

CHAPTER 8 — LAW ENFORCEMENT, PUBLIC SAFETY, AND SECURITY

Introduction

If a pandemic influenza outbreak occurs in the United States, it is essential that governmental entities at all levels continue to provide essential public safety services and maintain public order. It is critical that all stakeholders in State and local law enforcement and public safety agencies, whose primary responsibility this is, be fully prepared to support public health efforts and to address the additional challenges they may face during such an outbreak. Federal law enforcement and military officials should be prepared to assist in a lawful and appropriate manner, and all involved should be familiar with the established protocols for seeking such assistance and have validated plans to provide that assistance.

Key Considerations

State, local, tribal, and private sector entities have primary responsibility for the public safety and security of persons and non-Federal property within their jurisdictions, and are typically the first line of response and support in these functional areas. However, the unique challenges that might confront State, local, tribal, and private sector entities could require them to request additional assistance, either of a logistical or operational nature, from within their States, from other States pursuant to a mutual aid compact, or from the Federal Government. Civil disturbances and breakdowns in public order might occur in several different situations: as health care facilities are overwhelmed with those seeking care and treatment for themselves or family members; as persons vie for limited doses of vaccines and antiviral medications; as supply-chain disruptions cause shortages in basic necessities; as individuals attempt to leave areas where outbreaks have occurred or where containment measures are in place, and, potentially, in border communities if neighboring countries are impacted. 9-1-1 emergency call centers and public safety answering points may be overwhelmed with calls for assistance, including requests to transport influenza patients.

In addition to facing these challenges and dealing with the day-to-day situations they normally face, State, local, and tribal law enforcement agencies may be called upon to enforce movement restrictions or quarantines, thereby diverting resources from traditional law enforcement duties. To add to these challenges, law enforcement and public safety agencies can also expect to have their uniform and support ranks reduced significantly as a result of the pandemic, especially if they are not vaccinated.

It also essential to protect the health and safety of law enforcement and public safety and security workers to ensure these critical personnel can safely and effectively perform their assigned roles given these additional challenges.

Response Planning

It is essential that as part of State, local, and tribal overall pandemic response planning, their respective law enforcement and public safety agencies formulate comprehensive response plans based on in-depth understanding of the salient facts regarding a potential influenza outbreak and the related issues. The plans should establish close coordination and communications protocols between law enforcement and public safety agencies and public health and medical officials. Responsible elected officials, emergency management officials, public health officials, and members of the law enforcement and emergency response communities should then undergo training related to the execution of their plans

and participate in exercises and other activities to ensure their ability to execute their plan if necessary. Such exercises will raise their awareness of the pertinent issues and initiate dialogue concerning issues such as interagency cooperation, incident command, and agency-specific roles and responsibilities during a pandemic influenza outbreak.

As part of the planning process, outreach and coordination should also be conducted with respect to private sector entities responsible for safeguarding and sustaining critical infrastructure during an outbreak. It is essential that the services provided by these entities continue without interruption and that those private sector personnel responsible for providing security develop plans to continue to provide security despite the effects pandemic influenza will have on their respective workforces and the understanding that the availability of local law enforcement resources to respond or otherwise assist may be limited.

While this chapter outlines the types of Federal assistance that can be provided when States, territories, and localities need assistance, especially direct law enforcement assistance, planning officials should note that the Federal Government's ability to provide such assistance across the United States will be limited due to the relatively small numbers of Federal law enforcement personnel available to assist as well as the effects the outbreak will have on the Federal Government workforce. The ability of military personnel will likewise depend on many factors including whether such support is feasible in light of other national defense functions being provided at the time, and the impact of the pandemic on military personnel.

Understanding the Legal Framework

Because emergency management in public health emergencies will depend heavily on the effective use of relevant legal authorities, public health, law enforcement, and emergency management officials, and fire and EMS first responders will benefit from joint training on the legal authorities essential to effective response in public health emergencies *before* the emergency occurs. While significant progress has been made since the terrorist attacks on September 11, 2001, in establishing joint investigative protocols and linkages among the key components of public health, emergency management, law enforcement, and emergency response communities, an influenza pandemic will present new challenges, and it is important that all concerned understand their roles and the governing legal authorities so that they can coordinate their efforts under a complex set of Federal, State, tribal, and local laws. Federal, State, local, and tribal governments should review their legal authorities to respond to an influenza pandemic, identify needed changes in the law, and pursue legislative action as appropriate.

Sharing Ideas and Experiences

To facilitate coordination and planning at all levels and to identify issues, key Federal, State, local, and tribal law enforcement and public safety officials should be brought together with subject matter experts, including those in the public health and medical community, to discuss the influenza preparedness and response issues they may face, including maintaining civil order and how to effectively implement and enforce a quarantine or other restrictive measures. The unique needs and challenges faced by departments and agencies of all sizes should be considered. Those with relevant experience dealing with actual incidents such as the Toronto SARS experience should also be consulted. Their findings should result in the publication of best practices and model protocols, which should then be disseminated to their colleagues and counterparts throughout the Nation.

Protecting Law Enforcement and Public Safety Personnel

Ensuring the health and safety of law enforcement officers and others who may be called upon to respond in a pandemic influenza outbreak or any other public health emergency is critical. The law enforcement and public safety community should take appropriate protective measures to minimize their risk of infection, and selected personnel should be provided training to ensure they are knowledgeable about these measures. Law enforcement personnel should obtain immunizations or other prophylaxis in accordance with the priorities established for the circumstance in the event quantities are limited.

Continuity of Operations

Agencies should have continuity plans to ensure essential services are provided if significant numbers of their employees become ill during the outbreak as well as if disruptions in other sectors they depend on occur. Ideally such plans should address issues such as the reassignment of personnel to perform critical functions, encouraging personnel to have plans to take care of their families while they are assigned to critical functions, and determining at what point it would be necessary to seek additional assistance.

Outside Assistance

To prepare for the possibility that assistance from partners such as the National Guard may be required to supplement State or local law enforcement and public safety response agencies that are undermanned or overwhelmed, State and local officials should prepare in advance the processes and procedures for assessing the need for such forces and how they will be utilized in the event they are needed. Critical to this contingency is a clear understanding within the law enforcement and public safety community as to the processes that will be required to request such augmentation. Additionally, appropriate joint training should be provided as necessary to Guard forces and the potential supported agencies to ensure they are prepared for their possible missions. Once training has been completed, joint exercises between Guard units and law enforcement and other emergency responders would allow them to work through command and control and interoperability issues.

Conducting Training and Preparedness Exercises

Once all law enforcement and public safety stakeholders have formulated their plans, they should engage in joint discussions, training, and exercises to ensure that plans at the Federal, State, tribal, and local levels are effectively integrated. These discussions should identify issues such as how the Incident Command System (ICS) will function during a pandemic influenza outbreak if there are requirements for a quarantine or other similar restrictive efforts to deal with an extraordinary situation. While most incidents are managed at the local level by a member of the fire or law enforcement community, it may well be that local officials choose to designate a public health official to coordinate their response. Regardless of who is in the lead, however, public health and medical officials should participate in training on ICS policies and procedures, since they will undoubtedly be key players in these incidents and it is likely that many of them will not have had prior experience or training in this area. All Hazard Incident Management Team training would also be beneficial as it would bring together law enforcement, fire and rescue, public health, public works, and other key personnel so that each discipline learns how to work together with other disciplines.

Implementing Control Measures

While a detailed discussion of quarantine and related containment measures that may be implemented in the event of a pandemic influenza outbreak are set forth in Chapter 6 of this Implementation Plan (Plan), a brief outline of those measures is warranted here. The main goal of these containment measures is to delay the spread of disease and resulting adverse effects. Once cases are observed in the United States, early cases may be isolated from others (in a hospital or elsewhere) and their contacts (who may have been exposed) could be asked to remain out of contact with others for a period of time (voluntary quarantine). Other social distancing measures may be recommended or mandated by communities. These measures could involve recommendations on limiting personal contact, work-at-home options, limits on public gatherings, and school closures.

Geographic quarantine (*cordon sanitaire*) is the isolation of localities with documented disease transmission from localities still free of infection. It has been used occasionally throughout history in efforts to contain serious epidemics. It is important to distinguish this from the quarantine of case contacts described above, where exposure to an infectious agent, but not infection per se, has been confirmed. Although it is very unlikely that public health professionals would recommend a geographic quarantine once influenza transmission is observed in different locations, State, local, and tribal entities should still consider plans to assist with the implementation of such a measure. Whether geographic quarantine would be implemented by public health officials to contain an outbreak of influenza with pandemic potential at its source will depend on a number of factors including both the feasibility of implementing the quarantine and the ability of authorities to provide for the needs of the quarantined population.

Planning for the enforcement of quarantine or other control measures at the local level will likewise require extensive advance planning among stakeholders. Procedures for requesting mutual aid from other State and local jurisdictions should be examined and updated as necessary. Difficult issues such as rules on the use of force to enforce quarantine if necessary and what to do with those who refuse to be quarantined should be settled as much as possible in advance of any quarantine implementation. Jurisdictions with international borders or international airports should coordinate in advance with Federal officials who may be required to quarantine persons arriving in the United States. States, local, and tribal entities may also seek Federal assistance in enforcing their own quarantines, so planning should also address the mechanism for doing so. Although it is quite unlikely to be used, quarantine of a geographic area will present especially unique challenges, as it will likely require close coordination between agencies from overlapping or adjacent jurisdictions.

Readiness through Situational Awareness

While law enforcement and public safety officials are not generally expected to play an active role in surveillance and detection, they should maintain close communication with public health, EMS, and fire rescue officials who will likely be more engaged in disease surveillance efforts. This will enable them to plan and prepare as needed. As the possibility of an outbreak grows they should continue to test response plans, policies, and procedures and update them as required to ensure a continuous state of preparedness. The Federal Bureau of Investigation (FBI) will closely monitor events through coordination with the Centers for Disease Control and Prevention (CDC) and take appropriate action in the event that it is suspected that there was deliberate human intervention in the spread of the pandemic.

Law Enforcement Response During an Outbreak

During the course of a pandemic influenza outbreak, State, local, and tribal law enforcement and public safety agencies will be conducting operations in accordance with their established plans and protocols. It is possible that the *National Response Plan* (NRP) will be activated and it is likely that State, local, and tribal operations will be coordinated through emergency operations centers. In the event that State and local authorities and tribal entities need additional law enforcement assistance, established procedures, as set forth below, must be followed to obtain such assistance.

State, Local, and Tribal Law Enforcement

In the event of a civil disturbance, including rioting or looting, State and local law enforcement will normally provide the first response pursuant to State and local law. Consistent with State law, the Governor may deploy National Guard as needed to prevent or respond to civil disturbances. Mutual aid agreements, such as Emergency Management Assistance Compacts, may also be used to obtain assistance from both within States and from neighboring States.

Federal Law Enforcement

Federal agencies with law enforcement capabilities may investigate and respond to Federal crimes and conduct security measures as a result of a domestic emergency.

Emergency Federal Law Enforcement Assistance

The Federal Government may assist a State in maintaining order at the request of a Governor when State and local resources are overwhelmed and not capable of an effective response. There are two primary ways the Federal Government can provide such assistance: (1) providing Federal law enforcement personnel; and (2) pursuant to exceptions to the Posse Comitatus Act, 18 U.S.C. § 1385, when civilian law enforcement resources are inadequate, by the President directing the Armed Forces to assist with civilian law enforcement functions.

When Federal departments and agencies are requested to provide public safety and security support, the assistance is provided through the mechanism of Emergency Support Function #13 – Public Safety and Security (ESF #13) of the NRP. ESF #13 provides Federal public safety and security assistance to support prevention, preparedness, response, and recovery priorities in circumstances where locally available resources are overwhelmed or are inadequate, or where a unique Federal capability is required.

Civilian Federal Law Enforcement Assistance

Under the Emergency Federal Law Enforcement Assistance Act, 42 U.S.C. § 10501 et seq., the Attorney General may provide law enforcement assistance, including Federal personnel, in response to a Governor's written request, when he determines that such assistance is necessary to provide an adequate response to a law enforcement emergency. The provisions define a law enforcement emergency as an uncommon situation requiring law enforcement resources that threatens to become of serious or epidemic proportions, and for which State and local resources are inadequate to protect lives or property, or to enforce criminal laws. To the extent Federal personnel would be used to enforce State or local law, they should be deputized or otherwise authorized under State or local law to exercise the key law enforcement powers (arrest, search, seizure) involved in enforcing those laws.

Use of the Military for Law Enforcement Duties

Although the primary mission of the Department of Defense (DOD) is the defense of the United States, the Department may, with approval of the Secretary of Defense, provide logistical support for law enforcement operations that does not involve the use of law enforcement powers such as arrest authority. In addition, in certain situations DOD personnel may be directed by the President -- traditionally only as a last resort and in support of civilian authorities -- to perform actual law enforcement responsibilities.

The Law Enforcement Role in Containment

Although as set forth above there are less-intrusive strategies for stopping the spread of disease, response to an influenza pandemic could require more restrictive measures such as isolation or quarantine and offer social distancing measures such as movement restrictions. Most States have broad quarantine authorities enacted pursuant to their police powers. The Federal Government also has statutory authority to order a quarantine to prevent the introduction, transmission, or spread of communicable diseases from foreign countries into the United States or from one State or possession into any other State or possession. “Influenza caused by novel or re-emergent influenza viruses that are causing, or have the potential to cause, a pandemic” is on the list of specified communicable diseases for which Federal quarantine is available.

State Quarantine

If necessary, State and local law enforcement agencies, with assistance from their State’s National Guard as needed, will normally enforce quarantines or other containment measures ordered by State or local authorities. Customs and Coast Guard officers may assist in enforcing State quarantines at the direction of the Secretary of Health and Human Services. At the request of State and local authorities, if authorized under the Emergency Law Enforcement Assistance Act, and with appropriate deputations under Federal, State, and local law, Federal law enforcement officers can assist in State and local quarantine enforcement. If directed by the President pursuant to the Insurrection Act, the military may suppress domestic unrest associated with resistance to a State quarantine.

Federal Quarantine and Other Movement Restrictions

Borders: The President has the authority to bar entry into the United States of aliens who have pandemic influenza if he determines that entry is detrimental to the interests of the United States. The Secretary of Health and Human Services may prohibit the entry of persons or property from foreign countries where the entry of such persons or property would present a serious danger of the introduction of a communicable disease. The Department of Homeland Security (DHS) has broad general authority pursuant to the customs and immigration laws to examine merchandise, cargo, conveyances, and persons upon their entry to the United States to ensure that imports comply with U.S. law, and to seize and forfeit vessels, animals, or other things used in the unlawful importation or transportation of articles contrary to U.S. law. Customs and Coast Guard officers are required to aid in the enforcement of Federal quarantine rules and regulations. Furthermore, Customs and Coast Guard officers and “military officers commanding in any fort or station upon the seacoast” are required to aid in the enforcement of State quarantines.

Air and other Transportation modes: The Federal Aviation Administration (FAA) can order United States flag air carriers not to enter designated airspace of a foreign country (e.g., to keep airspace clear for rescue operations). If FAA determines that an emergency exists related to safety in air commerce that

requires immediate action, FAA may prescribe regulations and issue orders immediately to meet that emergency. Likewise, the Transportation Security Administration (TSA) Assistant Secretary may issue regulations or security directives immediately to protect transportation security in all modes of transport.

Rail: Any movement in the United States by rail carrier (including commuter rail but excluding urban rapid transit not connected to the general system of rail transportation) may be stopped, redirected, or limited by the authority of the Surface Transportation Board (STB) or the Federal Railroad Administration (FRA), or both, irrespective of the commodity involved. FRA may issue an emergency order imposing any restrictions or prohibitions necessary to abate what FRA determines is an emergency situation involving a hazard of death or personal injury caused by unsafe conditions or practices.

Persons Arriving From Foreign Countries and Traveling Between States

Pursuant to regulation, the CDC may quarantine individuals arriving from foreign countries or possessions who are reasonably believed to be infected with or exposed to any of the communicable diseases specified by the President in an Executive Order. In addition, CDC may quarantine individuals reasonably believed to be infected with or exposed to such diseases and traveling from one State or possession into another.

Roles and Responsibilities

The Federal Government

Federal law enforcement officials are responsible for contingency planning relating to public safety and security missions in support of the Federal response to a pandemic. In particular, certain agencies are assigned specific security and other responsibilities in the NRP's ESF #13 and Emergency Support Function #8 - Public Health and Medical Services (ESF #8).

Department of Justice: The Attorney General, as the chief law enforcement officer of the United States, with appropriate coordination with other Federal officials, is responsible by law (42 U.S.C. § 10521), for determining whether to authorize Federal law enforcement assistance, upon the written request of a Governor, in the case of a law enforcement emergency for which State and local resources are inadequate to protect lives or property, or to enforce criminal laws. This is separate and distinct from the role the Attorney General has, in coordination with the Secretary of the Department of Homeland Security, under ESF #13, which provides a mechanism for coordinating and providing Federal-to-Federal support or Federal support to State and local authorities to include non-investigative/non-criminal law enforcement, public safety, and security capabilities and resources.

Designated Department of Justice (DOJ) officials, including those in the United States Marshals Service (USMS), may deputize Federal law enforcement personnel from other agencies as Special Deputy United States Marshals to broaden their law enforcement authorities.

The USMS serves as the lead Federal law enforcement security component for the Strategic National Stockpile (SNS). A Memorandum of Agreement between the Department of Health and Human Services (HHS) and DOJ details previously agreed-upon responsibilities that are to be fulfilled by the USMS during the movement and transition of SNS assets. The USMS also works with HHS in coordinating with State and local law enforcement officials concerning SNS future planning, exercises, and operations.

The FBI is responsible for monitoring the outbreak situation as it develops for any indications that it may not be the result of natural causes and upon learning of such information, taking the appropriate inves-

tigative action as well as notifying the DHS Homeland Security Operations Center and the National Counterterrorism Center as set forth in the Biological Incident Annex of the NRP.

Department of Homeland Security: Pursuant to the NRP, the Secretary of DHS will coordinate all Federal operations within the United States to prepare for, respond to, and recover from terrorist attacks, natural disasters, and other emergencies. The Secretary of DHS is designated by Homeland Security Presidential Directive 5 as the “principal Federal official” for domestic incident management. Additionally, DHS agencies with law enforcement components have authority and responsibility to take actions related to the Federal response to an influenza pandemic, and may exercise authority over certain modes of transportation.

DHS, in conjunction with DOJ, is the co-coordinator for ESF #13 of the NRP. As such, they coordinate preparedness activities with ESF #13 supporting agencies and ensure that all activities performed under the purview of ESF #13 are related to the safety and security of the public. Many of DHS’s operational elements also possess law enforcement capabilities that could be leveraged during a pandemic. For example, United States Secret Service, Customs and Border Protection, Immigration and Customs Enforcement, and TSA agents can assist State and local authorities with additional public safety and security requirements not only at ports of entry, but also in other locations, as required.

Department of Defense: DOD is responsible, at the direction of the President, for supplementing law enforcement resources with military personnel performing law enforcement functions. Such assistance ordinarily would be rendered only if civilian law enforcement agencies were overwhelmed and only if such assistance could be rendered without adversely affecting DOD’s ability to perform its primary mission of defending the United States. The assistance may be provided if the President invokes the Insurrection Act at the request of a State or on his own, suppressing domestic violence or enforcing Federal law. DOD is a support agency to ESF #13 and may also provide public safety and security assistance of a logistical or support nature under the concept of Defense Support of Civil Authorities, when approved and directed by the Secretary of Defense.

States, Local, and Tribal Entities

State, local, and tribal law enforcement and public safety agencies have primary responsibility for providing public safety and security during a pandemic outbreak. These agencies are responsible for learning about the challenges they will face in a potential pandemic influenza outbreak and collaborating with the appropriate stakeholders in their respective jurisdictions. These stakeholders should include public health, judicial, fire service, corrections, and emergency management personnel. It is critical that these stakeholders develop comprehensive and mutually supporting plans that will enable them to continue their operations and respond to the challenges they will face in an outbreak.

The Adjutant General of each State, with guidance from DOD (including the National Guard Bureau) and assistance as appropriate for situations when State National Guard forces are either federalized or operating under a Title 32 status, are responsible for contingency planning and training to prepare Guard units within their State for public safety and security missions they may be assigned in a pandemic influenza outbreak.

Actions and Expectations

8.1. Pillar One: Preparedness and Communication

a. Planning for a Pandemic

8.1.1. Develop Federal implementation plans on law enforcement and public safety, to include all components of the Federal Government and to address the full range of consequences of a pandemic, including human and animal health, security, transportation, economic, trade, and infrastructure considerations. Ensure appropriate coordination with State, local, and tribal governments.

8.1.1.1. States should ensure that pandemic response plans adequately address law enforcement and public safety preparedness across the range of response actions that may be implemented, and that these plans are integrated with authorities that may be exercised by Federal agencies and other State, local, and tribal governments.

8.1.1.2. DHS, in coordination with DOJ, HHS, DOL, and DOD, shall develop a pandemic influenza tabletop exercise for State, local, and tribal law enforcement/public safety officials that they can conduct in concert with public health and medical partners, and ensure it is distributed nationwide within 4 months. Measure of performance: percent of State, local, and tribal law enforcement/public safety agencies that have received the pandemic influenza tabletop exercise.

8.1.1.3. State, local, and tribal governments should review their legal authorities that may be needed to respond to an influenza pandemic, identify needed changes in the law, and pursue legislative action as appropriate.

8.1.1.4. DOJ shall ensure that appropriate Federal and State Court personnel are provided the information necessary to enable them to plan for the continuity of critical judicial functions during a pandemic. Measure of performance: this plan made available to all appropriate Federal and State court personnel.

8.1.1.5. States should ensure pandemic response plans address EMS, fire, public works, emergency management, and other emergency response and public safety preparedness.

8.1.2. Continue to work with States, localities, and tribal entities to establish and exercise pandemic response plans.

8.1.2.1. DOJ, in coordination with HHS, DOL, and DHS, shall convene a forum for selected Federal, State, local, and tribal law enforcement/public safety personnel to discuss the issues they will face in a pandemic influenza outbreak and then publish the results in the form of best practices and model protocols within 4 months. Measure of performance: best practices and model protocols published and distributed.

- 8.1.2.2. DOJ shall advise State Governors of the processes for obtaining emergency Federal law enforcement assistance, within 3 months. Measure of performance: all State Governors advised.
- 8.1.2.3. DOJ shall advise State Governors of the processes for requesting Federal military assistance under the Insurrection Act, within 3 months. DOD, after coordination with DOJ, shall publish updated policy guidance on Military Assistance during Civil Disturbances, within 6 months. Measure of performance: all State Governors advised and guidance published.
- 8.1.2.4. HHS and DOJ shall ensure consistency of the CDC Public Health Emergency Law Course with the *National Strategy for Pandemic Influenza (Strategy)*, this Plan and other Federal pandemic documents and then disseminate the CDC Public Health Emergency Law Course across the United States within 6 months. Measure of performance: distribution of presentations of reviewed public health emergency law course to all States.
- 8.1.2.5. DOD, in consultation with DOJ and the National Guard Bureau, and in coordination with the States as such training applies to support of State law enforcement, shall assess the training needs for National Guard forces in providing operational assistance to State law enforcement under either Federal (Title 10) or State (Title 32 or State Active Duty) in a pandemic influenza outbreak and provide appropriate training guidance to the States and Territories for units and personnel who will be tasked to provide this support, within 18 months. Measure of performance: guidance provided to all States.
- 8.1.2.6. DOD, in consultation with DOJ, shall advise State Governors of the procedures for requesting military equipment and facilities, training and maintenance support as authorized by 10 U.S.C. §§ 372-74, within 6 months. Measure of performance: all State Governors advised.
- 8.1.2.7. DHS, in coordination with DOJ, DOD, DOT, HHS, and other appropriate Federal Sector-Specific Agencies, shall convene a forum for selected Federal, State, local, and tribal personnel to discuss EMS, fire, emergency management, public works, and other emergency response issues they will face in a pandemic influenza outbreak and then publish the results in the form of best practices and model protocols within 4 months. Measure of performance: best practices and model protocols published and distributed.

b. Communicating Expectations and Responsibilities

8.1.3. Provide guidance to individuals on infection control behaviors they should adopt pre-pandemic, and the specific actions they will need to take during a severe influenza season or pandemic, such as self-isolation and protection of others if they themselves contract influenza.

- 8.1.3.1. HHS, in coordination with DOL, shall provide clear guidance to law enforcement and other emergency responders on recommended preventive measures,

including pre-pandemic vaccination, to be taken by law enforcement and emergency responders to minimize risk of infection from pandemic influenza, within 6 months. Measure of performance: development and dissemination of guidance for law enforcement and other emergency responders.

c. Establishing Distribution Plans for Vaccines and Antiviral Medications

8.1.4. Develop credible countermeasure distribution mechanisms for vaccine and antiviral agents prior to and during a pandemic.

8.1.4.1. State, local, and tribal law enforcement agencies should coordinate with appropriate medical facilities and countermeasure distribution centers in their jurisdictions (as recognized in Chapter 6, security at these facilities will be critical in the event of an outbreak) to coordinate security matters within 6 months.

8.3. Pillar Three: Response and Containment

a. Containing Outbreaks

8.3.1. Encourage all levels of government, domestically and globally, to take appropriate and lawful action to contain an outbreak within the borders of their community, province, State, or nation.

8.3.1.1. HHS, in coordination with DOJ, DOS, and DHS, shall determine when and how it will assist States in enforcing their quarantines and how it will enforce a Federal quarantine, within 9 months. Measure of performance: guidelines on quarantine enforcement available to all States.

b. Sustaining Infrastructure, Essential Services, and the Economy

8.3.2. Determine the spectrum of infrastructure-sustainment activities that the U.S. military and other government entities may be able to support during a pandemic, contingent upon primary mission requirements, and develop mechanisms to activate them.

8.3.2.1. DOJ, DHS, and DOD shall engage in contingency planning and related exercises to ensure they are prepared to maintain essential operations and conduct missions, as permitted by law, in support of quarantine enforcement and/or assist State, local, and tribal entities in law enforcement emergencies that may arise in the course of an outbreak, within 6 months. Measure of performance: completed plans (validated by exercise(s)) for supporting quarantine enforcement and/or law enforcement emergencies.

8.3.2.2. DHS, in coordination with DOJ, DOD, DOT, HHS, and other appropriate Federal Sector-Specific Agencies, shall engage in contingency planning and related exercises to ensure they are prepared to sustain EMS, fire, emergency management, public works, and other emergency response functions during a pandemic, within 6 months. Measure of performance: completed plans (validated by exercise(s)) for supporting EMS, fire, emergency management, public works, and other emergency response functions.