

ANNEX U

Terrorism Incident Response



STATE OF TEXAS EMERGENCY MANAGEMENT PLAN

Revised December, 2010/Updated February, 2013

STATE OF TEXAS
EMERGENCY MANAGEMENT PLAN

ANNEX U

Terrorism Incident Response

APPROVAL AND IMPLEMENTATION

This annex is hereby accepted for implementation and supersedes all previous editions.

Date

Steven C. McCraw
Director, Texas Department of Public Safety
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ANNEX U

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| | |
|------|------------------------|
| | Awaiting Signature |
| Date | Jose S. Mayorga |
| | Major General, USA |
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Date

Jerry Patterson
Commissioner
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Awaiting Signature

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| _____ Date | Awaiting Signature _____ W. Lane Lanford Executive Director Public Utility Commission of Texas |
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Date

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Date

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Date

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| Date | Awaiting Signature _____ David L. Lakey, M.D. Commissioner Texas Department of State Health Services |
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Date

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Date

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Texas Department of Transportation

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| | |
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| Date | Awaiting Signature _____ Ron Pigott Director Texas Procurement and Support Services |
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Date

Lt. Colonel Henry Gonzales
Texas Divisional Commander
The Salvation Army

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ANNEX U

Terrorism Incident Response

I. AUTHORITY & REFERENCES

A. STATE

1. Texas Emergency Management Plan, September 2006
2. Texas Homeland Security Strategic Plan, 2010 - 2015
3. Texas Government Code, Section 421.003
4. Texas Department of Public Safety CONPLAN 2010-02: Terrorist Attack and Significant Criminal Attack Response Plan, August 2010

B. FEDERAL

1. Public Law 104-201, Defense against Weapons of Mass Destruction Act, 1996
2. Presidential Decision Directive 39 (PDD), US Policy on Combating Terrorism June 1995
3. Presidential Decision Directive 62 (PDD), Combating Terrorism, May 1998
4. Presidential Decision Directive 63 (PDD), Critical Infrastructure Protection, May 1998
5. Homeland Security Presidential Directive/HSPD-5, Management of Domestic Preparedness, February 2003
6. Homeland Security Presidential Directive/HSPD-8, National Preparedness, December 2003
7. National Incident Management System (NIMS), December 2008
8. National Response Framework (NRF), January 2008
9. National Preparedness Guidelines (NPG), September 2007
10. Terrorism Incident Law Enforcement and Investigation Annex, National Response Framework, January 2008

II. PURPOSE

The purpose of this annex is to facilitate an effective State response to all threats or acts of terrorism within the State of Texas, regardless of whether they are deemed credible and/or whether they escalate to a national incident. The annex establishes a structure for a systematic, coordinated, unified, timely, and effective State law enforcement and

emergency management response to threats or acts of terrorism within the State of Texas. This annex is applicable to all state agencies, organizations, and personnel with emergency response duties.

III. EXPLANATION OF TERMS

A. ACRONYMS

| | |
|----------|---|
| APHIS-VS | Animal and Plant Health Inspection Service's Veterinary Service |
| CBRNE | Chemical, Biological, Radiological, Nuclear, and Explosive |
| CERFP | CBRNE Enhanced Response Force Package |
| DDC | Disaster District Committee |
| DHS | U.S. Department of Homeland Security |
| DPS | Texas Department of Public Safety |
| DIR | Texas Department of Information Resources |
| DSHS | Texas Department of State Health Services |
| EOC | Emergency Operations Center |
| EPA | Environmental Protection Agency |
| EPIC | El Paso Intelligence Center |
| FBI | Federal Bureau of Investigation |
| FCO | Federal Coordinating Officer |
| FDA | U.S. Food and Drug Administration |
| FEMA | Federal Emergency Management Agency |
| FERN | Food Emergency Response Network |
| GAR | Governor's Authorized Representative |
| GLO | Texas General Land Office |
| HAZMAT | Hazardous Materials |
| HSPD | Homeland Security Presidential Directive |
| IC | Incident Commander |
| ICP | Incident Command Post |
| ICS | Incident Command System |
| IED | Improvised Explosive Device |
| JFO | Joint Field Office |
| JOIC | Joint Operations Intelligence Center |
| JTTF | Joint Terrorism Task Force |
| LRN | Laboratory Response Network |
| MACC | Multi-Agency Coordination Center |
| NLETS | National Law Enforcement Telecommunications System |
| NIMS | National Incident Management System |
| NPG | National Preparedness Guidelines |
| NRF | National Response Framework |
| NTAS | National Terrorism Advisory System |
| OTSC | Office of the Texas State Chemist |
| PDD | Presidential Decision Directive |
| PHIN | Public Health Information Network |

| | |
|--------|---|
| PPE | Personal Protective Equipment |
| PUC | Public Utility Commission of Texas |
| RACES | Radio Amateur Civil Emergency Service |
| RRC | Railroad Commission |
| SCO | State Coordinating Officer |
| SNS | Strategic National Stockpile |
| SOC | State Operations Center |
| SOP | Standard Operating Procedure |
| TAHC | Texas Animal Health Commission |
| TBSOC | Texas Border Security Operations Center |
| TCEQ | Texas Commission on Environmental Quality |
| TDEM | Texas Division of Emergency Management |
| TEEX | Texas Engineering Extension Service |
| TFC | Texas Facilities Commission |
| TFS | Texas A&M Forest Service |
| TLETS | Texas Law Enforcement Telecommunications System |
| TMF | Texas Military Forces |
| TPASS | Texas Procurement and Support Services |
| TxARNG | Texas Army National Guard |
| TxDOT | Texas Department of Transportation |
| TxFC | Texas Fusion Center |
| TxIC | Texas Intelligence Center |
| TXMAS | Texas Multiple Award Schedule |
| TSA | The Salvation Army |
| TVMDL | Texas Veterinary Medical Diagnostic Laboratory |
| U.S.C. | United States Code |
| USCG | U.S. Coast Guard |
| USDA | U.S. Department of Agriculture |
| UT-CSR | University of Texas, Center for Space Research |
| WMD | Weapons of Mass Destruction |
| WME | Weapons of Mass Effect |

B. DEFINITIONS

1. Crisis Action Planning – The process for rapidly adapting existing plans and procedures during an incident based on the actual circumstances of an event. Planning during non-incident periods should quickly transition to crisis action planning when an incident occurs. Crisis action planning should also include the provision of decision tools for senior leaders to guide their decision-making.
2. Significant Threat - The confirmed presence of an explosive device or Weapons of Mass Destruction (WMD) capable of causing a significant destructive event prior to actual injury or property loss.
3. Term Contracts – State contracts awarded by Texas Procurement and Support Services (TPASS) following a competitive bid process for use by all State purchasing entities and certain local governments.
4. Terrorism Incident - A violent or dangerous act, causing harm to human life, in violation of the criminal laws of the United States or of any state, to intended to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.
5. Texas Multiple Award Schedule (TXMAS) – Contracts that are awarded by the General Services Administration after a competitive bid process which are available for use by all State purchasing entities and certain local governments.
6. Weapons of Mass Destruction (WMD) - Any destructive device as defined in Section 921 of Title 18 U.S.C., Section 2332a, which reads: (1) any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one quarter ounce, mine or device similar to the above; (2) poison gas; (3) any weapon involving a disease organism; or (4) any weapon that is designed to release radiation or radioactivity at a level dangerous to human life.
7. Weapons of Mass Effect (WME) - A psychological weapon intended to; create fear in survivors and the community at large. A WME is not so much destructive as it is disruptive. As of the publication of this Annex, this definition has not been officially approved by the Department of Homeland Security (DHS).

IV. SITUATION & ASSUMPTIONS

A. SITUATION

1. Nature of the Hazard
 - a. The National Preparedness Guidelines' (NPG) National Planning Scenarios identify 15 scenarios that are useful for illustrating the potential nature and consequences of terrorism incidents. Among potential scenarios are several that pose “the greatest risk of mass casualties, massive property loss, and immense social disruption.” The “greatest risk” scenarios include:

- 1) Nuclear attack with an Improvised Nuclear Device
 - 2) Radiological attack with a "Dirty Bomb"
 - 3) Biological attack with Aerosol Anthrax
 - 4) Biological attack with Plague
 - 5) Chemical attack with Blister Agent
 - 6) Chemical attack with Toxic Industrial Chemicals
 - 7) Tactical use of an Improvised Explosive Device (IED)
 - 8) Cyber Attack
2. Acts of terrorism violate local, State, and Federal laws. Federal law classifies any act of terrorism as a federal offense, whether planned or executed.
 3. An act of terrorism, particularly an act directed against a large population center or concentration of animals within the State of Texas, involving nuclear, radiological, biological, or chemical materials, will have major consequences that can overwhelm the capabilities of local governments and emergency response agencies.
 4. A terrorism threat or incident may occur at any time of day with little or no warning, affects single or multiple geographic areas, and may result in mass casualties.
 5. The incident may affect a single location or multiple locations, each of which may be an incident scene, a hazardous area, and/or a crime scene simultaneously.
 6. The complexity, scope, and potential consequences of a terrorist threat or incident require a rapid and decisive capability to resolve the situation.
 7. The resolution to an act of terrorism demands an extraordinary level of coordination of law enforcement, criminal investigation, protective activities, emergency management functions, and technical expertise across all levels of government.
 8. When requested, State and federal governments will provide additional resources to respond to a large-scale emergency situation, including specialized resources to deal with the effects of incidents involving WMD.
 9. Suspected or actual involvement of terrorists adds a complicating dimension to incident management.

10. Response to a threat or actual incident involves the Federal Bureau of Investigation (FBI) law enforcement and investigative activity as part of a unified effort.

B. ASSUMPTIONS

1. Acts of terrorism are most likely to be directed at:
 - a. Concentrations of people or animals
 - b. Economic targets including major industry, financial institutions, and agriculture production and distribution operations
 - c. Government offices and courts
 - d. Transportation systems including major roads, rail facilities, pipelines, airports, waterways and ports
 - e. Utility systems
 - f. Military facilities
 - g. Symbolic targets such as landmarks and historic sites
 - h. Computer systems of government, business, and industry
 - i. Biological attack by tampering or contamination
2. Secondary and subsequent attacks will likely occur unless mitigated by deterrence, disruption, prevention, and protection actions.
3. Initial detection of a terrorism incident will most likely occur at the local level, either by the public, first responders, health and medical personnel, veterinary personnel, or environmental monitoring.
4. Symptoms from exposure to chemical, biological, radiological, nuclear, and explosive (CBRNE) agents, or other hazardous materials (HAZMAT), may not be exhibited for some time.
5. Initial responders train to identify and report indicators of WMD, take actions for self protection, implement plans to protect arriving follow-on forces, and identify the need for specialized response resources.
6. In the case of a terrorism threat, there may be no incident site, and no external consequences. Therefore, establishment of traditional Incident Command System (ICS) elements such as an Incident Command Post (ICP) or a Joint Field Office (JFO) may not be required.

7. A biological terrorism incident employing an infectious agent may require quarantine and isolation control measures by Federal, State, local, and tribal health officials to control the spread of the disease.
8. The effect of a biological attack, may be temporally and geographically dispersed, with no determined or defined "incident site." Response operations may be conducted over a multijurisdictional, multistate region.
9. If appropriate Personal Protective Equipment (PPE) and capabilities are not available and the area is contaminated with CBRNE agents or materials or other HAZMAT, response actions into a contaminated area may be delayed until the agent or material has dissipated to a level that is safe for emergency response personnel to operate, or until appropriate PPE and capabilities arrive, whichever is sooner.

V. CONCEPT OF OPERATIONS

A. STATE SUPPORT AND ASSISTANCE POLICY

Conduct terrorism incident response operations pursuant to the National Incident Management System (NIMS) and requirements of the National Response Framework (NRF) including the Terrorism Incident Law Enforcement and Investigation Incident Annex.

B. THREAT AND WARNING INFORMATION

1. Local, State, or Federal criminal intelligence efforts, as well as, Federal intelligence agencies may identify terrorist threats. The Texas Department of Public Safety (DPS) is the repository for the collection of multi-jurisdictional criminal intelligence concerning terror activities or related to homeland security activities in Texas, and has the primary responsibility for analyzing and disseminating such intelligence according to Section 421.003 of the Texas Government Code.
2. Local, State, and Federal law enforcement communicate specific intelligence information through established communications systems or through secure communications.
3. The following organizations receive and disseminate threat warnings and actual terrorism incident information:
 - a. The Texas Fusion Center (TxFC), located at DPS Headquarters in Austin.
 - b. The State Operations Center (SOC), located at the DPS Headquarters in Austin.
 - c. The Texas Border Security Operations Center (TBSOC), located at the DPS Headquarters in Austin and the six Joint Operations and Intelligence Centers (JOIC)s located throughout the Texas-Mexico border region.
 - d. The El Paso Intelligence Center (EPIC), located in El Paso.

- e. The Houston Regional Intelligence Service Fusion Center, located in Houston.
 - f. The Dallas Fusion Center, located in Dallas.
 - g. The North Central Texas Fusion Center, located in Collin County.
 - h. The Austin Regional Intelligence Center, co-located with TxFXC.
 - i. Joint Terrorism Task Forces (JTTF)s, located in Austin, Dallas, El Paso, Lubbock, McAllen, Midland, and San Antonio.
4. Under the National Terrorism Advisory System ((NTAS), DHS will coordinate with federal entities to issue detailed alerts to the public when the federal government receives information about a credible terrorist threat. These specific threats will be communicated thru the National Law Enforcement Telecommunications System (NLETS) and the Texas Law Enforcement Telecommunications System (TLETS), as well as through the media.
 5. Law enforcement and emergency management personnel shall coordinate the release of any specific local warnings to the public. Due to the sensitivity of law enforcement and intelligence sources and methods, it may be necessary to restrict dissemination of information to selected emergency management and health officials.
 6. In order to protect sensitive sources and methods, it may be necessary to carry out some terrorism preparedness activities in a confidential manner.

C. PLANNING CONSIDERATIONS

1. Terrorism response includes two major functions, crisis management and consequence management. Incidents occurring without warning require the execution of these functions consecutively or concurrently. Most emergency responders will perform the same types of duties they would perform in other emergency situations using their standard operating procedures and working under the direction of an Incident Commander.
2. First Responders to a terrorism incident must have appropriate PPE for the unique hazards that may be present, they have appropriate training to use PPE, and must take precautions to avoid secondary attacks targeted at them.

D. LOCAL RESPONSE

1. Local law enforcement agencies are the lead local agencies for deterring, preventing, and responding to terrorism threats.
2. Local emergency management agencies typically manage consequences at the local level. Local health agencies usually manage biological terrorism incidents affecting people. Law enforcement agencies retain the lead in

collecting and preserving evidence, investigating the incident, and apprehending the perpetrators.

3. Local responders will probably be first to detect terrorism incidents. Local officials will likely activate the initial incident command post and possibly the local Emergency Operations Center (EOC). If local officials identify the incident as an act of terrorism, they should notify the State in a timely manner, and, depending on the type of incident, request State assistance in responding to it. In some instances, State and Federal responders and/or public health and medical officials may provide the initial detection of a biological terrorism incident, and would then request the assistance of local responders.

E. STATE RESPONSE

1. DPS is the lead State agency for deterring, preventing, and responding to a terrorism incident and will coordinate the State law enforcement response to a terrorism threat and identify needs for State and Federal resources to support that effort.
2. Due to the type of incident another agency may take the State lead. This transfer of lead agency designation could include:
 - a. The Texas Animal Health Commission (TAHC) prepares to serve as the lead state agency for incidents involving the deliberate introduction of foreign, emerging, or domestic animal disease affecting livestock, poultry, or a pest of consequence.
 - b. The Texas Commission on Environmental Quality (TCEQ) prepares to serve as the lead state agency for incidents involving releases of hazardous materials other than radiological or biological materials
 - c. The Texas Department of State Health Services (DSHS) prepares to serve as the lead state agency for incidents involving biological agents or radiological materials.
 - d. The Office of the Texas State Chemist (OTSC) prepares to serve as the lead agency for incidents involving the misuse of fertilizers or deliberate contamination of animal feed.
3. Response and recovery activities for a terrorism incident will generally be similar to other emergencies or disasters, though they will include a significant law enforcement effort. Post-incident law enforcement activities, such as investigation, evidence gathering, and pursuit of suspects, will typically continue during the response and recovery phases of a terrorism incident. State resources are prepared to assist local governments with the following emergency functions:
 - a. Evacuation
 - b. Firefighting

- c. Law enforcement and security, including enforcement of hold orders, stop-movement orders, quarantines and embargoes
- d. Search and rescue
- e. Hazardous materials response
- f. Radiological response
- g. Mass care
- h. Public Health and Medical Services including the handling of mass casualties, mass fatalities, mass vaccinations/prophylaxis, and laboratory services
- i. Foreign animal disease, including some laboratory services.
- j. Transportation
- k. Public works and engineering support
- l. Biological Agent response
- m. Laboratory services support to confirm presence and/or absence of agents of concern.

4. Use of State Resources

State emergency support and assistance, if requested by local officials, will be provided as quickly and efficiently as feasible, consistent with priority of need, assistance as outlined in Section IV.E of Annex N (Direction and Control). Those procedures provide the State with a process for furnishing emergency assistance to local governments in a rational and cost-effective manner. For situations in which lives and property are immediately threatened, the speed of the State response may be critical.

5. State Agency Staffing Requirements

- a. The SOC and State Emergency Management Council activates according to procedures outlined in the Basic Plan.
- b. The TxFC, TBSOC, and JOICs activate according to their Standard Operating Procedures (SOP)s.
- c. Other State agency EOCs activate according to their SOPs.

F. FEDERAL RESPONSE

1. In support of this mission, the following Federal agencies have primary responsibility over certain aspects of the law enforcement and investigative response:
 - a. U.S. Department of Defense
 - b. U.S. Department of Energy
 - c. U.S. Department of Health and Human Services
 - d. U.S. Department of Homeland Security
 - e. U.S. Department of Justice/Federal Bureau of Investigation
 - f. U.S. Environmental Protection Agency
2. According to Homeland Security Presidential Directive – 5 (HSPD-5), “The Attorney General has lead responsibility for criminal investigations of terrorist acts or terrorist threats by individuals or groups inside the United States, or directed at U.S. citizens or institutions abroad, where such acts are within the Federal criminal jurisdiction of the United States, as well as for related intelligence collection activities within the United States, subject to the National Security Act of 1947 and other applicable law, Executive Order 12333, and Attorney General-approved procedures pursuant to that Executive order. Generally acting through the Federal Bureau of Investigation, the Attorney General, in cooperation with other Federal departments and agencies engaged in activities to protect our national security, shall also coordinate the activities of the other members of the law enforcement community to detect, prevent, preempt, and disrupt terrorist attacks against the United States. Following a terrorist threat or an actual incident that falls within the criminal jurisdiction of the United States, the full capabilities of the United States shall be dedicated, consistent with U.S. law and with activities of other Federal departments and agencies to protect our national security, to assisting the Attorney General to identify the perpetrators and bring them to justice. The Attorney General and the Secretary shall establish appropriate relationships and mechanisms for cooperation and coordination between their two departments.
3. Although not formally designated under this annex, other Federal departments and agencies may have the authority, resources, capabilities, or expertise required to support terrorism-related law enforcement and investigation operations. Agencies may be requested to participate in Federal planning and response operations, and may be requested to designate liaison officers and provide other support as required.

VI. ORGANIZATION & ASSIGNMENT OF RESPONSIBILITIES

A. ORGANIZATION

The Basic Plan identifies all emergency functions which are composed of personnel and resources from several State agencies and/or volunteer organizations. A primary agency directs each emergency function on the basis of its authority and

capability in that particular functional area. Other agencies and organizations within the emergency function are designated as support agencies and organizations based on their ability to provide equipment, personnel, and expertise in support of functional tasks. Appendix 1 lists the agencies and organizations that comprise this emergency function.

B. ASSIGNMENT OF RESPONSIBILITIES

1. General

See Basic Plan, Section V.

2. Primary Agency

- a. DPS is the primary agency for terrorist incident response emergency functions; however, this may change if there is CBRNE attack, or deliberate contamination of food and water, as detailed in paragraph E.2. above.
- b. DPS has assigned its Regional Commanders the responsibility of leading the DPS response and coordinating with federal, state, and local partner agencies and organizations (including DDCs) within their regions.
- c. DPS elements will establish Area and Incident Command when necessary or will integrate with Unified Commands structures including local and federal agencies.
- d. DPS will develop and periodically update a contingency plan for fulfilling its responsibilities as the state's lead agency and share this plan with federal, state, and local partner agencies and organizations with a role in responding to terrorist incidents.
- e. In responding to a terrorist incident, DDCs will perform their function of assessing state and local needs and coordinating emergency management resources as directed in the *State of Texas Emergency Management Plan*. DDCs will coordinate closely with the appropriate DPS Regional Command to ensure an integrated law enforcement and emergency management response.

3. Support Agencies/Organizations

a. General

- 1) All agencies and organizations that contribute to the terrorism incident response emergency function should be aware of their agency's or organization's capabilities to assist in terrorism crisis and consequence management. They should be prepared to respond to task or mission assignments using agency resources. Some agencies will provide agency personnel, equipment, and supplies, while other agencies may provide primarily technical advice and assistance. Support agency SOPs should address

reporting to the emergency function primary agency and to their own agency.

- 2) All agencies that operate critical State-owned infrastructure or regulate critical privately-owned infrastructure shall maintain descriptive and location data, as well as point of contact information for these facilities. When requested these agencies shall share this information with DPS.
- 3) All emergency function agencies conducting terrorism response operations will report daily the resources they have committed and missions they are performing through the appropriate DDCs to the SOC via the appropriate DPS Regional Command.

b. Texas Military Forces (TMF) will:

- 1) When authorized by the Governor, activate, mobilize, and deploy Texas National Guard forces in accordance with Annex W – (Military Support), to perform missions to support civil authorities.
- 2) When authorized by the Governor, rapidly activate and deploy the 6th Civil Support Team and/or CBRNE Enhancement Force Package (CERFP).

c. Texas Procurement and Support Services (TPASS) will:

Assist state agencies engaged in terrorism incident response and recovery operations by obtaining goods and services through contingency contracts, Term, and Texas Multiple Award Schedule (TXMAS) contracts in accordance with Annex M, (Resource Support).

d. Texas Animal Health Commission (TAHC) will:

- 1) Be prepared to assume the role as the state lead agency for consequence management of terrorist incidents involving a foreign, emerging, or domestic animal disease affecting livestock, poultry, or a pest of consequence.
- 2) Provide advice regarding animal health issues to the primary agency and local governments.
- 3) Mobilize and deploy trained veterinarians, animal health inspectors, and other agency responders to respond to animal health issues, as needed.
- 4) Coordinate with DSHS on zoonotic diseases.
- 5) Work closely with the U.S. Department of Agriculture's Animal and Plant Health Inspection Service's Veterinary Services (USDA-APHIS-VS).

- 6) Identify requirements for veterinary health personnel, equipment, supplies, and pharmaceuticals; mobilize resources to meet response needs; and request State and Federal assistance where needed.
 - 7) Manage the transportation and disposal of the carcasses of diseased animals.
- e. Texas Department of State Health Services (DSHS) will:
- 1) Be prepared to assume the role as the state lead agency for response to terrorist incidents involving biological agents or radiological materials.
 - 2) Activate and staff the DSHS Multi-Agency Coordination Center (MACC) to coordinate State public health and medical response during terrorism incident response operations.
 - 3) Utilize the statewide Public Health Information Network (PHIN) and other means of communications to provide information to Local, State, and Federal public health and medical personnel.
 - 4) Provide subject matter expertise to State and Local officials and liaise with appropriate Federal officials regarding public health and safety issues.
 - 5) Provide health and medical support requested by local governments in accordance with Annex H – (Public Health and Medical Services).
 - 6) Through the Laboratory Response Network (LRN), provide assistance to local governments and state agencies in identifying biological, chemical, and/or radiological agents.
 - 7) Assist local governments where biological agents have been used, in determining the type of agent and the procedures necessary to contain, suppress, or eliminate it in accordance with Appendix 6 to Annex H – Bioterrorism Response Plan.
 - 8) Provide incident assessment, radiological monitoring, decontamination assistance, and recommend appropriate protective actions to the public, local officials and medical staff in accordance with Annex D – (Radiological Emergency Management) where radiological materials have been used.
 - 9) Identify requirements for health and medical personnel, equipment, supplies, and pharmaceuticals, and mobilize resources to meet response needs in accordance with Appendix 8 to Annex H – (Strategic National Stockpile (SNS) Plan).
 - 10) Identify appropriate treatment facilities for casualties.

- 11) Coordinate plans and identification of supporting infrastructure to receive, distribute and dispense materials from the SNS.
 - 12) In the event of mass fatalities, activate Appendix 4 to Annex H – (Mass Fatality Management).
- f. Texas Engineering Extension Service (TEEX) will:
- 1) Provide Search and Rescue (SAR) recommendations to the primary agency and, if requested, to local officials.
 - 2) Coordinate the SAR emergency function partner agency activities in response to SAR.
 - 3) Mobilize and deploy State and Federal SAR resources in accordance with Annex R – (Search and Rescue), as needed.
- g. Texas A&M Forest Service (TFS) will:
- 1) Provide firefighting recommendations to the primary agency and, if requested, to local officials.
 - 2) Mobilize and deploy firefighting resources in accordance with Annex F – (Firefighting) as needed.
 - 3) Within capabilities, provide experienced incident management teams to support emergency operations at the city, county, or State level.
 - 4) Staff and operate the TFS Emergency Operations Center.
 - 5) Provide incident management teams (IMT) as requested.
- h. Texas Commission on Environmental Quality (TCEQ) will:
- 1) Be prepared to assume the role as the State lead agency for consequence management of terrorism incidents involving releases of hazardous materials other than radiological or biological materials, including coordinating with the Environmental Protection Agency (EPA), primary federal agency for oil and hazardous material emergency function.
 - 2) Provide hazardous materials response recommendations to the primary agency and, if requested, to local officials.
 - 3) Provide assistance to local and State agencies in the identification and analysis of hazardous substances used or resulting from a terrorist incident.

- 4) Mobilize and deploy State hazmat response resources in accordance with Annex Q – (Hazardous Materials and Oil Spill Response), as needed.
 - 5) Mobilize and deploy State resources in accordance with Annex D, Radiological Emergency Management.
 - 6) Mobilize and deploy State resources in accordance with Appendix 6 to Annex H – Bioterrorism Response Plan and BioWatch program response protocols.
- i. Texas Department of Transportation (TxDOT) will:
- 1) Provide recommendations on public works and engineering issues to the primary agency and, if requested, to local officials.
 - 2) Mobilize and deploy public works and engineering resources in accordance with Annex K – (Public Works and Engineering), as needed.
 - 3) Provide recommendations regarding debris clearance and removal to the primary agency and, if requested, local officials.
- j. The Salvation Army (TSA) in its support role will:
- Coordinate and deploy mass care resources and support services to meet identified needs in accordance with Annex C – (Shelter and Mass Care).
- k. Office of the Texas State Chemist (OTSC) will:
- 1) Be prepared to assume the role as the State lead agency for consequence management of terrorism incidents involving biological agents or chemical toxins in animal feed or fertilizer related instances.
 - 2) Provide advice regarding public health and safety issues to the primary agency and, if requested, to local officials.
 - 3) Through the laboratory services and Food Emergency Response Network (FERN), provide assistance to local governments and state agencies in identifying biological agents and chemical toxins in animal feed or fertilizer related instances.
 - 4) Assist local governments in determining the type of agent and appropriate mitigation procedures where biological agents have been used in animal feed or fertilizer related instances.
 - 5) Coordinate communications to provide information to local responders as needed where biological agents or chemical toxins in animal feed or fertilizer related instances.

- 6) Provide response support for food-borne hazards through a rapid response strike team as part of an outgrowth of a cooperative agreement program with the DSHS and the U.S. Food and Drug Administration (FDA) to respond to unintentional and deliberate food contamination.
 - 7) Provide investigative support for movement of ammonium nitrate and ammonium nitrate material fertilizer through its registration and record requirements for the purchase, production, storage, transfer or otherwise distributing within the state of Texas.
 - 8) Identify, approve and enable distribution of alternative sources of feed for animals impacted by quarantine in the event of a foreign animal disease.
- I. The Railroad Commission of Texas (RRC) in its support role will:
- 1) Ensure availability of trained personnel to respond, support and staff the SOC and the appropriate DDC.
 - 2) Maintain descriptive location and key attribute data on petroleum industry pipelines, producing wells, offshore platforms, processing plants, natural gas distribution areas, and storage facilities.
 - 3) Respond in accordance with Annex L - (Energy and Utilities) and Annex Q – (Hazardous Materials and Oil Spill Response) for energy assurance and spill response efforts.
- m. The Texas General Land Office (GLO) will:
- Mobilize and deploy State oil spill response resources in accordance with Annex Q - Hazardous materials and Oil Spill Response, as needed.
- n. The Public Utility Commission of Texas (PUC) in its support role will:
- Ensure availability of trained personnel to respond, support and staff the SOC. Respond in accordance with Annex L - (Energy and Utilities).

VII. DIRECTION & CONTROL

A. GENERAL

1. Direction and control of emergency response and recovery operations for a terrorism incident within Texas is executed in accordance with Sections V.B and VI of the *State of Texas Emergency Management Plan* in the same general manner as response and recovery actions are conducted for other emergencies or disasters. Local governments will generally take the lead, with support by the State and Federal governments as requested.

2. Direction and control of the state law enforcement response will be conducted in accordance with the contingency plan developed by DPS as the lead state agency

B. CRISIS ACTION PLANNING

FBI policy provides that the FBI will establish a joint operations center or command post with State and local law authorities for crisis action planning during a terrorism incident involving WMD. Each level of government shall exercise direction and control appropriate and consistent with their respective responsibilities to effectively accomplish crisis action planning. This joint operations center or command post may be established in existing local facilities or at another location.

C. EFFECTS OF AN EMERGENCY OR DISASTER DECLARATION:

1. If the Governor issues a Declaration of a State of Disaster and requests a Federal emergency or disaster declaration, the Governor will normally name a Governor's Authorized Representative (GAR) and one or more State Coordinating Officers (SCOs).
2. A JFO may be established to coordinate State and Federal response and recovery operations, including programs authorized by the Stafford Act. The GAR, assisted by the SCOs, will exercise overall direction and control of State response and recovery operations, while a Federal Coordinating Officer (FCO) directs and controls federal resources. An existing Joint Operations Center or Unified Command Post may continue its operation to manage State and Federal response activities or management of both response and recovery operations may be consolidated at the JFO.
3. In an animal disease, non-Stafford Act situation, the Governor may request an Agricultural Declaration from the Secretary of Agriculture.

VIII. EMERGENCY RESPONSE LEVELS

The State of Texas uses a four-level response classification system, which includes both readiness and emergency response activities. These emergency levels are described and defined in Section VII of the *State of Texas Emergency Management Plan*. The National Terrorism Advisory System will include a clear statement on the nature of the threat, which will be defined in one of two ways:

1. "Elevated Threat": Warns of a credible terrorist threat against the United States
2. "Imminent Threat": Warns of a credible, specific, and impending terrorist threat against the United States

IX. CONTINUITY OF GOVERNMENT

See Basic Plan, Section VIII

A. SUCCESSION

Personnel with emergency management responsibilities will be maintain lines of succession in accordance with existing policies and required emergency management SOPs of each agency/organization.

B. AGENCY PREPARATION

Primary and support agencies will train and prepare their personnel to conduct emergency response and recovery operations pursuant to NIMS. Preparation shall include ensuring agency representatives have information regarding agency resources and points of contact readily at hand. Agency representatives should have the ability to obtain updated resource information as changes occur, and pre-delegated authority to commit resources. Lines of succession should identify alternates or backup personnel. Agencies and organizations should develop and maintain appropriate procedures and action guides that contain sufficient detail for alternate/backup personnel to successfully complete their task assignments.

X. ADMINISTRATION AND SUPPORT

A. SUPPORT

1. Process requests for law enforcement assistance in accordance with current Federal, State, and local law enforcement procedures during the response phase of operations.
2. Requests for state emergency assistance will be resolved at the lowest level direction and control facility with appropriate response resource capabilities. Unresolved assistance requests will normally flow upward from cities to the county, and/or field deployed command posts to disaster districts, to the SOC and, if necessary, to other states or the Federal government. During incident/emergency/disaster recovery management operations, requests for assistance will be handled in accordance with the *State of Texas Emergency Management Plan* and applicable procedures.

B. AGREEMENTS AND UNDERSTANDINGS

All agreements and understandings entered into for the purchase, lease, or otherwise use of equipment and services will be in accordance with the provision of State law and procedures. A proclamation of a State of Disaster by the Governor may suspend selected rules and regulations that affect response and recovery operations. The specific impact of the situation will be determined by the primary agency and emergency function group members will be advised accordingly.

C. REPORTS AND RECORDS

1. All emergency function member agencies provide reports on terrorism response operations:
 - a. Members of the Area Command(s) and Incident Command(s) submit reports in accordance with direction from the Area or Incident Commander.

- b. The senior member of deployed personnel or organized teams in support of but not a member of the Area/Incident Command(s), will submit operational reports on a daily basis to the appropriate DDC Chair, with an information copy to the parent agency.
 - c. Agency representatives in the SOC will provide daily reports of resource commitments and response activities in accordance with the schedule announced by the SOC Controller.
2. The Homeland Security Advisor, Deputy Homeland Security Advisor, DPS Director or the Assistant Director/Chief of TDEM may establish requirements for additional reports.

D. EXPENDITURES AND RECORD KEEPING

1. Each agency is responsible for establishing administrative controls necessary to manage the expenditure of funds and to provide reasonable accountability and justification for Federal reimbursement in accordance with the established guidelines.
2. The first source of funds for expenditures by State agencies in response to an emergency, imminent disaster, or recovery from a catastrophic incident, is to be from funds regularly appropriated to the agency by the Legislature.
3. In accordance with existing procedures, state agencies may seek financial assistance from the Disaster Contingency Fund.

E. INCIDENT REVIEW

1. Following the conclusion of a terrorism incident the primary agency will be required to conduct a review of emergency function activities during the incident. The primary agency will consolidate agency inputs into a written report and submit it to the Assistant Director/Chief of TDEM.
2. Alternatively, TDEM may conduct a general review. If TDEM conducts the review, it will consolidate all inputs and produce the written report.

XI. DEVELOPMENT AND MAINTENANCE

The Director of DPS is the approving authority for this annex and is responsible for its implementation. The Assistant Director of the Texas Rangers is responsible for development, review, update, and distribution of this annex with the advice and counsel of the Assistant Director/Chief of TDEM.

APPENDIX 1 TO ANNEX U

Terrorist Incident Response ESF Organization

PRIMARY AGENCY: Texas Department of Public Safety (TxDPS)

SUPPORT AGENCIES:

Office of the Texas State Chemist (OTSC)
Public Utility Commission of Texas (PUC)
Railroad Commission of Texas (RRC)
Texas Animal Health Commission (TAHC)
Texas Commission on Environmental Quality (TCEQ)
Texas Department of State Health Services (DSHS)
Texas Engineering Extension Service (TEEX)
Texas A&M Forest Service (TFS)
Texas Department of Transportation (TxDOT)
Texas Military Forces (TMF)
Texas Procurement and Support Services (TPASS)
The Salvation Army (TSA)