

**NATIONAL EMERGENCY MANAGEMENT ASSOCIATION
EMAC COMMITTEE**

POSITION PAPER

DATE: March 20, 2013

SUBJECT: Establishment of a North American Mutual Aid Agreement

BACKGROUND:

At the March 2008 Mid-Year Conference the National Emergency Management Association (NEMA) adopted a resolution on Cross Border International Mutual Aid Memorandums of Understanding which formally endorsed state efforts to establish international mutual aid agreements with their international partner countries. The position paper also called on Congress and the Administration to encourage and support international mutual aid activities.

The primary emergency management related cross border agreements in existence today include:

- Pacific Northwest Emergency Management Agreement
- International Emergency Management Assistance Memorandum of Understanding
- State-Province Emergency Management Assistance Memorandum of Understanding (newly established in 2012)

In addition, the southwest Border States are working closely with their Mexican counterparts to enter into a memorandum of understanding for intergovernmental cooperation during emergency circumstances.

While significant progress for emergency management assistance is being made between entities situated along the northern and southern U.S. borders and those agreements should continue to be supported and promoted, there is a growing desire on the part of non-border states to have the ability to receive or send cross border assistance with Canada and Mexico.

DISCUSSION:

Over the past decade there have been significant disasters and emergencies that have stretched the resources of the nation to their limit. Catastrophic disaster planning initiatives such as those within the New Madrid seismic zone clearly illustrate the challenges the U.S. will face in responding to and recovering from a multi-state/regional disaster of that magnitude. Events across the world such the tragedy that occurred in Japan remind us of the interdependencies of critical infrastructure and systems and potential cascading consequences. Globalization has increased the movement of people, goods, and services across borders. Climate change requires emergency managers to plan for such effects as sea level changes and dramatic seasonal climate abnormalities. All of these issues transcend political and geographic boundaries.

It is the sense of NEMA that a single North American mutual aid agreement applying to all member states, Canadian provinces, and Mexican states would serve the nation well in that it would be voluntary, open to non-border states and provinces and based on standardized doctrine and operational procedures in the same manner as the Emergency Management Assistance Compact (EMAC).

Provisions to be addressed in a voluntary North American mutual aid agreement include:

- Codify North American mutual aid in the context of state and provincial assistance as opposed to federal;
- Include provisions similar to those in EMAC with respect to liability, indemnification, licensure and reimbursement;
- Not predicate assistance upon the declaration of a state or federal disaster;
- Not impact or cause unintended consequences for existing cross border agreements;
- Provide the authority to cross international borders with reciprocity and without restriction;
- Allow for cross border training and exercises.

RECOMMENDATIONS:

1. NEMA should conduct outreach and build support for establishment of a North American mutual aid agreement with the National Governors Association and all appropriate stakeholders, federal agencies, Congress and the Administration;
2. NEMA should establish relationships and build support with the appropriate Canadian and Mexican entities for cross border mutual aid;
3. Congress should support states' efforts to engage in North American mutual aid by swiftly ratifying such agreement ;
4. NEMA should work with the federal government, Canadian and Mexican partners to identify the potential mechanism or structure to support the agreement similar to that of EMAC;
5. NEMA should work with the federal government to address border security and credentialing issues in order to ensure the ability of emergency personnel to quickly respond to mutual aid requests during disasters and emergencies.

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Second: CO

DISPOSITION: PASSED UNANIMOUSLY

NEMA 2013 Mid-Year Emergency Management Policy & Leadership Forum, March 18-22, 2013, Hilton Alexandria Mark Center Hotel, Alexandria, VA