li> <li>▪ Financial management</li> </ul>
ESF #6 - Mass Care, Housing, and Human Services	<ul style="list-style-type: none"> <li>▪ Mass care</li> <li>▪ Disaster housing</li> <li>▪ Human services</li> </ul>
ESF #7 - Resource Support	<ul style="list-style-type: none"> <li>▪ Resource support (facility space, office equipment and supplies, contracting services, etc.)</li> </ul>
ESF #8 - Public Health and Medical Services	<ul style="list-style-type: none"> <li>▪ Public health</li> <li>▪ Medical</li> <li>▪ Mental health services</li> <li>▪ Mortuary services</li> </ul>
ESF #9 - Urban Search and Rescue	<ul style="list-style-type: none"> <li>▪ Life-saving assistance</li> <li>▪ Urban search and rescue</li> </ul>
ESF #10 - Oil and Hazardous Materials Response	<ul style="list-style-type: none"> <li>▪ Oil and hazardous materials (chemical, biological, radiological, etc.) response</li> <li>▪ Environmental safety and short- and long-term cleanup</li> </ul>
ESF #11 - Agriculture and Natural Resources	<ul style="list-style-type: none"> <li>▪ Nutrition assistance</li> <li>▪ Animal and plant disease/pest response</li> <li>▪ Food safety and security</li> <li>▪ Natural and cultural resources and historic properties protection and restoration</li> </ul>
ESF #12 - Energy	<ul style="list-style-type: none"> <li>▪ Energy infrastructure assessment, repair, and restoration</li> <li>▪ Energy industry utilities coordination</li> <li>▪ Energy forecast</li> </ul>
ESF #13 - Public Safety and Security	<ul style="list-style-type: none"> <li>▪ Facility and resource security</li> <li>▪ Security planning and technical and resource assistance</li> <li>▪ Public safety/security support</li> <li>▪ Support to access, traffic, and crowd control</li> </ul>
ESF #14 - Long-Term Community Recovery and Mitigation	<ul style="list-style-type: none"> <li>▪ Social and economic community impact assessment</li> <li>▪ Long-term community recovery assistance to States, local governments, and the private sector</li> <li>▪ Mitigation analysis and program implementation</li> </ul>
ESF #15 - External Affairs	<ul style="list-style-type: none"> <li>▪ Emergency public information and protective action guidance</li> <li>▪ Media and community relations</li> <li>▪ Congressional and international affairs</li> <li>▪ Tribal and insular affairs</li> </ul>

## Private Sector

DHS and NRP primary and support agencies coordinate with the private sector to effectively share information, form courses of action, and incorporate available resources to prevent, prepare for, respond to, and recover from Incidents of National Significance. Further, the Secretary of Homeland Security utilizes a private-sector advisory group with broad representation to provide advice on incident

management and emergency response issues impacting their stakeholders.

**Roles:** The roles, responsibilities, and participation of the private sector during Incidents of National Significance vary based on the nature of the organization and the type and impact of the incident. The roles of private-sector organizations are summarized below.

Type of Organization	Role
<b>Impacted Organization or Infrastructure</b>	Private-sector organizations may be affected by direct or indirect consequences of the incident, including privately owned critical infrastructure, key resources, and those main private-sector organizations that are significant to local, regional, and national economic recovery from the incident. Examples of privately owned infrastructure include transportation, telecommunications, private utilities, financial institutions, and hospitals.
<b>Response Resource</b>	Private-sector organizations provide response resources (donated or compensated) during an incident—including specialized teams, equipment, and advanced technologies—through local public-private emergency plans, mutual aid agreements, or incident-specific requests from government and private-sector-volunteered initiatives.
<b>Regulated and/or Responsible Party</b>	Owners/operators of certain regulated facilities or hazardous operations may bear responsibilities under the law for preparing for and preventing incidents from occurring, and responding to an incident once it occurs. For example, Federal regulations require owners/operators of Nuclear Regulatory Commission (NRC)-regulated nuclear facilities and activities to maintain emergency (incident) preparedness plans, procedures, and facilities and to perform assessments, prompt notifications, and training for a response to an incident.
<b>State/Local Emergency Organization Member</b>	Private-sector organizations may serve as an active partner in local and State emergency preparedness and response organizations and activities.

**Responsibilities:** Private-sector organizations support the NRP (voluntarily or to comply with applicable laws and regulations) by sharing information with the government, identifying risks, performing vulnerability assessments, developing emergency response and business continuity plans, enhancing their overall readiness, implementing appropriate prevention and protection programs, and donating or otherwise providing goods and services through contractual arrangement or government purchases to assist in response to and recovery from an incident.

Certain organizations are required by existing law and regulation to bear the cost of planning and response to incidents, regardless of cause. In the case of an Incident of National Significance, these private-sector

organizations are expected to mobilize and employ the resources necessary and available in accordance with their plans to address the consequences of incidents at their own facilities or incidents for which they are otherwise responsible.

**Response Resources:** Unless the response role is inherently governmental (e.g., law enforcement, etc.), private-sector organizations are encouraged to develop and maintain capabilities to respond to and manage a complete spectrum of incidents and emergencies. The Federal Government maintains ongoing interaction with the critical infrastructure and key resources industries to provide coordination for prevention, preparedness, response, and recovery activities. When practical, or when required under Federal law, private-

sector representatives should be included in planning and exercises. The government may, in some cases, direct private-sector response resources when they have contractual relationships, using government funds. Through the Defense Production Act of 1950, 64 Stat. 798 (1950), as amended, and the Homeland Security Act, DHS has the authority to redirect production and distribution of certain response and incident management resources.

**Functional Coordination:** The primary agency(ies) for each ESF maintains working relations with its associated private-sector counterparts through partnership committees or other means (e.g., ESF #2, Communications – telecommunications industry; ESF #10, Oil and Hazardous Materials Response – oil and hazardous materials industries; etc.).

## Citizen Involvement

Strong partnerships with citizen groups and organizations provide support for incident management prevention, preparedness, response, recovery, and mitigation.

The U.S. Citizen Corps brings these groups together and focuses efforts of individuals through education, training, and volunteer service to help make communities safer, stronger, and better prepared to address the threats of terrorism, crime, public health issues, and disasters of all kinds.

Local Citizen Corps Councils implement Citizen Corps programs, which include Community Emergency Response Teams (CERTs), Medical Reserve Corps, Neighborhood Watch, Volunteers in Police Service, and the affiliate programs; provide opportunities for special skills and interests; develop targeted outreach for special-needs groups; and organize special projects and community events.

Citizen Corps Affiliate Programs expand the resources and materials available to States and local communities through partnerships with programs and organizations that offer resources for public education, outreach, and training; represent volunteers interested in helping to

### Citizen Corps

The Citizen Corps works through a national network of State, local, and tribal Citizen Corps Councils, which bring together leaders from law enforcement, fire, emergency medical and other emergency management, volunteer organizations, local elected officials, the private sector, and other community stakeholders.

make their communities safer; or offer volunteer service opportunities to support first responders, disaster relief activities, and community safety efforts.

Other programs unaffiliated with Citizen Corps also provide organized citizen involvement opportunities in support of Federal response to major disasters and events of national significance. One example is the National Animal Health Emergency Response Corps (NAHERC), which helps protect public health by providing a ready reserve of private and State animal health technicians and veterinarians to combat threats to U.S. livestock and poultry in the event of a large outbreak of a foreign animal disease.