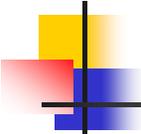


International Mutual Aid: New England and Eastern Canada

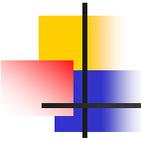
**2008 Great Lakes Border Health initiative Conference
Ann Arbor, MI
July 10, 2008**

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Deputy General Counsel
Massachusetts Department of Public Health



Challenges in Enacting International Agreements

- Legal
 - Drafting issues
 - Adoption by states/provinces
 - Congressional consent
- Administrative
 - Keeping group going
 - Other (e.g. funding, translation)



International Emergency Management Assistance Memorandum of Understanding ("IEMAMOU" or "IEMAC")

- Approved at the
**25th Annual Conference of the New England
Governors and
Eastern Canadian Premiers
Halifax, Nova Scotia - July 16-18, 2000**
- Modeled heavily on EMAC
 - Many provisions are identical



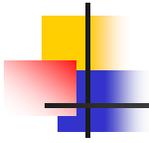
Website

<http://www.iemg-gigu-web.org/>



Drafting Issues

- “To the extent authorized by law”
 - Acknowledges US/Canadian legal differences
- Do you want to provide aid only during **declared emergencies** or in other times?
 - EMAC: mutual aid in a disaster **that is duly declared by the governor** of the affected state,
 - IEMAC: mutual aid when the affected jurisdiction or jurisdictions **ask for assistance**



Drafting Issues

- Liability protections
 - EMAC: **Officers or employees** of a party state rendering aid . . .
 - IEMAC: Any **person or entity** of a party jurisdiction rendering aid . . .
 - . . . are considered agents of the requesting jurisdiction for tort liability & immunity purposes
- Be clearer!



Adoption by States and Provinces

- States: enacted IEMAC into their statutes
 - No issue of authority to comply
- Provinces: signed by Premiers
 - Research need: Does IEMAC conflict with other provincial laws?



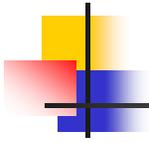
Congressional Consent

- U.S. Constitution Article I, section 10:
No state shall, without the consent of Congress, enter into any agreement or compact with another state, or with a foreign power
 - Both houses of Congress, same session
- Work on Congressional consent at outset!
- Keep at it!



Congressional Consent

- IEMAC agreed to in July, 2000
 - Approved by Senate (only) in 2001
- Approved by Senate in October, 2007
- Approved by House in December, 2007



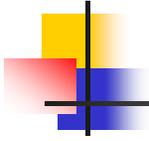
Administration

- Governing body: **International Emergency Management Group (IEMG)**
 - Meets twice a year (alternates btw US/Canada)
- Work groups
 - Board of Directors
 - Legal and Credentialing
 - Administrative
 - Training and Exercise
 - Others as need arises



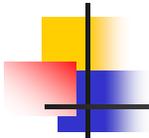
Keeping it Going

- Meetings twice a year
- Regular, scheduled telecons
- Pick doable tasks with deadlines
- **Strategic plan!**
 - **Mission statement and objectives**
 - **Clearly defined goals and tasks**



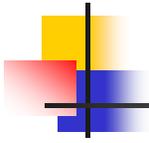
Examples of tasks

- “Office” to maintain records, minutes, etc.
- Common definitions/glossary of terms
- Guidebook & Operations Manual – GOM
 - Steps for providing aid, etc.
- Establish linkages with other programs
 - Feds in both countries



IEMAC activation

- Feb. 2004: “White Juan” – snowplows sent from ME and NB to Nova Scotia
- Aug. 2004: Blankets sent from Quebec to VT during outdoor concert.
 - 2000 blankets on scene within 12 hours



Funding

- No dedicated funding stream
 - State/province must volunteer
- Not possible to form cross-border corporation



Ongoing Challenges

- Border crossing
- Communications
 - Translation
- Integrating public health
 - Providing info to emergency management folks
 - Networking
 - Data sharing agreement modeled on GLBHI's



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