

APPENDIX D: LOOKING AHEAD

Members of the Working Group have highlighted the following areas as refinements to the Deskbook. Due to publication constraints, these areas were not explored in great detail. We list them here as areas for future study.

- A general discussion of the USA PATRIOT Act, especially of the sunset provisions.
- A description of the role, capabilities, and limitations of the new Joint Director of Military Support (JDOMS) as a successor to the functions of old DOMS.
- A more detailed discussion of the Northern Command components and their relationship with Joint Forces Command, to include:
 - The problem that ARNORTH is only one person, (FORSCOM Commander), not the whole FORSCOM headquarters, unless activated as a JFLCC.
 - Force assignment and apportionment issues.
- Discussion of U.S. Department of Agriculture quarantine / isolation / enforcement authority more clearly in conjunction with the authority of the Department of Health and Human Services.
- Discussion on the potential implications of the Posse Comitatus Act by Title 32 personnel if they meet the command and control criteria that make them "agents" of Title 10 commanders, to include the difference between individual liability and supervisory liability for such a situation.
- With respect to liability when responding under the Stafford Act, distinguish the individual liability for violation of law or Constitutional rights vs. the agency liability, especially in light of *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*. Also, discuss potential supervisory or agency liability under the 42 USC §1983 case of *City of Canton v. Harris*. *Bivens* liability is a real danger and is not mitigated by the immunity provisions of the Stafford Act.
- Discussion on domestic use of force law
- Mass immigration (or migration) law, policy, plans,