

## ANNEX H

### ACTIVATION OF THE WASHINGTON NATIONAL GUARD FOR EMERGENCIES OR DISASTERS

#### A. PURPOSE AND BACKGROUND

The purpose of this procedure is to establish the circumstances and the mechanism whereby the Governor will order the organized Washington National Guard (WNG) or any part thereof into active state service.

RCW 38.08.040 provides that upon the occurrence of certain events, the Governor has the power to order the organized militia of Washington or any part thereof into active service of the state to execute the laws and to perform such duty as the Governor shall deem proper. This power resides with the Governor or acting Governor alone and may not be delegated to another person or agency. It is important there be a clear manifestation of the exercise of the power so that authority of the WNG to act is established; and so that the funds may be properly expended in the support of the WNG. National Guard assistance is designed to complement, not substitute for, civil participation in emergency operations.

#### B. POLICIES AND PROCEDURES

1. The Washington Emergency Management Division through the Military Department (Adjutant General) may recommend activation of the WNG to the Governor's Office under either of the following conditions:
  - a. Prior to receiving a request for Defense Support to Civil Authorities from local jurisdictions and the threat of an emergency or disaster is imminent (e.g., flood warnings), the Military Department will recommend to the Governor's Office activation of the WNG so as to allow preplanning and/or propositioning of WNG or other state resources in anticipation of requests for assistance.
  - b. When a request is received from a local jurisdiction in times of emergency or disaster, and it is determined that the local jurisdiction does not have the resources available from any other source in a timely manner, and it is verified that the WNG can fulfill the request.  
  
(Note: in either case, the military department will consult with the governor to receive final authorization.)
2. Whenever the potential need for National Guard assistance is drawn to the attention of the Governor or Adjutant General, the Adjutant General may, in company with the Governor or other state officials, review the emergency or disaster scene by air or ground transportation for damage assessment to determine the extent of the emergency or disaster.
3. If the Governor believes the conditions of RCW 38.08.040 are met, he may order the WNG to state active service. The WNG will not be ordered to state active service except upon order of the Governor.
4. Following authorization by the Governor, the initial ordering to state active service will be made orally by the Military Department to the designated National Guard liaison officer. When the WNG receives the order from the Military Department, it will be understood that the Governor has ordered the WNG into state active duty for the emergency.

5. As soon as is practicable thereafter, a written order signed by the Governor will be executed. The written order will be executed utilizing either the Proclamation of Emergency. The original of this document will be retained in the files of the Governor and a copy forwarded to the Military Department, Office of Financial Management (OFM), and to the WNG.
6. The Adjutant General or his designee may also contact the Governor directly in the event of an emergency and request state activation of the WNG.
7. The Military Department will provide regular briefings to the Governor's Office on all tasking of the National Guard during the period of state active service.
8. Upon activation of the State Emergency Operation Center (EOC), the WNG will provide a liaison to the State EOC. The WNG may also provide a forward liaison to affected counties during the preplanning and/or propositioning of resources.
9. National Guardsmen and equipment will remain under the military chain of command and operational control of the designated Military Task Force commander or WNG EOC.
10. Following the Governor's order of the WNG to state active service, the WNG will provide OFM a total of the expenditures made. OFM will then obtain additional appropriation authority for the WNG to offset the total expenditures. In the event that the emergency or disaster is designated by the President as a federally declared disaster and eligible for partial federal reimbursement of response costs, the Military Department will work with the WNG to facilitate collection and submission of cost data to OFM and the Federal Emergency Management Agency (FEMA).
11. Nothing herein will preclude the Adjutant General from deploying resources of the WNG in a federally funded status in response to a life-threatening event when otherwise authorized by federal regulations. As soon as the life-threatening event is resolved, the National Guard will terminate the support unless a joint determination is made between the National Guard and the Military Department of the need for the National Guard to be ordered into state service, and the Governor so orders.