

NATIONAL RESPONSE PLAN

I. Introduction

The Nation's domestic incident management landscape changed dramatically following the terrorist attacks of September 11, 2001. Today's threat environment includes not only the traditional spectrum of manmade and natural hazards—wildland and urban fires, floods, oil spills, hazardous materials releases, transportation accidents, earthquakes, hurricanes, tornadoes, pandemics, and disruptions to the Nation's energy and information technology infrastructure—but also the deadly and devastating terrorist arsenal of chemical, biological, radiological, nuclear, and high-yield explosive weapons.

These complex and emerging 21st century threats and hazards demand a unified and coordinated national approach to domestic incident management. The National Strategy for Homeland Security; Homeland Security Act of 2002; and Homeland Security Presidential Directive-5 (HSPD-5), Management of Domestic Incidents, establish clear objectives for a concerted national effort to prevent terrorist attacks within the United States; reduce America's vulnerability to terrorism, major disasters, and other emergencies; and minimize the damage and recover from attacks, major disasters, and other emergencies that occur.

The NRP

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Development and Implementation of a National Response Plan

Achieving these homeland security objectives is a challenge requiring bold steps and adjustments to established structures, processes, and protocols. An important initiative called for in the above documents is the development and implementation of a National Response Plan (NRP), predicated on a new National Incident Management System (NIMS), that aligns the patchwork of Federal special-purpose incident management and emergency response plans into an effective and efficient structure. Together, the NRP and

the NIMS (published March 1, 2004) integrate the capabilities and resources of various governmental jurisdictions, incident management and emergency response disciplines, nongovernmental organizations (NGOs), and the private sector into a cohesive, coordinated, and seamless national framework for domestic incident management.

The NRP, using the NIMS, is an all-hazards plan that provides the structure and mechanisms for national-level policy and operational coordination for domestic incident management. Consistent with the model provided in the NIMS, the NRP can be partially or fully implemented in the context of a threat, anticipation of a significant event, or the response to a significant event. Selective implementation through the activation of one or more of the system's components allows maximum flexibility in meeting the unique operational and information-sharing requirements of the situation at hand and enabling effective interaction between various Federal and non-Federal entities.

The NIMS

Provides a nationwide template enabling Federal, State, local, and tribal governments and private-sector and nongovernmental organizations to work together effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents regardless of cause, size, or complexity.

The NRP incorporates relevant portions of and, upon full implementation, supersedes the Initial National Response Plan (INRP), Federal Response Plan (FRP), U.S. Government Interagency Domestic Terrorism Concept of Operations Plan (CONPLAN), and Federal Radiological Emergency Response Plan (FRERP). The NRP, as the core operational plan for national incident management, also establishes national-level coordinating structures, processes, and protocols that will be incorporated into certain existing Federal interagency incident- or hazard-specific plans (such as the National Oil and Hazardous Substances Pollution Contingency Plan (NCP)) that are designed to implement the specific statutory authorities and responsibilities of various departments and agencies in particular contingency

scenarios. These plans are linked to the NRP in the context of Incidents of National Significance (defined on page 4), but remain as stand-alone documents in that they also provide detailed protocols for responding to routine incidents that normally are managed by Federal agencies without the need for Department of Homeland Security (DHS) coordination. The NRP also incorporates other existing Federal emergency response and incident management plans (with appropriate modifications and revisions) as integrated components, operational supplements, or supporting tactical plans. Further details on NRP-supporting plans and documents are included in section VI (page 60).

Existing Authorities

Nothing in this plan alters or impedes the ability of Federal, State, local, or tribal departments and agencies to carry out their specific authorities or perform their responsibilities under all applicable laws, Executive orders, and directives. Additionally, nothing in this plan is intended to impact or impede the ability of any Federal department or agency head to take an issue of concern directly to the President, the Assistant to the President for Homeland Security, the Assistant to the President for National Security Affairs, or any other member of the President's staff.

Purpose

The purpose of the NRP is to establish a comprehensive, national, all-hazards approach to domestic incident management across a spectrum of activities including prevention, preparedness, response, and recovery.

The NRP incorporates best practices and procedures from various incident management disciplines—homeland security, emergency management, law enforcement, firefighting, hazardous materials response, public works, public health, emergency medical services, and responder and recovery worker health and safety—and integrates them into a unified coordinating structure.

Purpose

To establish a comprehensive, national, all-hazards approach to domestic incident management across a spectrum of activities including prevention, preparedness, response, and recovery.

The NRP provides the framework for Federal interaction with State, local, and tribal governments; the private sector; and NGOs in the context of domestic incident prevention, preparedness, response, and recovery activities. It describes capabilities and resources and establishes responsibilities, operational processes, and protocols to help protect the Nation from terrorist attacks and other natural and manmade hazards; save lives; protect public health, safety, property, and the environment; and reduce adverse

psychological consequences and disruptions. Finally, the NRP serves as the foundation for the development of detailed supplemental plans and procedures to effectively and efficiently implement Federal incident management activities and assistance in the context of specific types of incidents.

The NRP, using the NIMS, establishes mechanisms to:

- Maximize the integration of incident-related prevention, preparedness, response, and recovery activities;
- Improve coordination and integration of Federal, State, local, tribal, regional, private-sector, and nongovernmental organization partners;
- Maximize efficient utilization of resources needed for effective incident management and Critical Infrastructure/Key Resources (CI/KR) protection and restoration;
- Improve incident management communications and increase situational awareness across jurisdictions and between the public and private sectors;
- Facilitate emergency mutual aid and Federal emergency support to State, local, and tribal governments;
- Facilitate Federal-to-Federal interaction and emergency support;
- Provide a proactive and integrated Federal response to catastrophic events; and
- Address linkages to other Federal incident management and emergency response plans developed for specific types of incidents or hazards.

Scope and Applicability

The NRP covers the full range of complex and constantly changing requirements in anticipation of or in response to threats or acts of terrorism, major disasters, and other emergencies. The NRP also provides the basis to initiate long-term community recovery and mitigation activities.

NRP Scope

Covers the full range of complex and constantly changing requirements in anticipation of or in response to threats or acts of terrorism, major disasters, and other emergencies.

The NRP establishes interagency and multijurisdictional mechanisms for Federal Government involvement in, and DHS coordination of, domestic incident management operations.

This includes coordinating structures and processes for incidents requiring:

- Federal support to State, local, and tribal governments;
- Federal-to-Federal support;
- The exercise of direct Federal authorities and responsibilities, as appropriate under the law; and
- Public and private-sector domestic incident management integration.

This plan distinguishes between incidents that require DHS coordination, termed Incidents of National Significance, and the majority of incidents occurring each year that are handled by responsible jurisdictions or agencies through other established authorities and existing plans.

In addition, the NRP:

- Recognizes and incorporates the various jurisdictional and functional authorities of Federal departments and agencies; State, local, and tribal governments; and private-sector organizations in domestic incident management.

- Details the specific domestic incident management roles and responsibilities of the Secretary of Homeland Security, Attorney General, Secretary of Defense, Secretary of State, and other departments and agencies involved in domestic incident management as defined in HSPD-5 and other relevant statutes and directives.
- Establishes the multiagency organizational structures and processes required to implement the authorities, roles, and responsibilities of the Secretary of Homeland Security as the “principal Federal official” for domestic incident management.

This plan is applicable to all Federal departments and agencies that may be requested to provide assistance or conduct operations in the context of actual or potential Incidents of National Significance. This includes the American Red Cross, which functions as an Emergency Support Function (ESF) primary organization in coordinating the use of mass care resources in a Presidentially declared disaster or emergency. The NRP is applicable to incidents that may occur at sites under the control of the Legislative or Judicial Branches of the Federal Government.

NRP Applicability

The NRP applies to all Federal departments and agencies that may be requested to provide assistance or conduct operations in actual or potential Incidents of National Significance. These incidents require a coordinated response by an appropriate combination of Federal, State, local, tribal, private-sector, and nongovernmental entities.

Based on the criteria established in HSPD-5, Incidents of National Significance are those high-impact events that require a coordinated and effective response by an appropriate combination of Federal, State, local, tribal, private-sector, and nongovernmental entities in order to save lives, minimize damage, and provide the basis for long-term community recovery and mitigation activities.

Incidents of National Significance

Pursuant to HSPD-5, as the principal Federal official for domestic incident management, the Secretary of Homeland Security declares Incidents of National Significance (in consultation with other departments and agencies as appropriate) and provides coordination for

Federal operations and/or resources, establishes reporting requirements, and conducts ongoing communications with Federal, State, local, tribal, private-sector, and nongovernmental organizations to maintain situational awareness, analyze threats, assess national implications of threat and operational response activities, and coordinate threat or incident response activities.

The NRP bases the definition of Incidents of National Significance on situations related to the following four criteria set forth in HSPD-5:

1. A Federal department or agency acting under its own authority has requested the assistance of the Secretary of Homeland Security.
2. The resources of State and local authorities are overwhelmed and Federal assistance has been requested by the appropriate State and local authorities. Examples include:
 - Major disasters or emergencies as defined under the Stafford Act; and
 - Catastrophic incidents (see definition on page 43).
3. More than one Federal department or agency has become substantially involved in responding to an incident. Examples include:
 - Credible threats, indications or warnings of imminent terrorist attack, or acts of terrorism directed domestically against the people, property, environment, or political or legal institutions of the United States or its territories or possessions; and
 - Threats or incidents related to high-profile, large-scale events that present high-probability targets such as National Special Security Events (NSSEs) and other special events as determined by the Secretary of Homeland Security, in coordination with other Federal departments and agencies.
4. The Secretary of Homeland Security has been directed to assume responsibility for managing a domestic incident by the President.

Incident Management Activities

This plan addresses the full spectrum of activities related to domestic incident management, including prevention, preparedness, response, and recovery actions. The NRP focuses on those activities that are directly related to an evolving incident or potential incident rather than steady-state preparedness or readiness activities conducted in the absence of a specific threat or hazard.

Additionally, since Incidents of National Significance typically result in impacts far beyond the immediate or initial incident area, the NRP provides a framework to enable the management of cascading impacts and multiple incidents as well as the prevention of and preparation for subsequent events. Examples of incident management actions from a national perspective include:

- Increasing nationwide public awareness;
- Assessing trends that point to potential terrorist activity;

- Elevating the national Homeland Security Advisory System (HSAS) alert condition and coordinating protective measures across jurisdictions;
- Increasing countermeasures such as inspections, surveillance, security, counterintelligence, and infrastructure protection;
- Conducting public health surveillance and assessment processes and, where appropriate, conducting a wide range of prevention measures to include, but not be limited to, immunizations;
- Providing immediate and long-term public health and medical response assets;
- Coordinating Federal support to State, local, and tribal authorities in the aftermath of an incident;
- Providing strategies for coordination of Federal resources required to handle subsequent events;
- Restoring public confidence after a terrorist attack; and
- Enabling immediate recovery activities, as well as addressing long-term consequences in the impacted area.

Authorities

Various Federal statutory authorities and policies provide the basis for Federal actions and activities in the context of domestic incident management. The NRP uses the foundation provided by the Homeland Security Act, HSPD-5, and the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) to provide a comprehensive, all-hazards approach to domestic incident management. Nothing in the NRP alters the existing authorities of individual Federal departments and agencies. The NRP does not convey new authorities upon the Secretary of Homeland Security or any other Federal official.

Rather, this plan establishes the coordinating structures, processes, and protocols required to integrate the

specific statutory and policy authorities of various Federal departments and agencies in a collective framework for action to include prevention, preparedness, response, and recovery activities. Appendix 3 provides a summary of key statutes, Executive orders, and Presidential directives that provide additional authority and policy direction relevant to domestic incident management.

The NRP may be used in conjunction with other Federal incident management and emergency operations plans developed under these and other authorities as well as memorandums of understanding (MOUs) among various Federal agencies.

Key Concepts

This section summarizes key concepts that are reflected throughout the NRP.

- Systematic and coordinated incident management, including protocols for:
 - Incident reporting;
 - Coordinated action;
 - Alert and notification;
 - Mobilization of Federal resources to augment existing Federal, State, local, and tribal capabilities;
 - Operating under differing threats or threat levels; and
 - Integration of crisis and consequence management functions.
- Proactive notification and deployment of Federal resources in anticipation of or in response to catastrophic events in coordination and collaboration with State, local, and tribal governments and private entities when possible.
- Organizing interagency efforts to minimize damage, restore impacted areas to pre-incident conditions if feasible, and/or implement programs to mitigate vulnerability to future events.
- Coordinating incident communication, worker safety and health, private-sector involvement, and other activities that are common to the majority of incidents (see Support Annexes).
- Organizing ESFs to facilitate the delivery of critical Federal resources, assets, and assistance. Federal departments and agencies are assigned to lead or support ESFs based on authorities, resources, and capabilities.
- Providing mechanisms for vertical and horizontal coordination, communications, and information-sharing in response to threats or incidents. These mechanisms facilitate coordination among State, local, and tribal entities and the Federal Government, as well as between the public and private sectors.
- Facilitating Federal support to Federal departments and agencies acting under the requesting department's or agency's own authorities.
- Developing detailed supplemental operations, tactical, and hazard-specific contingency plans and procedures.
- Providing the basis for coordination of interagency and intergovernmental planning, training, exercising, assessment, coordination, and information exchange.

II. Planning Assumptions & Considerations

The NRP is based on the planning assumptions and considerations presented in this section.

- Incidents are typically managed at the lowest possible geographic, organizational, and jurisdictional level.
- Incident management activities will be initiated and conducted using the principles contained in the NIMS.
- The combined expertise and capabilities of government at all levels, the private sector, and nongovernmental organizations will be required to prevent, prepare for, respond to, and recover from Incidents of National Significance.
- Incidents of National Significance require the Secretary of Homeland Security to coordinate operations and/or resources, and may:
 - Occur at any time with little or no warning in the context of a general or specific threat or hazard;
 - Require significant information-sharing at the unclassified and classified levels across multiple jurisdictions and between the public and private sectors;
 - Involve single or multiple geographic areas;
 - Have significant international impact and/or require significant international information-sharing, resource coordination, and/or assistance;
 - Span the spectrum of incident management to include prevention, preparedness, response, and recovery;
 - Involve multiple, highly varied hazards or threats on a local, regional, or national scale;
 - Result in numerous casualties; fatalities; displaced people; property loss; disruption of normal life-support systems, essential public services, and basic infrastructure; and significant damage to the environment;
 - Impact critical infrastructures across sectors;
 - Overwhelm capabilities of State, local, and tribal governments, and private-sector infrastructure owners and operators;
 - Attract a sizeable influx of independent, spontaneous volunteers and supplies;
 - Require extremely short-notice Federal asset coordination and response timelines; and
 - Require prolonged, sustained incident management operations and support activities.
- Top priorities for incident management are to:
 - Save lives and protect the health and safety of the public, responders, and recovery workers;
 - Ensure security of the homeland;
 - Prevent an imminent incident, including acts of terrorism, from occurring;
 - Protect and restore critical infrastructure and key resources;
 - Conduct law enforcement investigations to resolve the incident, apprehend the perpetrators, and collect and preserve evidence for prosecution and/or attribution;
 - Protect property and mitigate damages and impacts to individuals, communities, and the environment; and
 - Facilitate recovery of individuals, families, businesses, governments, and the environment.
- Deployment of resources and incident management actions during an actual or potential terrorist incident are conducted in coordination with the Department of Justice (DOJ).
- Departments and agencies at all levels of government and certain NGOs, such as the American Red Cross, may be required to deploy to Incidents of National Significance on short notice to provide timely and effective mutual aid and/or intergovernmental assistance.
- The degree of Federal involvement in incident operations depends largely upon specific Federal authority or jurisdiction. Other factors that may be considered include:
 - The State, local, or tribal needs and/or requests for external support, or ability to manage the incident;
 - The economic ability of the affected entity to recover from the incident;
 - The type or location of the incident;
 - The severity and magnitude of the incident; and
 - The need to protect the public health or welfare or the environment.
- Federal departments and agencies support the homeland security mission in accordance with national authorities and guidance and are expected to provide:
 - Initial and/or ongoing response, when warranted, under their own authorities and funding;
 - Alert, notification, pre-positioning, and timely delivery of resources to enable the management of

potential and actual Incidents of National Significance; and

- Proactive support for catastrophic or potentially catastrophic incidents using protocols for expedited delivery of resources.
- For Incidents of National Significance that are Presidentially declared disasters or emergencies, Federal support to States is delivered in accordance with relevant provisions of the Stafford Act (see Appendix 3, Authorities and References). (Note that while all Presidentially declared disasters and emergencies under the Stafford Act are considered Incidents of National Significance, not all Incidents of National Significance necessarily result in disaster or emergency declarations under the Stafford Act.)

Under provisions of the Stafford Act and applicable regulations:

- A Governor may request the President to declare a major disaster or emergency if the Governor finds that effective response to the event is beyond the combined response capabilities of the State and affected local governments. Based on the findings of a joint Federal-State-local Preliminary Damage Assessment (PDA) indicating the damages are of sufficient severity and magnitude to warrant assistance under the act, the President may grant a major disaster or emergency declaration. (Note: In a particularly fast-moving or clearly devastating disaster, the PDA process may be deferred until after the declaration.)
- If the President determines that an emergency exists where the primary responsibility for response rests with the Government of the United States, or because the emergency involves an area or facility for which the Federal Government exercises exclusive or preeminent primary responsibility and authority, the President may unilaterally direct the provision of assistance under the act and will, if practicable, consult with the Governor of the State.
- DHS can use limited pre-declaration authorities to move initial response resources (critical goods typically needed in the immediate aftermath of a disaster such as food, water, emergency generators, etc.) closer to a potentially affected area.
- Federal assistance takes many forms—including the direct provision of goods and services, financial assistance (through insurance, grants, loans, and direct payments), and technical assistance—and can come from various sources.

- In a major disaster or emergency as defined in the Stafford Act, the President “may direct any Federal agency, with or without reimbursement, to utilize its authorities and the resources granted to it under Federal law (including personnel, equipment, supplies, facilities, and managerial, technical, and advisory services) in support of State and local assistance efforts...” [sections 402(a)(1) and 502(a)(1) of the Stafford Act, 42 U.S.C. § 5170a(1) and § 5192(a)(1)].
- In an actual or potential Incident of National Significance that is not encompassed by the Stafford Act, the President may instruct a Federal department or agency, subject to any statutory limitations on the department or agency, to utilize the authorities and resources granted to it by Congress. In accordance with HSPD-5, Federal departments and agencies are expected to provide their full and prompt cooperation, available resources, and support, as appropriate and consistent with their own responsibilities for protecting national security.
- Federal-to-Federal support refers to the circumstance in which a Federal department or agency requests Federal resource support under the NRP that is not addressed by the Stafford Act or other mechanisms (e.g., Executive orders, MOUs, memorandums of agreement (MOAs), etc.).

This support:

- Is coordinated by DHS using the multiagency coordination structures established in the NRP and in accordance with the NIMS;
- Generally is funded by the Federal entity with primary responsibility and statutory authority for the incident in accordance with provisions of the Economy Act, 31 U.S.C. 1535, unless other statutory authorities exist;
- Is facilitated by the interagency MOU for Mutual Aid, and executed at the time of the incident through interagency agreements (see the Financial Management Support Annex for more information);
- May include support to incident operations at sites under the control of the Legislative or Judicial Branches of the Federal Government; and
- May be used to coordinate U.S. Government support in the event of an overseas incident, if recommended by the Department of State (DOS).