



# UNITED STATES MARINE CORPS

MARINE FORCES RESERVE  
4400 DAUPHINE STREET  
NEW ORLEANS, LOUISIANA 70146-5400

IN REPLY REFER TO:  
3440  
G-3/5  
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## FORCE POLICY LETTER 05-08

From: Commander, Marine Forces Reserve  
To: Distribution List

Subj: IMMEDIATE RESPONSE TO CIVIL AUTHORITIES

Ref: (a) MARADMIN 589/05  
(b) DoD Directive 3025.15  
(c) CJCS Instruction 3121.01B (S)

1. Purpose. To provide guidance regarding the execution of immediate response assistance to civil authorities.
2. Cancellation. ForO 3440.2
3. Information. Reference (a) provides a brief but up-to-date synopsis of DoD's role in Homeland Defense, providing a comprehensive list of relevant references. It also outlines the ways in which the Marine Corps has contributed to and can continue in a support role to the Homeland Defense mission. Most relevant to this document is the discussion of Defense Support to Civil Authorities, referred to as DSCA and pronounced 'diska'. As noted in the reference, the term DSCA replaces previously accepted terms such as Military Support to Civil Authorities (MSCA) and Military Assistance to Civil Authorities (MACA). This document addresses an aspect of DSCA known as Immediate Response Authority (IRA). The authority to exercise Immediate Response is granted by DoD.
4. Definition. Immediate Response is an action taken by a military commander to a request from civil authorities in order to save lives, prevent human suffering, or mitigate great property damage because local and state authorities are not yet capable of promptly and fully responding to the emergency. It will be of a short duration, lasting only until sufficient local and state assets arrive on the scene and assume control. Consequently, IRA is NOT a blanket authority to provide unlimited military assistance, any time, anywhere and for any length of time. As a rule-of-thumb, support under IRA is generally limited to 72 hours or less in duration from the time of the emergency incident.
  - a. Specifically, IRA allows a local military commander to provide immediate assistance in "response to requests from civil authorities" when "time does not permit prior approval from higher headquarters," and when "imminent serious conditions resulting from any civil emergency or attack" exist, which

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require military assistance in order "to save lives, prevent human suffering, or mitigate great property damage."

b. IRA missions may include, but are not limited to, any emergency situation that requires: search and rescue; evacuation; decontamination; fire-fighting; medical treatment; restoration of medical capabilities and public services; removal of debris, rubble, or explosives to permit rescue or movement; recovery, identification, registration, and disposal of the dead; detecting, assessing, and containing a Chemical, Biological, Radiological, Nuclear and Explosives (CBRNE) event; roadway movement control; collecting, safeguarding, and distributing essential food items and supplies; damage assessments; providing interim communications and reestablishing civil government functions.

4. Exercising IRA. The procedures for executing an Immediate Response begin when a commander receives a request from local civil authorities (governor, mayor, city manager, chief of police or fire department, director of local emergency services, et al) for assistance in an emergency or disaster situation. The verbal request must be followed by a written request that specifies the incident, the required support and the duration of the support.

a. Considerations. In accordance with reference (b), if the Commander is unable to receive prior approval from higher headquarters because of the urgent nature of the request, the commander should evaluate the request using the following six criteria:

(1) Cost. Who will pay for the assistance rendered? Although immediate response assistance should be provided on a cost reimbursable basis, it should not be delayed or denied because of the inability/unwillingness of the requester to make a commitment to reimburse DoD.

(2) Appropriateness. Is it in DoD's interest to provide assistance, or will DoD's image be tarnished if it is not provided? Have civil resources been applied to first address the need? Is DoD the best provider of the requested assistance under the circumstances?

(3) Risk. What are the potential health or safety hazards to DoD forces and their equipment, vehicles, or aircraft? Can these hazards be mitigated?

(4) Readiness. Will the assistance have an adverse impact on the responding unit's ability to perform its primary combat, combat support, combat service support or daily missions? Can a carefully tailored response provide the needed assistance and at the same time maintain unit readiness?

(5) Legality. What is the legal authority that permits or prohibits the requested assistance?

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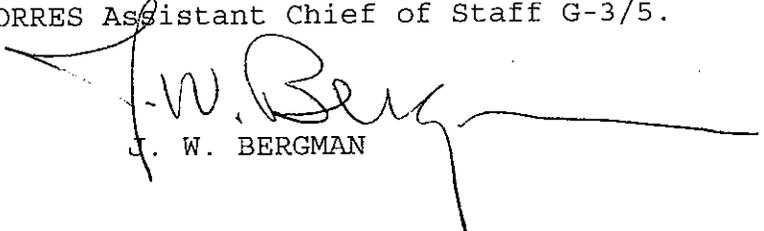
(6) Lethality. Is there any potential for lethal force to be used by or against DoD forces? If yes, has the Secretary of Defense authorized the carrying of weapons?

b. Command & Control. Although a commander providing Immediate Response may authorize the full use of all military resources under his control in support of IRA, military personnel MAY NOT participate in civil law enforcement activities such as apprehension, arrest, interrogation, search, seizure, stop and frisk, surveillance, or security, as these actions would violate provisions of the Posse Comitatus Act. Additionally, although during an immediate response a commander is in a supporting role, AT NO TIME does the supported civilian agency exercise any command or control over a commander's resources.

c. Use of Force. As provided in reference (c) and restated in reference (a), unit commanders always retain the inherent right and obligation to exercise unit self-defense, although the majority of actions under immediate response will likely not require the carrying of weapons. However, Use of Force during DSCA missions, including IRA, is governed by Standing Rules of Force (SRUF), which are generally more restrictive than combat Rules of Engagement (ROE). While reference (c) sets the baseline for SRUF during DSCA missions, commanders must determine and must ensure that their Marines know the SRUF PRIOR TO executing an immediate response.

d. Reporting & Reports. As provided in the reference, commanders providing immediate response must report all assistance provided under IRA expeditiously to the Marines Corps Command Center via the MARFORRES chain of command. Additionally, commanders providing immediate assistance will submit an After Action Report (AAR) via the chain of command to the MARFORRES Assistant Chief of Staff G-3/5 within 10 days of the termination of the support to civil authorities. The AAR should include resource expenditure data.

5. Way Ahead. Commanders, Inspector-Instructors and their staffs at all echelons are encouraged to review the references to ensure their readiness to exercise IRA. Any question regarding IRA should be directed to the MARFORRES Assistant Chief of Staff G-3/5.

  
J. W. BERGMAN