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INTERAGENCY AGREEMENT
BETWEEN THE
U.S. ARMY CORPS OF ENGINEERS
AND THE
U.S. COAST GUARD

9/76

ARTICLE I - GENERAL INFORMATION

The U.S. Army Corps of Engineers (COE) and the U.S. Coast Guard (USCG) share surveillance and enforcement responsibilities over federally contracted activities which are associated with Federal Navigation Projects and which entail dredged material disposal operations in ocean waters. Section 107(c) of the Marine Protection, Research, and Sanctuaries Act of 1972 directs the USCG to conduct surveillance and other appropriate enforcement activity to prevent unlawful transportation of material for dumping or unlawful dumping. The COE has a responsibility to insure that its funded activities associated with Federal Navigation Projects are conducted in accordance with contractual specifications. Title 33 CFR 209.145(j) directs district engineers to insure that disposal activity is conducted in conformance with the project plans and procedures expressed in the Statement of Findings.

ARTICLE II - PURPOSE

The parties have entered into this Agreement to promote the effective utilization of their respective resources while engaged in surveillance and enforcement of federally contracted ocean dumping activities associated with Federal Navigation Projects.

ARTICLE III - CAPABILITIES

The USCG has multi-mission resources deployed throughout the coastal region which engage in ocean dumping surveillance and other marine-related activities and which have been directed to report all suspicious ocean dumping activities. Operations permitting, these resources are available to investigate specific activities as directed.

The COE as the agency responsible for Federal Navigation Projects, engages in surveillance efforts to insure that contract dumping is conducted in conformance with the project plans and procedures expressed in the Statement of Findings. The COE has specific knowledge as to the location, extent, and types of activities which involve ocean dumping of dredged material, and as to past performance records of contractors engaged in these activities. Thus, the COE is best able to direct a multi-agency ocean dumping surveillance and enforcement effort over these activities.

ARTICLE IV - RESPONSIBILITIES

The COE and the USCG will work in close cooperation with respect to surveillance and enforcement activities over contractors engaged in the disposal of dredged material in ocean waters associated with Federal Navigation Projects; however, the COE recognizes that it has the primary surveillance and enforcement responsibility over these activities.

The COE will direct the surveillance effort over COE contract dumpers engaged in ocean disposal activities.

The COE will conduct surveillance over COE contract dumpers engaged in ocean disposal activities and may augment this effort with available USCG resources.

The USCG will continue its surveillance efforts over COE contract barges engaged in ocean dumping in the New York and San Francisco areas.

To facilitate optimum scheduling, the COE will notify the USCG in a timely manner of the COE's desires for specific surveillance missions. Requests will identify the geographical area, time of surveillance, and other specifics as may be needed to conduct an effective surveillance operation.

The USCG will, operations permitting, respond to requests from the COE for surveillance missions to oversee specific COE contract dumping activity.

The USCG will notify the COE of the results of any specifically requested surveillance missions.

While engaged in its various mission activities, the USCG will continue to be on the alert for suspicious ocean dumping operations.

ARTICLE V - BUDGETARY RESPONSIBILITIES

Each agency will fund all costs it incurs under this Agreement. Additionally, agreements that involve fund reimbursement in connection with specific activities may be entered into before the activity is undertaken.

ARTICLE VI - AMENDMENTS

This Agreement may be amended from time to time as may be mutually agreeable to the parties thereto.

DEPARTMENT OF THE ARMY
Washington, D. C. 20310

DEPARTMENT OF TRANSPORTATION
United States Coast Guard
Washington, D. C. 20590

11/27/74
Merrill

**MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED STATES ARMY AND THE
UNITED STATES COAST GUARD CONCERNING CIVIL DISTURBANCE PLANS
AND OPERATIONS INCLUDING TERRORIST INCIDENTS.**

This memorandum establishes policies, procedures, and guidelines relating to employment of elements of the U. S. Coast Guard when Federal forces are committed to civil disturbance operations, including terrorist incidents.

SECTION I

GENERAL

1. Civil Disturbances are defined as group acts of violence and disorders prejudicial to public law and order within the 50 States, District of Columbia, Commonwealth of Puerto Rico, U. S. possessions and territories, or any political subdivision thereof. Terrorist Incidents, a form of civil disturbance, are defined as distinct criminal acts committed or threatened to be committed by a group or single individuals in order to advance a political objective, and greatly endangering safety or property. For the purpose of this Memorandum of Understanding this definition does not include aircraft piracy emergencies which are governed by separate directives.
2. The operational missions of the Coast Guard are paramount; use of its resources in civil disturbance operations is contingent upon the ability of the Coast Guard to continue to perform its statutory duties.
3. In civil disturbance operations except those in which the Coast Guard has direct involvement because of its statutory duties, employed Coast Guard elements will be responsible to the policies and procedures established by the Department of the Army Civil Disturbance Plan.

SECTION II

RESOURCES TO BE EMPLOYED

1. The Coast Guard will furnish such waterborne and airborne resources as are reasonably available to assist in civil disturbance operations. The Coast Guard will not be expected to form or maintain ground forces for employment in civil disturbance operations except to protect its own land facilities.

2. The Coast Guard may request assistance as required from other Federal civil disturbance forces in order to carry out its statutory obligations of securing and protecting areas over which it has jurisdiction.

3. The Coast Guard will provide logistical support to other Federal civil disturbance forces within the limits of locally available resources.

4. The Army will provide the Coast Guard with riot control munitions, loan of special equipment, and technical assistance if, when, and as required for civil disturbance operations.

SECTION III

COMMAND RELATIONSHIPS

The Federal civil disturbance task force commander will exercise operational control over Coast Guard elements committed to civil disturbance operations except those cases where the Coast Guard has paramount statutory responsibility. Control will be received from and returned to the appropriate Coast Guard Area or District Commander. Disputes, if any, concerning employment of resources will be referred to the Chief of Staff, United States Army, and the Commandant, United States Coast Guard, for resolution.

SECTION IV

PLANS

Coast Guard Area and District Commanders will prepare plans for employment of Coast Guard resources during civil disturbances. Coast Guard District Commanders will normally coordinate with designated task force commanders, Commanding General, Military District of Washington, and Commanding Generals of the United States numbered armies as appropriate. Coast Guard Area Commanders will normally coordinate with the Commander, U. S. Army Forces Command, Commanders in Chief of Unified Commands, and the Commanding Generals of the United States numbered armies as appropriate.

SECTION

TRAINING

The Commandant, U. S. Coast Guard is responsible for the training of Coast Guard personnel for their civil disturbance role and will familiarize these personnel with the general guidance concerning use of force and the conduct and deportment expected of individual members of the Federal civil disturbance forces, as outlined in the DA Civil Disturbance Plan.

SECTION VI

REPORTS

The commander of Coast Guard elements employed as part of a Federal civil disturbance task force will render reports as requested by the task force commander. A standing operating procedure for submission of reports by Coast Guard elements will be included in the plan for employment of Coast Guard resources.

SECTION VII

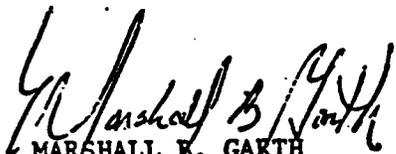
COSTS

1. Costs incurred will be borne by the respective Services.
2. Logistical support will be on a reimbursable basis and will, wherever possible, be based upon cross-service agreements.

Done this 23rd day of May 1974 at the City of Washington.

FOR THE UNITED STATES ARMY:

FOR THE UNITED STATES COAST GUARD:


MARSHALL B. GARTH
Major General, GS
Director of Military Support


E. D. SCHEIDERER
Rear Admiral, U. S. Coast Guard
Chief of Staff