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THE U.S. AIR FORCE

AND

SECURITY OF THE HOMELAND

(White Paper)

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I. FRAMEWORK/BACKGROUND

a. Introduction

The key role of the Department of Defense is to defend the homeland – the security of the U.S. is the reason DOD exists. At a higher level, a primary reason for government is to secure the homeland and in this context there is an overarching construct covering the totality of effort of all U.S. Government agencies that includes all aspects of security from foreign and domestic threats. This paper will examine the Air Force's role in securing the homeland from a doctrinal perspective.

Subordinate to the overarching concept of securing the nation is the DOD contribution. DOD exists to conduct the armed defense of the nation against our enemies and we can be called on to use any and all assets in that defense. Normally DOD is in a supporting role to another federal agency (a Lead Federal Agency – (LFA)) when it comes to securing the homeland but there are extraordinary instances where DOD could be the LFA in defending the homeland (such as in wartime) and the AF must be prepared for this worst case contingency. See Figure 1.

While DOD is charged to defend the nation we will also continue to provide assistance to civil agencies, to the fullest extent of the law, for emergencies whether they are natural or man-made. This support to civil authorities can utilize many capabilities within DOD, and the Air Force has demonstrated a tremendous track record in this role.

Planning for emergencies is as important as defending the homeland and providing support to civil authorities. Two emergencies the military must plan for are the continuity of operations of the AF and the continuity of the government of the U.S.

The AF has a large role in securing the homeland, but this is not something new to us. Current AF doctrine documents discuss the employment of air and space power and while securing the homeland appears to be something new our AF doctrine does not distinguish between the application of force within or outside the homeland.

The term 'homeland security' has several different meanings. The President recently released the *National Strategy for Homeland Security* (NSHLS) and it defines Homeland Security (HLS) as: "...a concerted national effort to prevent terrorist attacks within the United States, reduce America's vulnerability to terrorism, and minimize the damage and recover from attacks that do occur." The NSHLS stipulates that HLS is complementary to the overarching strategy for securing the nation and is concerned with terrorism and its prevention, reduction of our vulnerability and the minimization of the effects of an attack. This definition of HLS is very focused and the President's new *National Security Strategy* does discuss the overall concept of securing the nation from a national perspective but it does not give this concept a specific title.

The DOD has a definition for HLS that is a little different: "The preparation for, prevention of, deterrence of, preemption of, defense against and response to threats and aggressions directed towards U.S. territory, sovereignty, domestic population, infrastructure; as well as crisis management, consequence management, and other domestic civil support." This definition attempts to use HLS as that overarching concept for securing the nation.

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The AF has tremendous capabilities that we have employed in traditional ways in contingencies overseas, but they are also applicable for securing the homeland. The AF has a vast amount of expertise and experience in doing counterair, counterland, and intelligence, surveillance, and reconnaissance (ISR). These missions can contribute directly to the security of the homeland, but DOD must develop and mature mechanisms to integrate these capabilities into an Interagency (IA) effort.

One critical item that must remain paramount in all discussions pertaining to the security of the homeland is civilian control of the military. The military will always be in a support/subordinate role to a civilian agency of the Federal Government. Also, whenever military capabilities are used in response to Presidential direction in support of a Lead Federal Agency, their use will be in compliance with U.S. law.

b. Defining the Homeland

The first task in scoping the security of the homeland is to define homeland. At one extreme it could be the worldwide protection of all U.S. citizens and their property and all assets of the U.S. Government. This would include:

- CONUS, Alaska, Hawaii
 - Critical Infrastructure Protection (CIP)
 - National Special Security Events (NSSE)
- Guam, Puerto Rico, Virgin Islands
- U.S. Embassies and Consulates
- U.S. 'national' assets deployed overseas (Air Force One)
- U.S. military 'vessels' in international water, air and space and could include cyber-networks operating in international cyberspace
- U.S. flagged 'vessels' – commercial/private – in international water, air and space and again could include commercial cyber-networks operating in cyberspace
- U.S. citizens traveling or working outside the U.S.

At the other extreme is restricting the definition of the homeland to the 50 states.

At some point the President, through the Office of Homeland Security or the proposed Department of Homeland Security, will provide a definition of homeland from a national security perspective. But, DOD must continue to view the security of the homeland from a global perspective and go beyond the traditional interpretation. However, even with a global perspective the civilian leadership in the U.S. Federal Government will make the final decision on what and where are the U.S. national interests and what will be the DOD involvement and response. The Air Force must maintain an awareness of and plan for potential problems and then be prepared to employ military capabilities on an ad hoc basis as the situation and the government dictate. We must be prepared to employ task organized military capabilities when directed.

Regardless of how homeland is defined, the U.S. government has an interest in all its citizens and takes appropriate actions to protect them whether they are at home or abroad. Because of this worldwide interest, a primary question in scoping the security of the homeland is who has responsibility for Americans and their property, both in the homeland and outside the homeland?

- Geographic Combatant Command Commanders have an interest in all Americans and their property within their AOR

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- Commander, USSPACECOM (effective 1 Oct 02, Commander, USSTRATCOM) is responsible for U.S. space assets
- Law enforcement agencies at all levels of government are involved when U.S. laws are violated at home
- Emergency management agencies at all levels are involved in the emergency preparedness and consequence management of disaster situations (natural and man-made)
- States' Governors have as one of their primary responsibilities the safety and security of the citizens in their states. The National Guard provides the Governors a military capability in carrying out this responsibility

Because securing the homeland takes on a worldwide perspective, all unified combatant commands can have an impact on potential terrorist activity before it occurs. Thus, close coordination among all the commands is required to ensure a unity of purpose when responding to or pre-empting threats.

Since the Commander USNORTHCOM (COMUSNORTHCOM), will have an AOR (see Figure 2 and the Unified Command Plan) this paper will predominantly focus on operations in that AOR.

c. Department of Defense Homeland Security construct

The current DOD construct for Homeland Security is outlined below. It is subject to change based on the President's new *National Strategy for Homeland Security* (NSHLS) and his new *National Security Strategy* (NSS). As mentioned, the NSHLS definition for HLS is very different from the current DOD definition, but for DOD, Homeland Security (HLS) is intended to be the overall umbrella term to describe the total effort of the U.S. Government in defending the homeland. Again, the DOD working definition of HLS is:

The preparation for, prevention of, deterrence of, preemption of, defense against and response to threats and aggressions directed towards U.S. territory, sovereignty, domestic population, infrastructure; as well as crisis management, consequence management, and other domestic civil support.

The DOD proposes that Homeland Security consists of three parts.

(1) Homeland Defense (HLD):

The protection of U.S. territory, sovereignty, domestic population, and critical infrastructure against external threats and aggression.

The SECDEF report to Congress on *The DOD Role in Homeland Defense* expands on this perspective:

In extraordinary circumstances, the Department would conduct military missions such as combat air patrols or maritime defense operations. The Department would take the lead in defending the people and the territory of our country, supported by other agencies. Included in this category are cases in which the President, exercising his constitutional authority as Commander in Chief and Chief Executive, authorizes military action to counter threats within the United

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States. This inherent constitutional authority may be used in cases, such as a terrorist attack, where normal measures are insufficient to carry out federal functions. Plans for such contingencies will continue to be coordinated, as appropriate, with the National Security Council, Homeland Security Council, the proposed Department of Homeland Security, and other federal departments and agencies.

(2) Civil Support (CS):

Department of Defense support to U.S. civil authorities for domestic emergencies, and for designated law enforcement and other activities.

The SECDEF report to Congress also expands on this:

The Department of Defense may be involved during emergencies such as responding to an attack, natural disaster, or other catastrophes. In these circumstances, the Department could be asked to act quickly to provide capabilities that other agencies do not have.

The Department of Defense would also take part in missions which are limited in scope or duration where other agencies have the lead—for example, security at a special event like the 2002 Winter Olympics, or assisting other federal agencies to develop capabilities to detect chemical and biological threats.

(3) Emergency Preparedness (EP):

Those planning activities undertaken to ensure DOD processes, procedures, and resources are in place to support the President and the Secretary of Defense in a designated National Security Emergency.

The SECDEF report to Congress on emergency preparedness:

Examples of these emergency preparedness activities include: continuity of operations (COOP); continuity of government (COG); conducting threat assessments; assisting federal, state and local authorities in developing or enhancing their own strategic planning capabilities; and exporting the Department's risk management approaches and methodologies to interested homeland security stakeholders. These activities also include, to the extent feasible and practicable, preparation for the provision of extraordinary civil support that may be required in the event of a devastating attack on the U.S. DOD is in support of a lead agency for all emergency preparedness activities other than those related to DOD continuity of operations.

Regardless of the final definitions, notionally there will be an overarching perspective that addresses the overall security of the homeland. This concept should address the protection of the nation and encompass the totality of the U.S. Government effort. The DOD contribution can then cover the concepts of defending the homeland, conducting support to civil authorities and preparing for emergencies.

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d. Government Agencies

(1) Agencies involved

Potentially, any government agency from the local, state or federal level could be involved in the security of the homeland. In fact, all emergencies are 'at the local level' and local and state government agencies will normally be the first responders to an event and will maintain some jurisdiction throughout the emergency.

The Executive branch of the federal government appoints the LFA based on the situation. Note: When the new Department of Homeland Security is established it may have a role in the process of appointing the LFA. Other federal agencies can have a supporting role (DOD's normal role) to the LFA.

In extraordinary instances, the President could appoint DOD as LFA. The President could declare a national security emergency based on his assessment of the situation and he will decide if military force is required. This could be in response to a direct attack against the U.S or it could be a pre-emption to an attack. Of note are the Sep 11 attack and the Anthrax attacks because none of these events triggered the President to declare a national security emergency.

(2) Interagency process

The process for dealing with a given situation is extremely complex. The new *National Strategy for Homeland Security* addresses the complexity of the interagency process and outlines the role of the new Department of Homeland Security (DHLS).

In a reactive situation, the local and state agencies will be the first responders and will assess the situation. Federal agencies will be called in if the situation exceeds the abilities of the local and state agencies, but it is the President who will direct the extent of Federal involvement.

For a detailed description of the interagency process on dealing with terrorism, see the "United States Government Interagency Domestic Terrorism Concept of Operations Plan." Additionally, see JP 3-08 Interagency Coordination During Joint Operations, Volumes I and II.

e. Strategy Cycle Construct

In order to better understand the concept of securing the homeland it is useful to break down national government involvement in emergency situations. An understanding of the progression of developing situations helps guide a logical flow or sequencing of homeland security operations and leads to the measured application of the military instrument of national power. The notions of prevent, protect and respond are not necessarily distinct or sequential, but are a way to examine security of the homeland. Much of the following is taken from the AF Concept of Operations (CONOPS) for Homeland Security and in each area the AF has diverse capabilities to conduct operations.

(1) Prevent

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Prevent includes actions that can be done to preclude situations from occurring and can include:

Deter – actions that we can take to help prevent an adversary from committing an act of aggression. This can include such things as being proactive in international public affairs media outreach and keeping forces ready through training and exercises.

Detect – a large part of preventing aggression is being able to detect what an adversary is doing. We believe that every Airman is a sensor. We also realize the importance of a nationwide chemical, biological, radiological, nuclear, and explosive (CBRNE) ISR network that can 'stare' at areas of interest. This will lead to an integrated interagency Common Operational Picture that will give a better overall situational awareness.

Preempt – the ultimate in preventing an attack could be striking first. To do this we need a clear picture of the threat by the collection, fusion analysis and dissemination of all source information which demands information superiority and interoperability.

(2) Protect

Protect includes actions to mitigate the circumstances once a situation has commenced.

Crisis Management

In the context of a terrorism incident, "crisis management" is currently defined by the FBI as "measures to identify, acquire, and plan the use of resources needed to anticipate, prevent, and/or resolve a threat or act of terrorism." Currently, the FBI is the LFA for all federal crisis management activities.

Air Sovereignty

We must be able to quickly respond to interagency identification of flights of interest to include being able to monitor, intercept and destroy, if necessary, a threatening aircraft. We also must be able to detect and intercept intercontinental and cruise missiles.

Critical Infrastructure Protection

We need to develop an alert network that is responsive to imminent threats against DoD and NSC-defined national critical infrastructure.

Network Fidelity

We also need secure and functional supporting networks for day-to-day and contingency operations.

Preserve AF's Ability to Project Forces

We need to have assured projection and sustainment of forces for worldwide missions in the face of natural or manmade disasters, CBRNE events, cyber attacks at our installations, and anti-access operations.

National Special Security Events – NSSE

We must be able to defend and protect events identified by civilian leadership that are especially lucrative targets in terms of impact for a terrorist event.

Pre-emption

There are times when irrefutable evidence shows an impending attack and by pre-empting that attack we can prevent significant damage to the homeland.

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(3) Respond

Respond includes actions that clearly identify an attacker and then retaliate and defeat the enemy if required. It also includes actions in support of a civil authority to do consequence management of the effects of an attack and of natural disasters.

Defeat the enemy

We must effectively foil all attempts to attack the homeland via the air and space mediums. We must conduct state of the art computer network operations to repel an attack and disrupt the enemy's ability to use computers. We also must combat enemy disinformation campaigns.

Consequence Management

We must be able to rapidly employ people, sensors, and equipment to mitigate CBRNE effects nation-wide in support of LFAs. In the context of a terrorism incident, "consequence management" activities are currently defined by Federal Emergency Management Agency (FEMA) as "measures to protect public health and safety, restore essential government services, and provide emergency relief to governments, businesses, and individuals affected by the consequences of terrorism."

Civil Support

We must be able to conduct proactive and responsive assistance to LFAs for manmade and natural disasters at the local, state, and national levels.

The President's National Security Strategy has another way to look at this. It states "...our military must:

- assure our allies and friends;
- dissuade future military competition;
- deter threats against U.S. interests, allies and friends; and
- decisively defeat any adversary if deterrence fails.

This AF construct is not significantly different from the NSS construct, the AF construct effectively goes into more detail.

f. Air Force Forces

Air Force forces have a vast capability and experience in dealing with contingencies external to the homeland and it now becomes a matter of translating that into homeland defense.

(1) Expeditionary Operations

Much of the Air Force force structure was designed for employment outside of the homeland and the challenge is to innovate ways to use existing capabilities at home. The traditional capabilities and expertise of U.S. air and space power are unmatched-- we know how to conduct counterair, counterland, counterspace, countersea, and counterinformation operations. We will fight our enemies anywhere to protect the homeland and these traditional roles will continue in the fight against our enemies outside the homeland.

(2) Defense of Homeland

The next issue is how to employ traditional forces to defend against a threat at home. We have good doctrine for employing traditional forces in traditional roles and that

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should not change. We know how to do counterair operations and the fact that we are conducting counterair operations over U.S. sovereign territory doesn't change the effect we're trying to achieve: air superiority. The most challenging issue is how to employ traditional forces in non-traditional ways (against asymmetric threats) and to do this we have to think outside the box. We may be called on to use ISR assets (Predator) to support civilian law enforcement agencies. We may also be called on by the President to use deadly force to support civilian law enforcement agencies to help control an extraordinary situation, such as a terrorist in a building with a WMD.

(3) Civil Support

Military forces can be used in a multitude of ways to support civil authorities in an emergency. Again, AF forces can contribute in many ways according to our capabilities. Most of the support we give to civil authorities will be in a traditional role – we can conduct airlift of supplies to affected areas and we can provide medical assistance to people in need.

g. Organization of AF Forces

There are several models on organizing AF forces for employment. COMUSNORTHCOM will establish subordinate organizations to respond to homeland security situations. It bears repeating that normally military forces are providing direct support to a LFA in response to a request for assistance and only in extraordinary situations will DOD become the LFA. Possible models for organizing military forces are (also see figure 3):

(1) Single Service Task Force (TF)

The Single Service Task Force puts a Service element in a direct support role to an LFA. In the case of the AF, the COMAFFOR commands the Air and Space Expeditionary Task Force (AETF) and will be the commander in charge of the military (AF only) contribution to the particular operation. We don't normally think in terms of an AETF as the means to present forces within the homeland, but the AETF construct holds even if the forces do not leave the homeland. The Single Service Task Force can be organized in two ways: 1) The Task Force Commander can report directly to COMUSNORTHCOM or 2) The Task Force Commander can report to an intermediate, standing Joint Task Force (JTF) Commander (see number (2) below). COMUSNORTHCOM will determine which option is best based on the gravity of the situation.

It is important to be aware of the possible use of multiple single Service Task Forces (in lieu of a Joint Task Force) in a single contingency. In this instance, there are multiple military organizations working the same operation with no single joint military commander (other than COMUSNORTHCOM) responding to the needs of the LFA. However, there should normally be a Defense Coordinating Officer (DCO) appointed by COMUSNORTHCOM that is the single military interface to the LFA and all communications should go through the DCO.

(2) AETF to JTF

The traditional means to present AF forces is in the form of an AETF to a JTF Commander. The JTF commander is then the single military commander providing support to the contingency.

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COMUSNORTHCOM will likely establish a Standing JTF for Homeland Security that will continuously monitor situations as they develop. Once the situation deteriorates to the point that military involvement is necessary (directed by the President), then COMUSNORTHCOM can further decide if a subordinate task force is needed to control the emergency. This subordinate task force can either be a Single Service Task Force or a JTF.

(3) Standing Mission

This is not a task force by Joint Publication definition, but the forces perform a standing and continuous mission (ongoing operation) and must be organized to conduct that mission. An example of this is the NORAD model where forces are continuously on alert to perform an air defense mission. This is not a limited duration mission (as in the definition of a Task Force) but a continuous mission. USNORTHCOM/NORAD will likely organize to provide continuous air defense coverage of the homeland.

II. DEFENSE OF THE HOMELAND

a. Employment of Military Force

In the direct defense of the homeland, the Air Force has great capabilities that will be used. Our forces can be brought to bear in a supporting role to civilian agencies to defend the nation. In extraordinary situations, DOD could be the LFA and when the AF responds with combat forces in the homeland this is tantamount to a wartime posture – something we do extremely well.

AF forces are capable of conducting diverse operations from the use of force to gain air superiority to the use of ISR and space forces to gain information dominance. If called upon to defend the homeland from overt attacks the AF is ready. If the President were to declare a National Security Emergency or if Congress were to declare war, Air Force capabilities could be brought to bear to resolve the situation and the Air Force has very clear doctrine on how to employ AF forces in these combat situations.

b. Force Protection of AF installations

Aligned with the need to apply force to defend the nation is the responsibility of commanders to defend AF installations from attack. Again, we have solid doctrine for the force protection of AF assets and we'll use our capabilities in accordance with the rules of engagement.

c. Mission

COMUSNORTHCOM will be responsible for land, maritime, and aerospace defense of the territory and people of the United States against external threats. As directed by the President or the Secretary of Defense, he will also be responsible for coordinating the provision of military forces to support civil authorities in accordance with U.S. law. In addition, he will be responsible for certain aspects of security cooperation and coordination with Canada and Mexico. (From The SECDEF report to Congress on *The DOD Role in Homeland Defense*)

d. Organization

USNORTHCOM will likely organize with a standing mission and an alert force. The air component of USNORTHCOM will likely be NORTHAF (most likely based on the CENTAF

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model or the USAFE model of organization). The AF contribution to contingency operations will be organized around an AETF with a COMAFFOR.

e. Command Relations

COMUSNORTHCOM will likely use the CENTCOM model to establish an air component (most likely NORTHAF) and will have few forces assigned. Forces needed to perform the mission will come mostly from USJFCOM, but could come from USTRANSCOM, USPACOM, USSOUTHCOM and USSOCOM.

f. Command and Control

COMUSNORTHCOM will also be dual-hatted as the Commander of NORAD. Because of this, most air defense operations will be conducted through the bi-lateral command and control established in NORAD. AF forces outside of NORAD control will be commanded (in a contingency) by a COMAFFOR using the AETF construct.

III. SUPPORT TO CIVIL AGENCIES

See Civil Support White Paper. Because this area has the largest void in AF doctrine, the white paper is very detailed in concepts of employing air and space power.

IV. EMERGENCY PREPAREDNESS

The Air Force has a significant role in the process of preparing for national emergencies. One critical task is planning to assist in the continuity of government at the Federal level. The Air Force currently has plans for continuity of operations, but the events of Sept 11 demonstrate the possibility that this contingency is no longer remote. The AF also has a significant input into the threat assessment process.

The SECDEF Report to Congress gives several examples of Emergency Preparedness:

Examples of these emergency preparedness activities include: continuity of operations (COOP); continuity of government (COG); conducting threat assessments; assisting federal, state and local authorities in developing or enhancing their own strategic planning capabilities; and exporting the Department's risk management approaches and methodologies to interested homeland security stakeholders. These activities also include, to the extent feasible and practicable, preparation for the provision of extraordinary civil support that may be required in the event of a devastating attack on the U.S. DoD is in support of a lead agency for all emergency preparedness activities other than those related to DoD continuity of operations.

At the installation level we will couple upgraded emergency preparedness training with active force protection of our AF infrastructure and personnel to both instill solid passive measures of defense and allow a coordinated approach to base/community protection. Combining these protection measures with consequence management and continuity of operations planning will give local base offices the tools to maintain or seize the initiative after attack. Longer term, networks of DoD installations will be integrated into the local community preparation and response scheme with rapid detection, response, and incident management capabilities.

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V. SUMMARY OF APPLICABLE LAWS

a. United States Constitution:

Article II, Section 2: "The President shall be Commander in Chief..."

Article II, Section 3: "he shall take care that the laws be faithfully executed..."

The President has inherent power to employ military in response to certain emergencies. These powers are flexible and applicable in both domestic and foreign context, for example:

Insurrection: Whiskey Rebellion, Civil War

Federalizing Militia: War of 1812

Execution of Laws: Civil Rights Cases, Chicago Labor Strikes of 1894

Protection of US citizens: Grenada Invasion

But the Presidential authority in domestic context is not unlimited as demonstrated by the NLRA and President Truman's seizure of steel mills during Korean War.

b. Statutes:

Posse Comitatus Act (PCA) 18 USC § 1385:

Restricts direct military assistance for law enforcement purposes, except—

- as authorized by the Constitution;
- as authorized by Congress

Prohibits use of military, that pervades civilian law enforcement activities, and that subjects civilians to compulsory, proscriptive military power

Excludes actions taken pursuant to a Military Purpose

- Actions pursuant to UCMJ or administrative action
- Commander's authority to maintain order on an installation
- Protection of military personnel, property or guests

Does not apply to National Guard in Title 32 or state militia status

Military Support for Law Enforcement Agencies 10 USC §§ 371-381:

- Implements the PCA by regulating use of information, material, and personnel
 - Information collected during normal missions can be shared with LEA
 - Material and facilities may generally be made available for LEA support
 - Personnel generally may not conduct arrests, search and seizure of evidence, surveillance for law enforcement purposes, or interdiction, "except as otherwise authorized by law."
- Authorizes military support to LEA in counter-drug activities, WMD emergency

Insurrection Acts 10 USC §§ 331-334:

Authorizes military support during civil disturbance by Presidential Directive
Disturbance so severe that State authorities can not or will not enforce law
Used to intervene during Los Angeles riots in 1992

Stafford Act 42 USC §§ 5121 et seq:

Authorizes federal response after President declares emergency or major disaster
Provides mechanisms for FEMA to request response support from DOD
Permits DOD to use resources to "save lives, protect property" and avert future threats
Used in response to 1995 Oklahoma City bombing and 2001 WTC attack

The National Emergencies Act 50 USC §§ 1601, 1621, 1622, 1631, 1641, 1651

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Established process for statutory Presidential declarations of emergencies
Declarations must be published in Federal Register
Congress must review declaration every 6 months and can terminate

The Defense Against Weapons of Mass Destruction Act, 50 USC §§ 2301-2367:

Requires DOD coordination with WMD response agencies

Authorizes DOD support to DOJ in enforce laws involving WMD, when DOJ requests support, and SECDEF and Attorney General jointly determine that WMD threat exists and civil authorities lack capabilities

c. Presidential Orders and Directives:

Executive Order 12656, Assignment of Emergency Preparedness Responsibilities, 18 Nov 88

EO 13231, Critical Information Protection in the Information Age, 16 Oct 01

E.O. 13025, Amendment to EO 13010, the President's Commission on CIP, 13 Nov 96

E.O. 13010, Critical Infrastructure Protection, 15 Jul 96

PDD62, Combating Terrorism, 22 May 98

PDD 67, Enduring Constitutional Govt & Continuity of Govt Ops, 21 Oct 98

PDD 63, The DoD CIP Plan, 18 Nov 98

PDD-39, United States Policy on Counter-Terrorism, Jun 95

- Required DOD coordination on “reducing vulnerability” to terrorism
- FBI designated LFA for Crisis Management and contingency planning
- FEMA designated LFA for Consequence Management

Executive Order Establishing Office of Homeland Security, 8 Oct 01

- Coordinate Executive Branch’s efforts to “detect, prepare for, prevent and respond” to US terrorist attacks
- Coordinate intelligence requirements and priorities
- Coordinate dissemination of law enforcement information and intelligence “to the extent authorized by law”
- Coordinate efforts to prevent terrorist attacks
- Coordinate information among immigration agencies
- Coordinate investigative efforts dealing with terrorist attacks or threats

FPC 67, Acquisition of Alternate Facilities for Continuity of Operations (COOP)

FPC 66, Test, Training & Exercise (TT&E) Program for Continuity of Operations (COOP)

FPC 65, Federal Executive Branch Continuity of Operations, 26 Jul 99

d. Department of Defense Directives/Instructions

DODD 2000.12, DOD Antiterrorism/Force Protection Program, 13 Apr 99

DODI 2000.14, DOD Combating Terrorism Program Procedures, 15 Jun 94

DODD 2000.16, Antiterrorism Standards, 14 Jun 01

DODD 5105.68, Pentagon Force Protection Agency, 3 May 02

DODD 3025.1, Military Support to Civil Authorities (MSCA), 15 Jan 93

DODD 3025.12, Military Assistance for Civil Disturbances (MACDIS), 4 Feb 94

DODD 3025.15, Military Assistance to Civil Authorities (MACA), 18 Feb 97

DODD 5240.1, DOD Intelligence Activities, 25 Apr 98

DODD 5240.2, DOD Counterintelligence, 22 May 97

DODD 5525.5, DOD Cooperation with Civilian Law Enforcement Officials, 15 Jan 86–20 Dec 89

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DODD 3025.16, Military Emergency Preparedness Liaison Officer (EPLO) Program, 18 Dec 00

DODD 3020.36, NSEP, 2 Nov 86-12 Mar 93

DODD 3020.26, Continuity of Operations (COOP) Policy and Planning, 26 May 95

COOP requires the services to have the capability to continue mission-essential functions without unacceptable interruption during a national security emergency, including but not limited to, natural disaster, military attack, technological failures, civil unrest, or other disruptive conditions that seriously degrade or threaten the national security of the U.S

Implements the various statutes and executive directives regarding the use of military information, personnel and equipment in the domestic environment

Department instructions and regulations, as well as doctrinal documents dealing with operations in civil support are derivative from these authorities

Military domestic involvement is supportive, and provided after balancing factors including legality, use of force, safety, costs, appropriateness and impact on military readiness

e. Conclusions

The President has wide discretion on the use of the military in response to a domestic crisis. The law reflects national policy that law enforcement is primarily a civilian function. The law reflects the preference that domestic military operations occur at request of civilian authorities, recognizing there are unique military capabilities in certain areas. As Homeland Defense/Security Concepts evolve, careful consideration should be paid to:

Role of military in domestic crisis management given unique capabilities

Maintenance of limitations on domestic intelligence activities

Impact on readiness of increased use of military resources

VI. SCENARIOS

The following are presented as a means to generate thought on possible roles for the AF in securing the homeland and they are by no means all encompassing.

a. Civil Emergency

AF forces can be called on to perform a wide range of support to civil authorities. Actual AF participation has ranged from floods to fires to hurricanes. The 2002 fire season again presented the AF with an opportunity to assist civil authorities. During this season the AF Task Force Commander was able to use previous experience to mature the command relationships and command and control structure to make the operation run smoother. The lessons from this operation added significantly to our experience and help provide a model for future operations. (see the Civil Support White Paper).

b. Catastrophic Event

As we prepare to assist civil authorities in contingency operations, one of the worst scenarios we must plan for is the detonation of a weapon of mass destruction. However, AF involvement will not be much different from the worst of combat situations so we are well prepared to deal

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with these situations. The obvious difference is the conduct of operations at home and under the direction of a civilian lead federal agency.

c. Terrorist with WMD

Among the worst case scenarios is the case of a terrorist with a WMD. The terrorist could be located anywhere in the U.S., from a building in a metropolitan area to a remote valley in the mountains. In this case, the President could exercise his authority and order military support to a civilian agency (normally the Department of Justice). In that direct support role to DOJ, we may be called on to use almost any capability, including force, to control the situation. The Executive Branch of government should be responsible for doing the legal review on the use of military force so it should be transparent to the operator on the legality of a request from the LFA (DOJ). If the President deems the situation serious enough he can, for example, direct the use of AF surveillance assets to assess the situation or the use of deadly force from AF aircraft to contain the threat. In a national level emergency the President will use whatever level of force he deems necessary to control the situation.

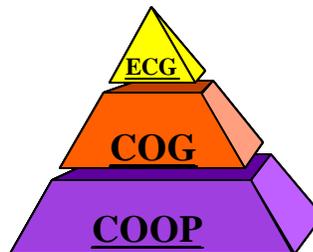
d. Catastrophic Attack

The U.S. has many enemies, both foreign and domestic, and we have become vulnerable to coordinated attacks. In extraordinary instances, the U.S. could come under a massive, asymmetric attack and the President may decide the situation is so grave that he designates DOD as the LFA for the emergency. In that case, the military will essentially assume a wartime posture to contain the situation but as soon as the emergency is contained the control should devolve to a civilian agency.

e. Continuity of Government (COG)

E.O 12656, Sec. 202 *Continuity of Government* states, "The head of each Federal department and agency shall ensure the continuity of essential functions in any national security emergency by providing for: succession to office and emergency delegation of authority".

DoD, as a federal agent develops plans and policies to support the continuity of government functions. These plans are a tiered to support the overarching program of Enduring Constitutional Government (ECG).



The survival of the Constitution (government) is the highest priority of the military. Almost all aspects of Continuity of Government plans are highly classified but AF planners are intimately involved in the process and are aware of the need for military involvement.

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f. Continuity of Operations – AF

DOD-level policies mandate continuity of operations (COOP) plans be developed and maintained to ensure essential functions continue unabated during national emergencies. These plans must integrate with and are required to support, overarching enduring constitutional government, continuity of the presidency, and continuity of government programs. Current guidelines require an “all hazards” approach to continuity planning covering any contingency from natural or man caused disasters to a general nuclear war. COOP plans are a larger response required to support the COG and ECG programs.

The plans for AF continuity of operations are also classified. Recent events demonstrated disruption of AF operations is not as unlikely than we may have thought. Survival of the AF is critical to the defense of the nation. As such, it is also crucial that each echelon of the AF understand their role to support continuation of AF mission essential functions. Each person within the AF should be prepared and know what actions to take when COOP is implemented.

AFI 10-208, Continuity of Operations (COOP) Program, provides guidance for developing programs to ensure continuity of essential operations of the Air Force during an impending or actual national emergency. It requires HQ USAF commands, to establish continuity of operations (COOP) programs and publish COOP plans. Headquarters, United States Air Force, major commands, direct reporting units and field operating agencies must possess a comprehensive and effective COOP program.

VII. CONCLUSION

Homeland security is one of the most visible issues facing the Air Force today. There are many initiatives working toward improving that security and a review of existing AF doctrine is one of them. Current doctrine details the application of air and space power at the operational level of war and it is applicable to most situations within the homeland as well as outside our borders. The belief that we should organize around an air expeditionary task force still holds true. Our beliefs on the best way to ‘put steel on target’ also hold true. The major difference is that in almost all cases the military will be in a direct support role to a U.S. Government civilian agency when performing homeland security. As such, we need to be cognizant that the Executive Branch will comply with the laws of the land when directing the application of military force.

Current doctrine is good but all doctrine must be continually reviewed and revised if needed. Our doctrine, capabilities and training for securing the homeland can be improved and this paper serves as a starting point for discussions on making those improvements.

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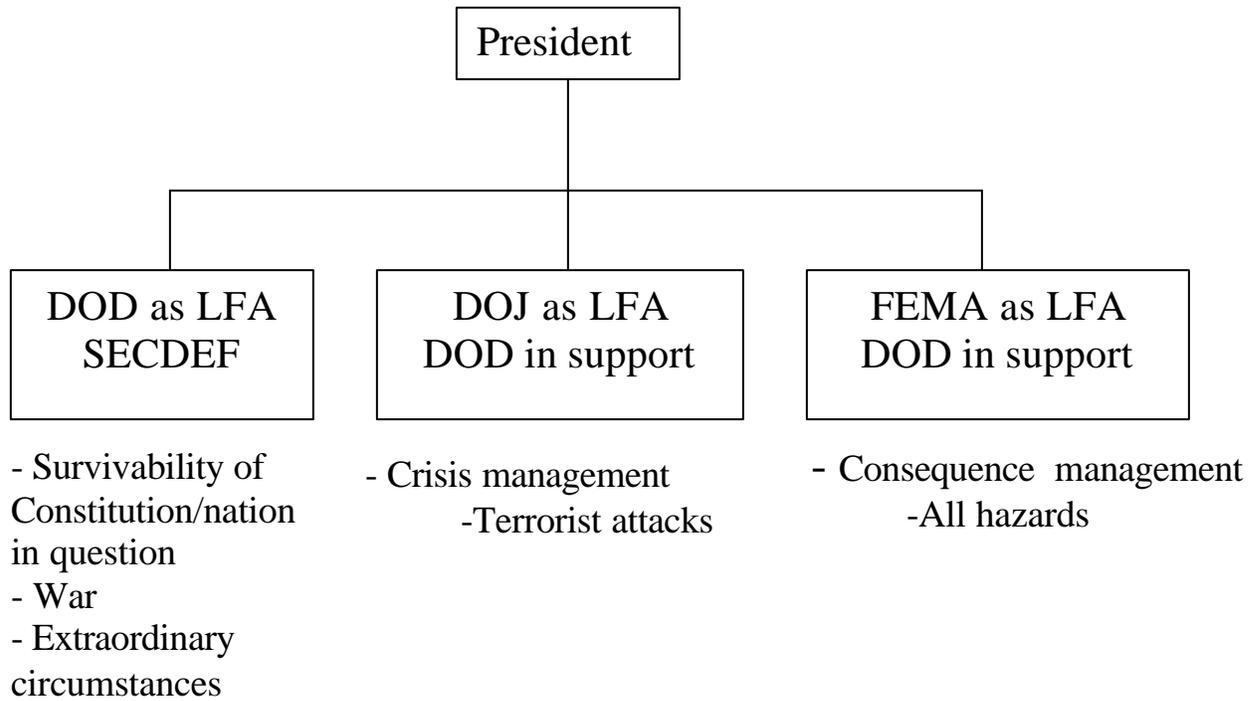


Figure 1. DOD as LFA and DOD as supporting agency.

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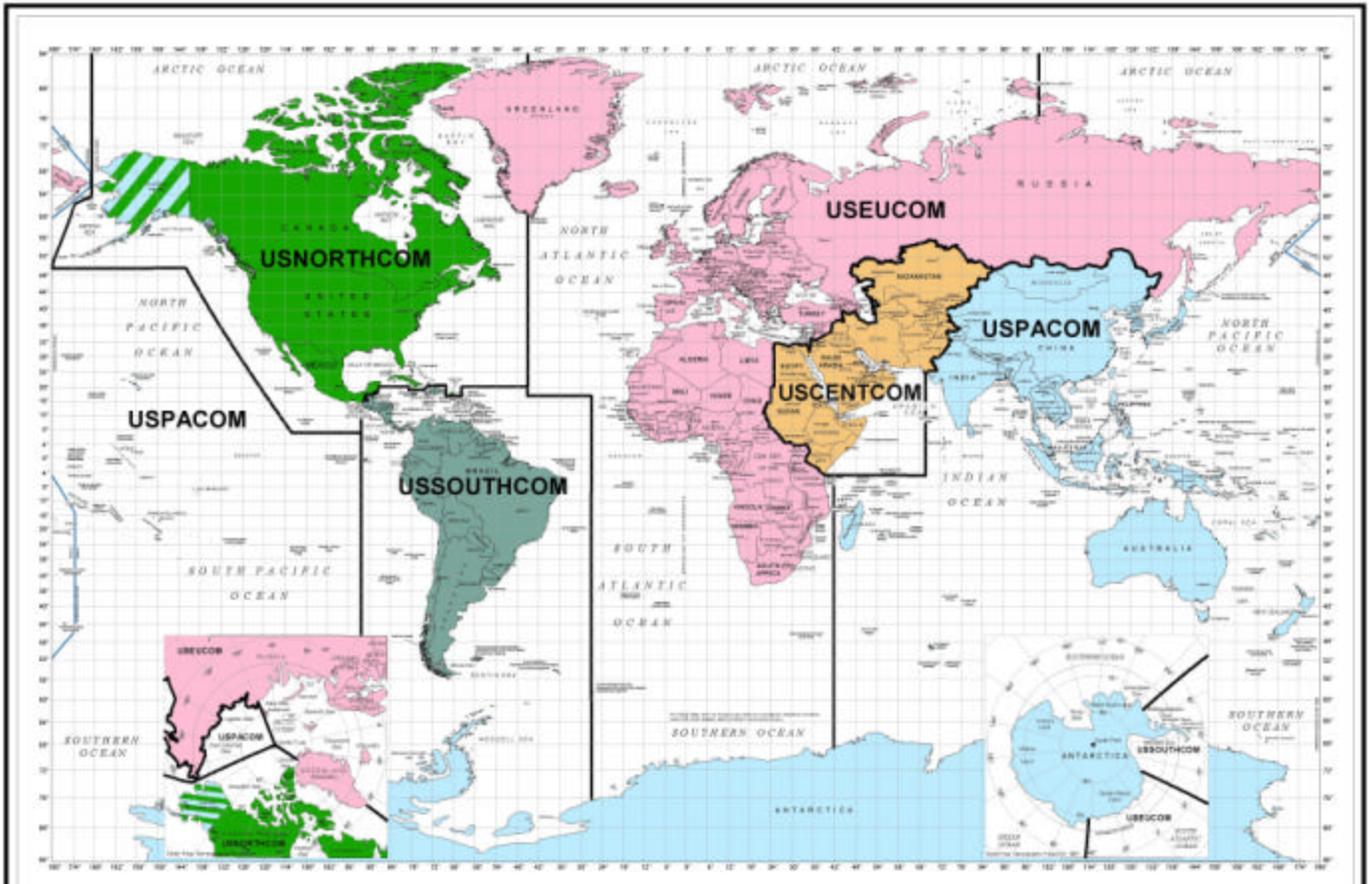


Figure 2. Unified Command Plan Areas of Responsibility.

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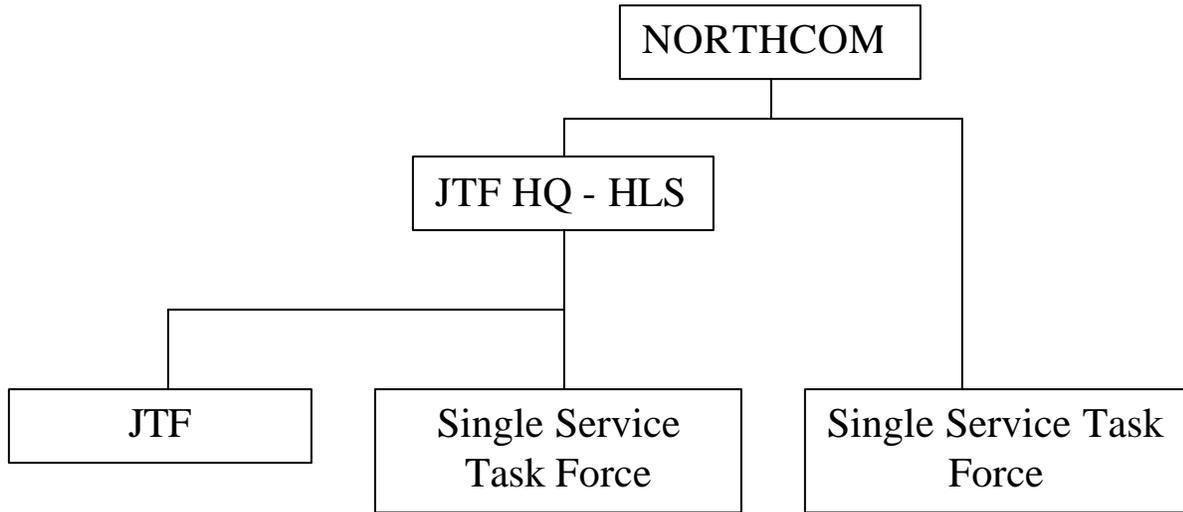


Figure 3. NORTHCOM and possible subordinate task forces.