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Title: Letter from Timothy Lowenberg to Mayor Schell in response to Mayor's request for State Military Department assistance during WTO

Author(s): Lowenberg, Timothy J. (Military Department, State of Washington)

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File name: QIR 08, Panel 3: Fire Department Public Disclosure Request documents (re: WTO preparation, planning, equipment, budget, operations)
The Honorable Paul Schell  
City of Seattle  
Office of the Mayor  
600 Fourth Avenue, 12th Floor  
Seattle, Washington 98104-1873

October 29, 1999

Dear Mayor Schell:

This is in response to your letter of October 13, 1999, requesting State Military Department assistance in securing resources for the upcoming World Trade Organization Conference. We share your commitment for insuring a safe and successful conference. To that end, our Emergency Management Division has carefully reviewed your request to determine which of the requested resources are within the State’s control.

We have identified two requests which fall within the State’s capabilities. Although under the right circumstances these assets can be made available, I need to invite your attention to the following legal restrictions:

1. In regard to your request for mobilized fire fighting assets, RCW 38.54.020, authorizes the Adjutant General to declare a fire mobilization only when and if a fire jurisdiction has: (a) Exhausted all of its resources; and (b) invoked its local mutual aid network and exhausted those resources.” Thus, state law does not permit me to issue a declaration for pre-positioning assets in anticipation of an event. We believe, however, that coordination between the city’s fire services and those of the State Fire Mobilization Region can meet the intent of your request. Our Emergency Management Division has scheduled a meeting for Tuesday, November 2, 1999 to coordinate this mission. Members of your staff, the Seattle Fire Department, the state Fire Marshall’s Office, and the South Puget Sound Regional Fire Mobilization Coordinator have been invited to participate in the meeting.

2. The Washington Army National Guard has also identified four (4) HUMMV ambulances, with drivers, that could be used for patient transport in the event weather conditions or traffic congestion create a significant security or public safety threat. The Washington National Guard cannot provide the medics you have requested. Washington State licensing and certification requirements preclude military medics from performing in the capacity requested. In clarifying this issue with your staff, we have been assured that medics are not essential to fulfilling this portion of your request. The HUMMV ambulances and drivers that could be made available, upon activation by the Governor, are located in close proximity to downtown Seattle. The normal procedures established by the Emergency Management Division (EMD) should be followed for gaining the Governor’s approval for use of these or any other National
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Guard assets. Your letter suggests you may be asking us to pre-position the HUMMMV ambulances or "assign them to various Seattle Fire Department fire stations". The loan of military equipment to civil authorities is not authorized, nor is the commitment of these resources prior to a Governor's Proclamation of Emergency which includes activation of the National Guard. As stated above, our HUMMMV ambulances are routinely positioned nearby in Kent and drivers could be activated by order of the Governor, using normal EMD procedures, if city, county and regional resources prove to be inadequate in the event of an emergency.

We have determined that the other resources, as described in your request, are beyond the capabilities of State government and we have therefore forwarded those portions of your request to the Federal Emergency Management Agency, Region X, for consideration by the federal government.

We look forward to continuing our coordination with you and your staff to assure the World Trade Organization Conference is a safe and successful event.

Sincerely,

Timothy J. Lowenberg  
Major General  
The Adjutant General

TJL:RH:dw