



International Assistance System Concept of Operations

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FEMA

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EXECUTIVE SUMMARY

Before the winds died down and the waters receded following the devastating blow of Hurricane Katrina to the Gulf Coast in August 2005, the international community responded with an outpouring of offers of assistance to support the United States. The U.S. Government received over 200 offers from more than 150 nations and international organizations, but lacked the procedures to handle inbound aid, creating confusion on the ground and with the donor nations. A subsequent report from the White House directed the review, revision, and development of “policies, plans, and procedures for the management of foreign disaster assistance.”

A multi-agency work group, led by FEMA and the Department of State (DoS), developed the International Assistance System Concept of Operations (IAS CONOPS), which was approved by the Homeland Security Council and signed by the Secretaries of all major departments and agencies with responsibilities in disaster response and recovery. An all-of-government document, the IAS CONOPS is based on the National Response Framework (NRF), FEMA, and other entities’, Gift Acceptance Authority to receive international aid following a Robert T. Stafford Disaster Relief and Emergency Assistance Act (The Stafford Act) on behalf of the American people. It is a set of policies and procedures designed to systematize the review and receipt of international offers of assistance, as well as requests for international resources during catastrophic domestic disasters, and elaborates on the relevant sections of the NRF’s International Coordination Support Annex.

The first IAS CONOPS was published in 2009 and has been used in a variety of ways to manage international assistance for U.S. domestic disasters. At the time of its finalization, a commitment was made to review and revise the IAS CONOPS to ensure that the system remained an effective tool for the U.S. Government as it responded to major disasters based on real world experience and changing policies and guidance. The IAS CONOPS was updated in 2012 and 2015.

The 2022 IAS CONOPS reflects current and future disaster response resource constraints, increased complexity of domestic and global supply chains, and the increased frequency and complexity of disasters and national emergencies requiring a coordinated federal response. The 2022 revision updates and clarifies roles and responsibilities, thereby contributing to the 2022-2026 FEMA Strategic Plan Goal 3: *Promote and Sustain a Ready FEMA and a Prepared Nation*. The revised IAS CONOPS aims to be a strategic, targeted document focused on effective decision-making relative to international offers of assistance during a federally coordinated response.

SYSTEM OVERVIEW

1. Introduction

FEMA firmly believes in the depth and breadth of a global emergency management community. Collaboration, communication, and swift action among foreign partners supports the “whole of community” emergency management mission before, during, and after disasters. Hazards of all types bring disaster response to the world’s stage, with emergency managers at the forefront. Decades ago, FEMA led the U.S. interagency in answering the White House call to develop emergency management policies, plans and procedures to manage international offers of assistance in response to an incident in the United States. Today, we build on those foundational efforts to ensure a ready and resilient whole of community.

The IAS CONOPS is a survivor-centric system that is always available to support the needs of survivors and is built to provide smooth and timely integration of international offers of assistance into domestic incident response capabilities. This system was designed for the U.S. government to adjudicate and receive international offers of assistance as well as provide guidance for U.S. response entities using international resources during catastrophic domestic incidents.

The IAS CONOPS was updated in 2012 and 2015. FEMA reviews the IAS CONOPS in coordination with interagency partners to maintain the system’s effectiveness. The newly revised 2022 IAS CONOPS addresses:

- Current and future disaster response resource constraints;
- Increased complexity of domestic and global supply chain; and
- Updated concepts and processes.

IAS support is available for international assistance in response to incidents where FEMA provides incident management coordination, including major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), or in support of another federal lead response agency.

2. Purpose and Parameters

The IAS CONOPS is a tool for the U.S. emergency management community to:

Request and obtain necessary resources for response operations for an incident declared under the Stafford Act or other federally coordinated responses;

Accept assistance when there is a compelling foreign policy interest; and

Effectively organize regulatory compliance and logistical coordination for acceptance and disbursement of international offers of assistance.

The IAS reflects the following policy objectives and operational assumptions:

1. Due to the wide range of resources available within the United States, the U.S. government is not likely to require international offers of assistance for most domestic incidents. However, actual disaster responses and full-scale exercises have demonstrated that the United States may have resource gaps during catastrophic incidents and/or concurrent complex disasters. There are circumstances in which the U.S. Government can procure, and response agencies can accept, resources from foreign partners in a timely manner to fill response resource gaps.
2. During incident response operations, any inflow of resources or services (domestic or foreign) into the affected area that has not been specifically requested and/or coordinated by a responding agency could potentially obstruct relief operations, or present transportation, logistical, and/or homeland security or defense challenges.
3. The IAS applies to all federal agencies that may be requested to aid in expediting the flow of international resources during a domestic incident.
4. FEMA established the International Resources Coordination Group (IRCG) to facilitate and complete regulatory, foreign policy, importation, and legal reviews of international offers of assistance.

3. Legal Authorities

This IAS complements the International Coordination Support Annex (ICSA) of the National Response Framework (NRF), which explains the interagency coordination and roles for incident response involving foreign support. See also Appendix A, further explaining the authority and roles of relevant federal agencies. Many federal agencies also have lead response operations authority for incidents within their mission and expertise, including authority to accept offers of assistance; those operational and acceptance authorities govern their acceptance of international resources under the IAS.

For most catastrophic incidents, FEMA is the lead federal agency for coordinating the federal response and providing assistance. Its authority includes:

- **Stafford Act (42 U.S.C. 5121 et seq):** The Stafford Act authorizes the President to declare an incident in the U.S. a major disaster or emergency. This authorizes FEMA to coordinate federal response operations for the declared incident and provide assistance to designated state, local, tribal, and territorial governments (SLTTs). The Stafford Act also provides broad authority to the President to accept and use gifts, both foreign and domestic, in furtherance of the Stafford Act generally and to support emergency preparedness. See sections 701(b) and 621(d) of the Stafford Act, 42 U.S.C. 5201(b) and 5197(d).
- **Homeland Security Act (HSA) (6 U.S.C. §§ 101-557):** The HSA authorizes FEMA to lead the nation's response to disasters and emergencies for incidents generally. See 6 U.S.C. 313(b). This authority is implemented through presidential directives, including Homeland Security Policy Directive 5 (HSPD-5) and Presidential Policy Directive 44, (PPD-44), which inform mechanisms for FEMA to provide incident management coordination support to lead federal agencies with the primary operational authority to respond to incidents under their jurisdiction and mission. This may include identifying where to direct response resources, such as to certain SLTT impacted by the incident, regardless of whether FEMA or another agency is the lead federal response agency for the incident.
- **The FEMA Administrator delegated foreign gift acceptance authority in furtherance of the Stafford Act under sections 621(d) and 701(b) to FEMA Office of Response and Recover (ORR) Associate Administrator, who further delegated it to the National Response Coordination Staff (NRCS) Chief or Deputy Chief for offers of foreign assistance during a federally coordinated domestic incident response. This is generally available only when FEMA accepts resources for its own use or its consignee under Stafford Act; not when coordinating for an SLTT for direct acceptance or for another lead federal agency's use.**

System Performance

1. Operations

Since its initial publication in 2009, the IAS CONOPS has evolved from an episodic and reactive component of U.S. government incident response to a scalable, flexible, and adaptable response mechanism. It provides FEMA with an atypical resource acquisition and logistics management tool to meet critical disaster-caused needs and/or support U.S. government diplomatic interests. The IAS is a supporting element of the NRF and its International Coordination Support Annex (ICSA). FEMA's International Affairs Division (IAD) manages the IAS CONOPS before, during and after a Stafford Act declaration. As clearly stated in the NRF:

“When an incident occurs that exceeds or is anticipated to exceed local, state, tribal, territorial, or insular area resources or when an incident is managed by federal departments or agencies acting under their own authorities, the Federal Government may use the management structures described within the NRF. Additionally, the Federal Government may use supplementary or complementary plans to involve all necessary department and agency resources to organize the federal response and ensure coordination among all response partners” (NRF 4th Edition p. 19).

FEMA is lead federal response agency for most disasters in the United States, which are declared under the Stafford Act, and has national incident management coordinating authority for federally coordinated incidents. FEMA's IAD monitors international issues before, during, and after domestic disasters and emergencies and works closely with federal interagency partners to ensure responsive support to both survivor needs and U.S. government interests.

FEMA's IAD also maintains records of all international offers of assistance and requests for foreign resources during a domestic incident to provide real-time information for reporting and decision-making by NRCS leadership. FEMA's IAD routinely shares information with the U.S. Department of State (DoS), which manages the International Assistance Tracker (IAT). FEMA's IAD and DoS share information on received offers of assistance with interagency partners, as relevant. At the end of an incident, FEMA's IAD and DoS reconcile the records for final accounting in the FEMA Crisis Management System (CMS) platform.

Generally, the United States does not need foreign support for disaster response. Thus, at the beginning of each annual Atlantic hurricane season on June 1, DoS releases an All Diplomatic and Consular Posts Cable (ALDAC) advising that the United States does not anticipate requiring any assistance from the international community to support disaster responses and recommending that the international community consider cash donations directed to a private relief agency operating in the affected region. The ALDAC underscores directed cash assistance is the most effective way to support non-governmental organizations responding to disasters and emergencies impacting the United States.

2. International Resources Coordination Group (IRCG)

Considering and/or receiving international offers of assistance is a complex process. IRCG members are responsible for regulatory, importation, and legal reviews of international offers of assistance. IRCG membership can expand based on international offers of assistance under consideration. Regular IRCG membership includes FEMA, DoS, U.S. Department of Homeland Security (DHS)/Customs and Border Protection (CBP), U.S. Department of Health and Human Services (HHS)/Office of Global Affairs (OGA), HHS/Food and Drug Administration (FDA), and U.S. Agency for International Development (USAID)/Bureau of Humanitarian Assistance (BHA).

International offers of assistance vary from single to multiple countries and reflect a wide variety of response and recovery resources. FEMA ensures the resources will support operational incident response needs for the declared or future incidents. The resources must meet federal regulatory requirements. FEMA's IAD convenes the IRCG as needed to expedite the review of international offers of assistance and/or requests for foreign resources. The IRCG is a flexible, just-in-time coordination group that can quickly expand or contract as appropriate. The roles and responsibilities of the federal agencies that support the IAS are described at Appendix A.

3. Flow of International Offers of Assistance

The flow of international resources into the United States during a domestic incident response can result from two scenarios – (1) **international offer of assistance** or (2) **request for international assistance**.

International Offers of Assistance

International offers of assistance are those initiated by a foreign government to the United States when the United States has not indicated any particular operational needs for foreign response support. The exception is when there are compelling U.S. government foreign policy interests. In such cases, DoS and FEMA will consider what international offers of assistance to accept.

International offers of assistance will only be accepted to support compelling U.S. foreign policy interests as determined by the White House, National Security Council (NSC), and/or DoS. In addition, international offers of assistance will be accepted in limited cases when the following logistics and operational conditions are met:

- There are minimal regulatory and logistical requirements for their entry into the United States.
- They are easily absorbed into domestic operations.
- They are suitable for use in future incidents.

In order to satisfy U.S. government foreign policy interests, FEMA makes every effort to absorb a reasonable level of resources not immediately identified for relief operations. FEMA's IAD will work with DoS and NRCS leadership to finalize the scope and nature of the international offers of assistance. FEMA will also work to ensure that all offers of foreign aid offered and accepted under Stafford Act gift acceptance authority are used in an equitable and impartial manner and in accordance with the non-discrimination provisions of the Stafford Act, which specifically prohibits discrimination on the basis of color, race, nationality, limited English proficiency, sex, religion, age, disability, or economic status when carrying out federal assistance functions at the site of a major disaster.

Requests for International Assistance

When the United States requires resources that cannot be obtained domestically in the time or quantities necessary to meet operational needs, FEMA will attempt to procure these items via international procurement through the National Response Coordination Center (NRCC). If international procurement is unavailable, FEMA will seek these items through a request for resources from foreign governments. When resources from a foreign government are received under Stafford Act authority, FEMA will ensure that those resources are used in an equitable and impartial manner, and in accordance with the non-discrimination provisions of the Stafford Act.

It is worth noting that within the NRCC, FEMA's International Affairs Advisor (IAA) Cadre does not have a role in procuring resources from foreign sources. This responsibility falls within FEMA's Office of the Chief Procurement Officer (OCPO). Therefore, all requests directed to or through FEMA's IAD for international procurement of resources will be appropriately routed to FEMA's OCPO.

Requests for resources from foreign governments are not procured or purchased by FEMA. U.S. response agencies may request and accept resources from foreign governments for operational purposes when the resource(s) requested is readily available through a foreign government and there is reason to believe accepting the offer of assistance will result in faster deployment to the affected area than acquiring it through international procurement.

The FEMA IAA Cadre processes requests for resources via the following steps. This process outlines in steps 3-7 applies to all international assistance, whether via offer or request.

1. NRCC leadership communicates details of the requirement, including exact specifications and quantities to the FEMA IAA Cadre for action.
2. The FEMA IAA Cadre will work with DoS to communicate the need(s) to foreign partners and obtain potential sources, quantities, and specifications, in partnership with IRCG members and appropriate U.S. regulatory agencies.
3. The FEMA IAA Cadre will coordinate regulatory review with IRCG member agencies to ensure compliance with federal public health and safety requirements.

4. Once cleared for regulatory compliance, the FEMA IAA Cadre will coordinate with NRCS leadership to obtain written acceptance of the resource(s). FEMA, or other response entity. For resources FEMA coordinates for an SLTT to accept, the SLTT acceptance must include acknowledgement and certifications set out in the section below on CBP import requirements.
5. The FEMA IAA Cadre (or other lead response agency) in cooperation with DoS will communicate the acceptance to the offering country.
6. The FEMA IAA Cadre will obtain shipping details from the foreign partner and coordinate the customs clearance for the resources at the port of entry with CBP. FEMA (or other lead federal response agency) will determine the shipment contains only articles which will be used specifically for the purpose of providing disaster relief.
7. FEMA will coordinate pickup at the port of entry and distribution of the resources to the affected area. FEMA will work with designated consignee or recipient response entities to coordinate transportation, storage, distribution, and tracking of the commodities.

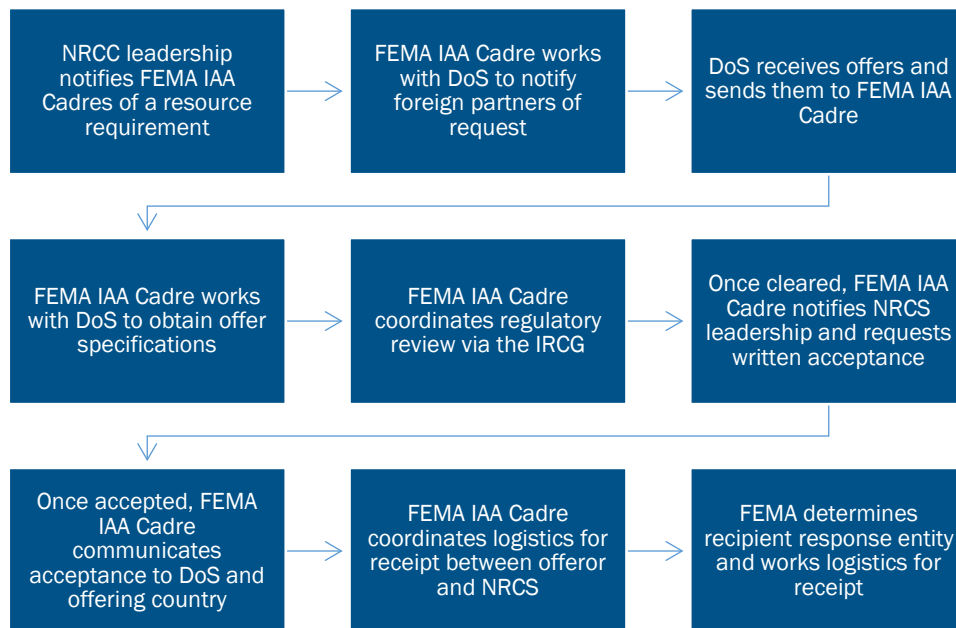


Figure 1 Flow of Requests for International Resources

4. CBP’s Regulations for Importing International Offers of Assistance for Domestic Incident Response

When FEMA in its federal coordinating role, identifies and directs articles to other response entities to support their response to an incident declared under the Stafford Act and 42 U.S.C. § 5201(b), these articles for CBP purposes will be the responsibility of FEMA, the articles are consigned to FEMA for customs purposes, and FEMA will take responsibility that they will only be used for this and no

other purpose. CBP relies on FEMA's determination in this regard and may admit the merchandise without entry under customs law and without payment of any duty or any tax imposed upon or by reason of importation under 19 CFR 10.107, based on FEMA's report as required under 19 CFR 10.107(a)(1). Other U.S. government regulatory agencies also have import-related statutory authorities that may apply, depending on the item being accepted.

Consistent with applicable law, FEMA and CBP work together to ensure facilitation of international offers of assistance to U.S.-based entities providing disaster relief in the United States in the public interest. This work is in the interest of supporting organizations with a public trust responsibility to respond to and recover from disasters and emergencies declared under section 701(b) of the Stafford Act. FEMA in its coordinating role identifies and directs articles to these response entities, including SLTT governments and certain nonprofit entities active in disasters and emergencies, such as National Voluntary Organizations Active in Disaster (collectively, "recipient entities"), which may then accept and be direct recipients of these resources through the following procedures:

1. Report to CBP: FEMA (or other federal lead response agency) will provide a report to CBP in advance of arrival of rescue and relief equipment and supplies, as described in section 1322(b) of the Tariff Act of 1930, as amended, 19 U.S.C. § 1322(b) (hereinafter "article(s)") at a U.S. port of entry. This report will include:
 - a. The foreign country from which the article(s) is(are) sent to the United States and if readily available, the article(s)' country of origin;
 - b. The foreign government providing assistance;
 - c. Port of entry
 - d. A description of the character and quantity of the articles intended for admission without entry under the customs laws and without any payment of duty or tax imposed upon or by reason of importation;
 - e. Identification of the recipient entity (as defined above) and destination of the articles;
 - f. Description of intended use of the articles;
 - g. Affirmation that:
 - i. The articles are described in section 1322(b) of the Tariff Act of 1930, as amended, 19 U.S.C. § 1322(b), because the articles are either "aircraft, equipment, supplies, and spare parts for use in searches, rescues, investigations, repairs, and salvage in connection with accidental damage to aircraft" or "fire-fighting and rescue and relief equipment and supplies for emergent temporary use in connection with conflagrations" or "rescue and relief equipment and supplies for emergent temporary use in connection with floods and other disasters" in an area that has received a major disaster or emergency declaration under the Stafford Act; and
 - ii. The articles are of a quantity and type needed for temporary use in connection with the declared disaster or emergency;

- h. Certification from the recipient entity (through FEMA) to CBP that:
 - i. The articles will be used within its jurisdiction (in case of SLTT government) or within its area of operation (in case of nonprofit organization) in connection with the declared disaster or emergency;
 - ii. The articles will not be used for any other purpose, and will not be entered, introduced, or attempted to be entered or introduced into the commerce of the United States;
 - iii. All articles will be expended in connection with the declared disaster or emergency; destroyed and disposed of consistent with applicable statutes and regulations.
 - i. Affirmation regarding the anticipated duration of the period or event for which the article(s) is(are) provided and during which the article(s) is(are) expected to be properly expended in accordance with 19 CFR 10.107. If such anticipated duration is greater than 90 days after the article(s) arrive(s) in the United States, a request will be made to CBP for special authorization for additional time under 19 CFR 10.107(c).
2. Final certification. Within 90 days after the article(s) arrive(s) in the United States, or within such longer time as may be specially authorized by the port director or CBP Headquarters, FEMA will provide confirmation to the CBP port director for the port of entry through which the articles were imported from the recipient entity that the articles have been properly expended or destroyed in accordance with 19 CFR 10.107.
- a. Any remaining articles will be disposed of consistent with applicable statutes and regulations. Any article that is not properly expended or destroyed in accordance with 19 CFR 10.107 within 90 days after the article arrived in the United States, or within such longer time as may be specially authorized by the port director or CBP Headquarters, shall be seized and forfeited to the United States, and will be properly disposed of or stockpiled by FEMA (or other federal agency) for use in future incidents.
 - b. The certification will include a statement that the recipient entity is aware that falsifying the certification for articles that have not been properly expended or destroyed may make the entity liable for any duties and taxes that were waived during initial import of the articles, as well as potential penalties as provided by law.

5. Requests for Foreign Response Personnel

Generally, the U.S. government will not request foreign personnel, as it presents numerous legal and logistical issues. On rare occasions when deemed necessary, these issues must be addressed prior to acceptance. Activities performed by foreign personnel must be limited to those carried out under FEMA's authority to provide direct federal assistance to states, localities, tribes, and territories as described in 44 CFR Part 206. See Appendix B: Entry Requirements and Legal Considerations for Foreign Disaster Response Personnel for more information.

6. International Urban Search and Rescue (US&R) Teams

The IAS CONOPS does not govern international Urban Search and Rescue (US&R) personnel. Rather, the FEMA US&R Operations Manual and its Annex A – Response Concept of Operations, provide specific procedures for pulling and coordinating international US&R assistance, as required to meet FEMA operational needs.

The United States has a robust federal urban search and rescue (US&R) system coordinated by the FEMA National US&R Response System, which works in partnership with its state and local sponsoring agencies to provide the nation with the ability to maintain sustained US&R operations. When requested by an SLTT in times of need, the FEMA National US&R Response System can be used to augment state and local first responders, along with other non-FEMA US&R resources from other states utilized through the Emergency Management Assistance Compact (EMAC) and mutual aid agreements.

If international US&R assistance is either requested or offered during a catastrophic disaster, the FEMA US&R Branch has a well-defined process to coordinate with USAID/BHA and the component that functions as the focal point to coordinate representation of the U.S. Government with the International Search and Rescue Advisory Group (INSARAG). INSARAG is a global network of more than 90 countries and organizations under the United Nations umbrella. INSARAG deals with US&R related issues, aiming to establish minimum international standards for US&R teams and methodology. This methodology for international coordination in earthquake response based on the INSARAG Guidelines was endorsed by the United Nations General Assembly Resolution 57/150 of 2002, “Strengthening the Effectiveness and Coordination of International Urban Search and Rescue Assistance.”

The FEMA US&R and USAID/BHA process and concept of operations defines specific roles and responsibilities to ensure the federal government is prepared to request, respond to an offer, receive, and process international US&R teams into the United States, if the U.S. domestic US&R capability is overwhelmed by a catastrophic national event. By virtue of their responsibilities within the federal government, USAID/BHA is very familiar with validating international US&R teams and provides specific subject matter expertise on this topic to the FEMA US&R Branch.

7. Consignees and Recipients of International Offers of Assistance

Unlike commercially produced resources, international offers of assistance entering the United States under the IAS CONOPS must be approved by FEMA prior to entry. FEMA’s approval of the request constitutes authorization to dispatch resources. FEMA may utilize the offers of assistance for its own operations or authorize consignment to other entities for their response operations. Consignees and recipient entities of international offers of assistance are identified at the time the

request is made, based on an NRCC/Resource Support Section (RSS) validated Resources Request Form (RRF).

For international offers of assistance, if a consignee or recipient has not been pre-identified, one must be secured. FEMA will work directly with the receiving response entities to coordinate transportation, storage, distribution, and tracking of the resources.

International offers of assistance are likely to include personal or consumable resources that address the needs of individual disaster survivors. SLTT governments or certain voluntary, non-governmental organizations may be the most effective entities for distribution. When FEMA identifies an SLTT or other response entity to directly accept and receive the resources for its response operations, that entity is the direct recipient. Alternatively, FEMA may consign resources it accepts to another response entity.

When FEMA accepts the resources under its Stafford Act authority, FEMA may utilize the offers of assistance for its own operations or authorize consignment to other entities for their response operations. FEMA may authorize consignment of certain resources to an organization for distribution consistent with any purpose and timing parameters identified in the request or the agreement. Authorized consignees generally include:

- Agencies with a reimbursable mission assignment (MA) from FEMA;
- SLTT governments; and
- Approved nonprofit organizations that support disasters.

8. Disposition of Unutilized International Offers of Assistance

The United States may face a situation where resources cannot be readily absorbed or expended during the disaster relief and recovery period, even with the most expedited delivery and consignment of resources. In such cases, FEMA (or other federal response agency) has the following options for disposition of resources:

- Stockpile the resource in FEMA or other federal agency custody for future domestic disaster response.
- Dispose or destroy the resource, consistent with U.S. government environmental regulations.

To ensure resources accepted under the IAS will not harm the public, resources subject to expiration should be used immediately by the agency accepting them. Unutilized resources with expirations will be disposed or destroyed if an alternate use cannot be identified within the timeframe of their useful life. Resources found to be harmful to the U.S. population will be appropriately disposed of or destroyed consistent with federal disposition procedures.

APPENDIX A: AGENCY ROLES AND RESPONSIBILITIES

The ability of the U.S. government to effectively manage the global response to a major domestic disaster requires the close collaboration of multiple agencies. FEMA, or another lead federal agency with incident management coordination support from FEMA, may accept resources under the IAS for an incident response under their authority. Other federal agencies have roles and responsibilities to inform policy decisions, communicate on behalf of the U.S. with foreign governments, or consider health and safety issues by advising on import regulations governing specific products under their jurisdiction which may be offered to or requested by the United States to meet an urgent need. Specific roles and responsibilities for IAS participant agencies are listed below.

Federal Emergency Management Agency (FEMA)

Per the Homeland Security Act of 2002 and Homeland Security Presidential Directive 5, the Secretary of Homeland Security is responsible for overall domestic incident management. FEMA is the lead agency responsible for identifying operational needs to support the domestic response to an incident declared under the Stafford Act and may seek resources from outside the United States to support those needs. FEMA is the lead agency responsible for accepting most foreign resources for domestic incident response under the IAS. The NRCC Chief and Deputy Chief accept international offers of assistance through FEMA's gift acceptance authority under the Stafford Act. In its lead federal coordination role, FEMA may also support other lead federal response agencies with operational authority to respond to incidents within their jurisdiction even in absence of a Stafford Act declaration, and to identify and coordinate resources to go directly to other response entities, which accept under their own authority for use in the declared incident response.

FEMA will coordinate the distribution of accepted foreign resources to meet mission requirements during an incident response. In partnership with DoS, FEMA will track international offers of assistance and is responsible for reporting on their status to the NRCC Chief and Deputy Chief. When required, FEMA's IAD will convene the IRCG. Within the NRCC, the Chief and Advisory Section (CAS) IAA informs the Situational Awareness Section Chief (SASC) of high-level international activity and works closely with the NRCC/RSS Transportation and Movement areas to coordinate all transportation tracking and monitoring for international aid.

U.S. Department of State (DoS)

DoS is the lead department for all U.S. government communication with foreign governments regarding a domestic incident. All offers of international assistance should be routed through DoS, which determines acceptance or refusal. The Operations Center's Office of Crisis Management and

Strategy in the Executive Secretariat is responsible for coordinating offers of, and requests for, international assistance with FEMA's IAD. DoS may appoint liaison staff to other incident response elements including the NRCC, joint field offices, and elsewhere. The Executive Secretariat's Operations Center may establish internal working groups or other bodies to support that response.

U.S. Agency for International Development (USAID)

The U.S. Agency for International Development (USAID) is responsible for administering and coordinating U.S. international humanitarian and development assistance. For requests for foreign assistance under the IAS, USAID's Bureau for Humanitarian Assistance (BHA) may advise on sources to fill requests. USAID/BHA may also provide technical guidance to FEMA during a domestic response. USAID/BHA may appoint liaison staff to other incident response elements including the NRCC, Joint Field Offices, and elsewhere to provide technical assistance and response element coordination with USAID.

U.S. Department of Homeland Security (DHS)/Customs and Border Protection (CBP)

CBP provides technical advice and support to the IRCG and coordinates with applicable regulatory agencies to facilitate the admission of accepted foreign resources into the United States in accordance with applicable law, including ensuring that the conditions of 19 U.S.C. 1322(b) and 19 C.F.R. 10.107 are met, as appropriate, or otherwise that entry is properly made, and duty is properly deposited, if applicable. The CBP liaison at the IRCG provides advance notice to CBP field offices of shipments of accepted resources and the arrival of foreign disaster response personnel requested by FEMA or a FEMA mission-assigned agency.

CBP's Office of Field Operations (OFO) is responsible for border security, including anti-terrorism, immigration, anti-smuggling, trade compliance, and agriculture protection, while simultaneously facilitating the lawful trade and travel at U.S. ports of entry that is critical to our nation's economy.

U.S. Department of Defense (DoD)

If foreign military assistance is required in support of domestic disaster response or if civilian departments/agencies request a resource through the IAS, it may result in an offer of foreign military personnel. FEMA, DoS, and U.S. Department of Defense (DoD) then coordinate to ensure fundamental issues are considered, resolved, and acknowledged by the foreign military before the resource is accepted and received by the U.S. government.

U.S. Department of Health and Human Services (HHS)

HHS components, including OGA and the Office of the General Counsel (OGC), are involved in decisions related to the entry of medical products. HHS/FDA is also involved in decisions related to the entry of medical, and certain food and veterinary products. Their role is further explained below.

U.S. Department of Health and Human Services (HHS) Food and Drug Administration (FDA)

FDA is a regulatory agency within HHS that is responsible for protecting the public health by assuring the safety, effectiveness, quality, and security of human and veterinary drugs, vaccines and other biological products, and medical devices. HHS/FDA is also responsible for the safety and security of most of the nation's food supply (except for meat from livestock, poultry, and some egg products, which are regulated by the U.S. Department of Agriculture (USDA)); all cosmetics, dietary supplements, and products that give off radiation; and for regulating tobacco products.

U.S. Department of Agriculture (USDA)

USDA/Animal and Plant Health Inspection Service (APHIS) Veterinary Services regulates the importation of products of animal origin to ensure such products do not pose a risk to U.S. animal health. USDA/APHIS' Plant Protection and Quarantine (PPQ) regulates the importation of plants and plant products to safeguard U.S. agriculture and natural resources from the risks associated with the entry, establishment, or spread of animal and plant pests and noxious weeds.

USDA/Food Safety and Inspection Service (FSIS) is the public health regulatory agency responsible for ensuring that the United States' commercial supply of domestic and imported meat, poultry, and egg products is safe, wholesome, and correctly labeled and packaged. FSIS regulates these products to ensure such products to not pose a risk to U.S. public health and food safety.

U.S. Environmental Protection Agency (EPA)

The U.S. Environmental Protection Agency (EPA) regulates the import of many resources, including pesticides and pesticide devices, ozone-depleting substances, hydrofluorocarbons (HFCs), chemical substances and certain articles containing regulated chemicals, composite wood products, plumbing fixtures, vehicles, engines, and fuels. EPA Liaisons to the NRCC would be consulted should any international offers of assistance include items under EPA jurisdiction.

APPENDIX B: ENTRY REQUIREMENTS AND LEGAL CONSIDERATIONS FOR FOREIGN DISASTER RESPONSE PERSONNEL

Government-to-government offers of foreign disaster response personnel to assist in emergencies should generally be declined, unless specifically requested by FEMA for explicit purposes. When requested by FEMA, offers of foreign disaster response personnel, and their admission into the United States, should be coordinated with CBP's Office of Field Operations (OFO). Typically, entry into the United States requires a valid passport and visa, depending on country of origin.

Foreign disaster response personnel may be admitted as visitors for business pursuant to section 101(a)(15)(B) of the Immigration and Nationality Act (INA) [8U.S.C. 1101(a)(15)(B)].

Waiver of Documentary Requirements

Section 212(d)(4) of the INA provides discretion for CBP to issue a waiver of the passport and/or visa requirement on the basis of unforeseen emergency in individual cases. Such waivers are processed by CBP at a port of entry, with a requisite \$585 filing fee for the I-193 Application for Waiver of Passport or Visa Requirement. CBP may waive such fee for foreign disaster response personnel on a case-by-case basis. If foreign disaster response personnel are requested from an offering nation/organization, the offering nation/organization should provide written notification to the U.S. Embassy/Consulate and the DHS office in that country to facilitate the visa waiver process and entry of the personnel into the United States. If DHS does not have a presence in the country, DoS's Visa Office in Washington, D.C. can coordinate with CBP to request such a waiver. If foreign disaster response personnel are traveling by air and there is not enough time to obtain required documentation, CBP can work directly with airline carriers to ensure that the personnel are granted boarding at the place of embarkation.

Parole

Section 212(d)(5)(A) of the INA also authorizes CBP the discretion to parole into the United States on a temporary basis any non-citizen applying for admission to the United States, and under such conditions as she/he may prescribe, on a case-by-case basis for urgent humanitarian reasons or significant public benefit. Parole is used to permit the physical access into the United States of a non-citizen who is not otherwise admissible and confers only temporary permission to be present in the United States for a specific purpose for a limited period of time. It should be noted that parole does not authorize employment in the United States if there is any reimbursement by a U.S. entity for the services performed. In that case, separate employment authorization is required.

Advance Information Required

To the extent possible, ports of entry will be notified before the arrival of foreign emergency response personnel. Such individuals will be vetted in advance of arrival through the CBP National Targeting Center. The following information will be provided by the sending entity as far in advance as feasible:

- Name;
- Date of birth;
- Country of nationality;
- Country of birth;
- Gender;
- Passport or travel document number;
- Visa number, if required;
- Date, time, and location of expected arrival;
- Destination;
- Position or title;
- Nature of services to be provided; and
- Expected duration of stay in the United States.

Legal Considerations

It is critical that the following legal considerations be addressed and resolved before the entry of any international first responders:

Workers' Compensation

Under current U.S. law, foreign personnel would not ordinarily be eligible for workers' compensation in the event of injury while providing services. Therefore, issues of workers' compensation in the event the foreign responder is injured while providing services will need to be addressed by the requesting agency before service personnel may be accepted. If an existing bilateral agreement addresses the sending government's responsibility for workers' compensation or similar benefits, any notice or other issues should be resolved in accordance with the agreement. If there is no applicable bilateral agreement, the requesting agency will ask DoS to inform the relevant foreign government that the foreign personnel will not be eligible for workers' compensation under U.S. law.

Liability

Foreign governments/international organizations or foreign volunteers appear to be susceptible to potential tort claims related to resources or services offered after a domestic disaster. Therefore, the requesting agency will need to examine whether there is an applicable bilateral agreement, specific statutory authority, or state declaration/waiver covering liability protection for foreign governments/international organizations or personnel and must notify the IRCG of any such protection when making a request for personnel. The requesting agency will inform DoS of the scope of any applicable liability protection, and DoS will relay this information to the relevant foreign government/international organization. If no such liability protection is available, DoS will relay to the foreign government/international organization that its personnel may be subject to local U.S. laws, including laws on liability, for actions committed while in the United States. In all cases, DoS will confirm that each foreign government has acknowledged receipt of this information.

Credentials, Licensing, and Certifications

Credentials, licenses, and certifications may need to be addressed before certain personnel may be accepted. These standards are typically promulgated at the state level, with respect to non-federal employees. If the services of international responders in specialized fields subject to certifications and licensing will be requested, the requesting agency will be responsible for ensuring that such requirements are met, or have been waived or altered, before FEMA will consider the request.

The above issues must be resolved before FEMA will approve final acceptance. If a requesting agency obtains applicable coverage or exemptions, the requesting agency must submit this information to the IRCG. If there is no applicable coverage or exemption, DoS must submit the foreign government's acknowledgement concerning lack of coverage to the IRCG. If FEMA is satisfied that all conditions have been met, FEMA will approve final acceptance of the foreign personnel. The IRCG will not deploy foreign personnel to the affected area until these issues have been addressed and FEMA approves final acceptance.

Other Considerations

Foreign response personnel will also need to be aware of and comply with parameters related to the import of medical, food, and veterinary products (e.g., for personal use, in caches for response use, and other uses).

APPENDIX C: GLOSSARY OF KEY TERMS

All Diplomatic and Consular Posts Cable (ALDAC). A diplomatic cable issued by the U.S. Department of State distributed to All Diplomatic and Consular posts around the world. Cables are official records of the U.S. Department of State.

Concept of Operations (CONOPS). A CONOPS describes the proposed system in terms of the user needs it will fulfill, its relationship to existing systems and procedures, and the ways it will be used.

Emergency Management Assistance Compact (EMAC). A national interstate mutual aid agreement that enables states to share resources during times of disaster.

Federal Agency. For purposes of the IAS, an executive department or agency of the U.S. Government.

FEMA Crisis Management System (CMS). FEMA's web-based platform supporting emergency management processes and functions by providing a real-time common operating picture for FEMA Headquarters and regions, as well as for federal, state, territory, and tribal partners. The system provides multitiered situational awareness of incident support and management activities, including, but not limited to, significant event tracking, resource request processing, resource tracking, and incident action plan development. Web Emergency Operations Center (WebEOC) has served as FEMA's official CMS since September 2012.

Incident (or disaster). For purposes of the IAS, a domestic incident for which FEMA exercises its federal coordinating role for incident response, including a major disaster or emergency declared by the President under the Stafford Act or other incident under authority of another lead federal response agency with FEMA coordination support.

International Assistance System (IAS). Survivor-centric system designed to adjudicate and receive international offers of assistance as well as provide guidance for using foreign resources during catastrophic domestic disasters under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, or other federally coordinated incident.

International Assistance Tracker (IAT). Tracking mechanism for international offers of assistance and requests for foreign resources during a domestic disaster, maintained by the U.S. Department of State with input from the Federal Emergency Management Agency's International Affairs Division.

International Search and Rescue Advisory Group (INSARAG). A global network of more than 90 countries and organizations under the United Nations umbrella that deals with urban search and rescue related issues.

Lead Response Agency (or lead federal response agency). For purposes of the IAS, the federal department or agency with primary responsibility for the federal operational response to an incident, based on its statutory mission and authority or Presidential designation.

Mission Assignment (MA). A work order that the FEMA issues to another federal agency directing the completion of a specific request for assistance. This is a reimbursable work order when the agency is carrying out Stafford Act authorized activities on behalf of FEMA.

National Response Coordination Center (NRCC). The national-level coordination center for Federal Emergency Management Agency incident response operations; provides overall incident support, coordinates national and regional response efforts, conducts national support planning, deploys national-level resources, and collects, analyzes, and disseminates incident information.

NRCC Chief and Advisory Section (CAS). The Chief and Advisory Section of the National Response Coordination Staff (NRCS) comprises the Chief, Deputy Chief, and leadership advisory positions within the National Response Coordination Center.

NRCC International Affairs Advisor (IAA) Cadre. Position that provides policy guidance and decision support to the National Response Coordination Staff Chief and Deputy Chief in all matters relating to foreign affairs and geopolitical sensitivities; works with NRCS leadership to implement the International Assistance System Concept of Operations and works closely with the U.S. Department of State Liaison Officer to facilitate and manage the flow of international assistance.

NRCC Resource Support Section (RSS). Section within the NRCC that performs resource management functions for federal incident responses and ensures that emergency response personnel at the incident have possession/access to the supplies, equipment, people, facilities, and services they need to respond to the incident effectively.

National Response Coordination Staff (NRCS). FEMA staff who operate the NRCC whose mission is to provide national-level emergency management by coordinating and integrating resources, policy guidance, situational awareness, and planning in order to support the affected region(s).

National Response Framework (NRF). A document designed to outline broadly the interagency relationships and structures to guide effective, coordinated incident management and response by the U.S. Government. The International Coordination Support Annex (ICSA) is an annex to the National Response Framework that provides guidance on carrying out responsibilities for international coordination in support of the federal government's response to a domestic incident with an international component

Resource. For the purposes of this document, any supplies, equipment, services, and personnel offered by a foreign nation, or requested by the Federal Emergency Management Agency or other federal response agency after a domestic disaster or emergency. May also be referred to as items or articles. It does not include purely financial offers or cash.

State, Local, Tribal, and Territorial (SLTT). Refers to the levels of government within the United States with which the Federal Emergency Management Agency partners to help people before, during, and after disasters and to which FEMA is authorized to coordinate and direct resources, and to provide response and recovery assistance for a major disaster or emergency declared under the Stafford Act.

Urban Search and Rescue (US&R). The National Urban Search & Rescue (US&R) Response System, established under the authority of the Federal Emergency Management Agency in 1989, is a framework for organizing federal, state, and local partner emergency response teams as integrated federal disaster response task forces. The National US&R task forces can be deployed by FEMA to a disaster area to provide assistance in structural collapse rescue, or they may be pre-positioned when a major disaster threatens a community.