



**DEPARTMENT OF THE ARMY**  
HEADQUARTERS, 10<sup>TH</sup> MOUNTAIN DIVISION (LIGHT INFANTRY) AND FORT DRUM  
FORT DRUM, NEW YORK 13602-5046

AFDR-CG

1 May 2019

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Policy Memorandum 12, 10th Mountain Division (LI), Response Authorities in support of Aeromedical Evacuation and DSCA Missions

1. References.

- a. 18 U.S.C. Section 1385, Posse Comitatus Act.
- b. 33 U.S.C. Section 701n, Emergency Response to Natural Disasters.
- c. 32 CFR Part 185, Defense Support of Civil Authorities.
- d. 44 CFR Part 206, Federal Disaster Response.
- e. U.S. Dep't of Defense Directive 3025.18, Defense Support of Civil Authorities (DSCA).
- f. U.S. Dep't of Defense Instruction 4515.13, Air Transportation Eligibility.
- g. Army Regulation 95-1, Flight Regulations, 22 March 2018.
- h. FORSCOM Action Message 17-003, FORSCOM Guidance to Senior Commander on Civil Search and Rescue Procedures, dated 17 November 2017.

2. Purpose. The purpose of this memorandum is to set forth response authorities and procedures in support of Fort Drum Aeromedical Evacuation services and response or recovery requirements beyond local or state capabilities. This policy is intended for 10th Mountain Division (LI) aeromedevac and DSCA procedures, refer to References g and h to ensure compliance with Army and FORSCOM-directed requirements.

3. Applicability. This policy grants authority for specified individuals authorized to commit 10th Mountain Division Aeromedical Evacuation assets when criteria has been met.

4. Policy. This policy focuses on aeromedical evacuation and DSCA procedures.

5. Aeromedical evacuation.

- a. Range Control will be the delegated approval authority to launch the Aeromedical Evacuation assets upon a request for assistance initiated in the training area. This authority is limited to circumstances where life, limb or eyesight are at risk in regards to a Service Member, dependent, DA Civilian, eligible contractor or retiree in the training area. If an individual's affiliation with the U.S. Government cannot be determined, discretion will be utilized to save life, limb, or eyesight. Upon approval and launch of the aeromedical assets, Range Control will notify the Mountain Operation Center (MOC)

AFDR-CG

SUBJECT: Policy Memorandum 12, 10th Mountain Division (LI), Response Authorities in support of Aeromedical Evacuation and DSCA Missions

Battle Desk. The MOC Battle Desk will notify appropriate personnel and Fort Drum agencies of actions and aircraft availability status.

b. Directorate of Emergency Service (DES) will be the delegated approval authority to launch the Aeromedical Evacuation assets upon a request for assistance initiated through the Fort Drum Dispatch Center in the cantonment area. This authority is limited to circumstances where life, limb or eyesight are at risk in regards to a Service Member, dependent, DA Civilian, eligible contractor or retiree. In order to preserve aeromedical assets for potential incidents in the training area, DES will first seek assistance via the Emergency Service clearinghouse procedures of available local air assets before approving the launch of the Fort Drum's Aeromedical Evacuation assets. If an individual's affiliation with the U.S. Government cannot be determined, discretion will be utilized to save life, limb, or eyesight. Upon approval and launch of the air medical asset, DES will notify the Mountain Operation Center (MOC) Battle Desk. The MOC Battle Desk will notify appropriate personnel and Fort Drum agencies of actions and aircraft availability status.

c. For a request for assistance that involves a civilian not associated with the U.S. Government, the delegated approval authorities to launch the air medical evacuation assets are the 10th Mountain Division (LI) Deputy Commanding Generals (DCG-O and DCG-S, respectively) when those positions are filled by a general officer. This authority may not be further delegated. This authority is limited to circumstances where life, limb or eyesight are at risk and no civilian assets are available, feasible, or adequate.

d. Prior to approval and launch of aeromedical assets, the delegated approval authority will notify the MOC and the MOC will analyze the emergency situation and relevant factors. The analysis will take into account aircraft availability, units conducting training in training area, distance from the distress, special equipment requirements, terrain factors, and any associated risk. Mission acceptance will also be based on the factors listed in DoDD 3025.18, paragraph 4e, which includes cost, appropriateness, risk, readiness, legality, and lethality. Once complete, the air medical evacuation assets will be placed on stand-by and the MOC will notify the Commanding General or delegated representative of the emergency situation and provide a recommendation based on those factors. If 10th Mountain Division is able to support the mission, the MOC will contact the air medical evacuation assets to launch. The MOC will contact DES, Range Control, or the civilian requesting agency of 10th Mountain Division's ability to support the mission. Once aircraft has launched, the MOC will notify appropriate personnel to include Higher Headquarters and Fort Drum agencies of actions and aircraft availability status.

6. DSCA response or recovery requirements beyond local or state capabilities.

AFDR-CG

SUBJECT: Policy Memorandum 12, 10th Mountain Division (LI), Response Authorities in support of Aeromedical Evacuation and DSCA Missions

a. In response to a request for assistance from a civil authority, under imminently serious conditions and if time does not permit approval from higher authority, Federal military commanders, Heads of DoD Components, and/or responsible DoD civilian officials (DoD officials) may provide an immediate response by temporarily employing the resources under their control, subject to any supplemental direction provided by higher headquarters, to save lives, prevent human suffering, or mitigate great property damage within the United States. Immediate response authority (IRA) does not permit actions that would subject civilians to the use of U.S. military power that is regulatory, prescriptive, proscriptive, or compulsory. DoDD 3025.18, para. 4g.

b. Types of support authorized include:

1) Rescue, evacuation, and emergency treatment of casualties; maintenance or restoration of emergency medical capabilities; and safeguarding the public health.

2) Emergency restoration of essential public services (such as fire-fighting, water, communication, transportation, power and fuel).

3) Emergency removal of debris and explosive ordnance.

4) Recovery and disposal of deceased persons.

c. Excluding aeromedical evacuation as outlined above, IRA to respond to the events listed in paragraph 6a is withheld to myself or the designated acting senior commander, when this position is filled by a general officer. This authority may not be further delegated.

7. If criteria is met in the aforementioned categories, then the mission will evaluate the following factors as noted in DoDD 3025.18, paragraph 4e: legality (compliance with laws); lethality (potential use of lethal force by or against DoD forces); cost; appropriateness; risk; and readiness.

8. If the criteria is not met, the MOC will notify the requesting agency that 10th Mountain Division may not be able to support the request. The MOC battle NCO will identify and record the name and contact information of any individual and from what agency this individual is requesting assistance.

9. Requests to support of law enforcement activities will not be supported.

10. The MOC will inform civil authorities that in accordance with DoD policy, oral requests for assistance in an emergency must be followed by a written request that includes an offer to reimburse the Department of Defense at the earliest available opportunity. DoDD 3025.18, paragraph 4d. However, aeromedical asset support should

AFDR-CG

SUBJECT: Policy Memorandum 12, 10th Mountain Division (LI), Response Authorities in support of Aeromedical Evacuation and DSCA Missions

be "provided on a cost-reimbursable basis, where appropriate or legally required, but will not be delayed or denied based on the inability or unwillingness of the requester to make a commitment to reimburse the Department of Defense." DoDD 3025.18, paragraph 4g(3).

11. Point of contact is MAJ Marcus Bailey, 10th Mountain Division (LI) Chief of Operations at (315) 774-7034, or [marcus.t.bailey.mil@mail.mil](mailto:marcus.t.bailey.mil@mail.mil).



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