

U.S. Military Personnel and Hurricane Response Efforts

October 18, 2024

Background

On September 26, 2024 [Hurricane Helene](#) made landfall on the Gulf Coast of Florida at Category 4 strength. Subsequent heavy rains and flooding impacted Georgia, South Carolina, North Carolina, Tennessee, Virginia, and West Virginia, with secondary impacts in some Midwestern states. This event was followed shortly thereafter on October 10, 2024 by the landfall of Hurricane Milton (Category 3) on Florida's western coast. President Biden issued several [emergency declarations](#) under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act, P.L. 93-288, as amended; [42 U.S.C. §§5121 et seq.](#)) in preparation and response to these events. These declarations authorize a variety of disaster assistance resources and programs (see CRS Insight IN12429, *Hurricane Helene Recovery: Brief Overview of FEMA Programs and Resources*), including [U.S. Department of Defense \(DOD\) resources](#) to support search-and-rescue efforts, route clearance, and commodities distribution.

According to an October 6 [press release](#), DOD planned to provide approximately 1,500 active-duty personnel to support delivery of food, water, and other vital supplies to communities affected by Hurricane Helene. In addition, more than 6,100 National Guard (NG) personnel from at least 18 states have been activated under their governors' authority. These personnel have been working alongside other emergency response organizations, [including](#) the Federal Emergency Management Agency (FEMA), the United States Coast Guard, the [Army Corps of Engineers](#), the Department of Health and Human Services, the Environmental Protection Agency, the American Red Cross, and the Salvation Army, as well as state and local law enforcement and emergency response personnel.

According to DOD officials as of October 9, more than 5,000 Florida NG personnel had been mobilized to support recovery efforts for Hurricane Milton and [U.S. Army North is contributing](#) active duty (Title 10) troops and equipment.

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Relevant Authorities and Support Activities

The U.S. military has a long history of providing active component [support to civil authorities](#) when state, local, and non-military federal agencies are overwhelmed following domestic disasters and emergencies. The Secretary of Defense has the principal authority for DOD's provision of civil support including approval authority for all requests for assistance from civilian agencies. Active component personnel are on duty under Title 10 authorities, while NG personnel are typically activated under either state authority or Title 32 authorities.

Active Component Personnel

[U.S. Northern Command](#) is synchronizing active-duty (Title 10) personnel support for the lead Hurricane Helene response agencies – FEMA and the North Carolina National Guard. In this capacity, military support personnel continue to receive federal active-duty pay and benefits. Though operating under federal authority, active-duty personnel operating in North Carolina have been [placed under the command](#) of Brigadier General Charles Morrison of the North Carolina National Guard as the [dual-status commander](#) for DOD operations in that state. A dual-status commander operates within both state and federal chains of command for the purpose of gaining unity of effort. [According to DOD officials](#), the active component is providing helicopters and vehicles for supply delivery, and search and rescue operations to support disaster relief.

National Guard Personnel

Governors of affected states have mobilized National Guard personnel in a *state active duty* (SAD) status. In this status they are considered state employees operating under the authority of their state governors, and pay and benefits are determined by state or territorial law. National Guard personnel deployed from other states do so under the [Emergency Management Compact \(EMAC\)](#). Their operations are initially funded by their home state. Under the terms of EMAC, the state that receives aid reimburses the donor states at a later date. In support of hurricane relief, the NG is reportedly employing helicopters and high-water vehicles for relief operations, and also conducting [rescues](#), clearing roadways, and [distributing aid](#).

NG personnel may also be activated in a federal status under Title 32 (32 U.S.C. 502(f)). For example, during the Hurricane Katrina response in 2005, the Secretary of Defense authorized the [retroactive transfer of NG personnel participating in the response from SAD](#) to a federal status. Under this status, NG personnel remain under the operational control of their governor but are eligible to receive federal pay and benefits. They may also be eligible for protections under the [Uniformed Services Employment and Reemployment Rights Act \(USERRA\)](#) and [Servicemembers' Civil Relief Act \(SCRA\)](#) under certain circumstances.

Funding

Affected states may receive financial assistance from FEMA to cover eligible costs incurred by NG personnel in SAD status undertaking disaster-related work. In general, funding for Title 10 military activities comes from DOD Operation and Maintenance (O&M) accounts to cover operating costs (e.g., fuel) and Military Personnel (MILPERS) accounts to cover pay and benefits. To date, DOD has not released detailed expenditures on Hurricane Helene relief. The department is supporting such efforts with funding that Congress provided in the FY2025 Continuing Appropriations and Extensions Act (P.L. 118-83). The CR began October 1 and continues through December 20, 2024. Congress has not enacted a full-year regular defense appropriations act. President Biden sent a [letter](#) to congressional leaders on October 4 requesting supplemental funding for certain agencies involved in disaster relief (i.e., Small Business

Administration, or SBA; and FEMA); DOD was referenced in the document but not identified for additional resourcing.

Considerations for Congress

The response to Hurricanes Helene and Milton remains dynamic and may be further complicated by the impact of other storm systems throughout the remainder of the hurricane season. As the situation unfolds, areas for congressional oversight may include the coordination of federal and state personnel and efficient use of DOD resources. In terms of military personnel support, Congress might also consider concerns from military-connected families or veterans who may have been displaced by hurricane damage, or from NG personnel with respect to federal benefit eligibility.

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