

AIR FORCE DOCTRINE PUBLICATION 3-27

HOMELAND OPERATIONS



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“The Air Force organizes, trains, and equips forces to be an air component to a joint force commander (JFC). As part of the joint force’s air component, our forces must be prepared to accomplish JFC objectives. The air component commander’s administrative authorities are derived from Title 10, U.S. Code, and exercised as the commander, Air Force forces (COMAFFOR). The air component commander’s operational authorities are delegated from the JFC and exercised as both the COMAFFOR, over Air Force Forces, and as the functional joint force air component commander (JFACC), over joint air forces made available for tasking. Thus, the air component commander leads Air Force forces as the COMAFFOR and the JFC’s joint air operations as the JFACC. This duality of authorities is expressed in the axiom: Airmen work for Airmen and the senior Airman works for the JFC.”

-- Air Force Doctrine Publication (AFDP) 1, *The Air Force*

Since the COMAFFOR and JFACC are nearly always the same individual, this AFDP will use the term “air component commander” when referring to duties or functions that could be carried out by either or both, unless explicit use of the term “COMAFFOR” or “JFACC” is necessary for clarity.

CHAPTER 1: INTRODUCTION TO HOMELAND OPERATIONS

Homeland operations doctrine is constantly evolving. It should guide us to effectively organize and employ forces and help us re-learn the lessons of large-scale peer and near-peer conflict in contested environments. As we continuously improve our airpower capabilities and capacities, our ability to revolutionize homeland operations and incorporate new concepts and technologies will identify the new best practices that

Operating within the homeland is not the same as homeland operations. Though operating within the same geographic area of responsibility, Service Department activities undertaken to accomplish Title 10, U.S. Code responsibilities to organize, train and equip forces are not considered within the purview of the homeland operations construct.

shape future homeland operations doctrine. The competition continuum is always a consideration when determining the best practices for our Air Force; consideration of peer and near-peer competition is a continuing necessity for doctrine as the Air Force supports the joint fight. Every Airman is an innovator and is integral to this continuous development process – we must all connect, share, and learn together to succeed. Homeland operations in a contested environment against a peer adversary requires the air component to be more adaptive, resilient, and agile in its deployment and employment plans and leadership philosophies.

The greatest responsibility of the federal government is protecting the American people.¹ As such, great emphasis is placed on [homeland security](#)—a concerted national effort to prevent terrorist attacks within the US; reduce America’s vulnerability to terrorism, major disasters, and other emergencies; and minimize the damage and recover from attacks, major disasters, and other emergencies that do occur.² The Department of Defense (DOD) contributes to this aspect of national security by conducting [homeland defense](#) and [defense support of civil authorities](#) (DSCA), both supported by emergency preparedness. Homeland defense requires a greater weight of effort in this era of strategic competition, wherein the homeland is no longer a sanctuary. Homeland defense is the protection of US sovereignty, territory, domestic population, and critical defense infrastructure against external threats and aggression, or other threats as directed by the President.³

Homeland security is a national objective to protect the American people, the homeland, and the American way of life.⁴ The Air Force supports this objective via homeland operations. **For the Air Force, homeland operations is the overarching construct through which it supports homeland defense and DSCA. Homeland operations incorporate all operations planning and execution designed to detect, preempt, respond to, mitigate, and recover from the full spectrum of incidents and threats to**

¹ [Interim National Security Strategic Guidance](#), March 2021.

² [National Strategy for Homeland Security](#), October 2007.

³ Joint Publication (JP) 3-27, [Homeland Defense](#).

⁴ [Interim National Security Strategic Guidance](#) and the [National Health Security Strategy and Implementation Plan](#).

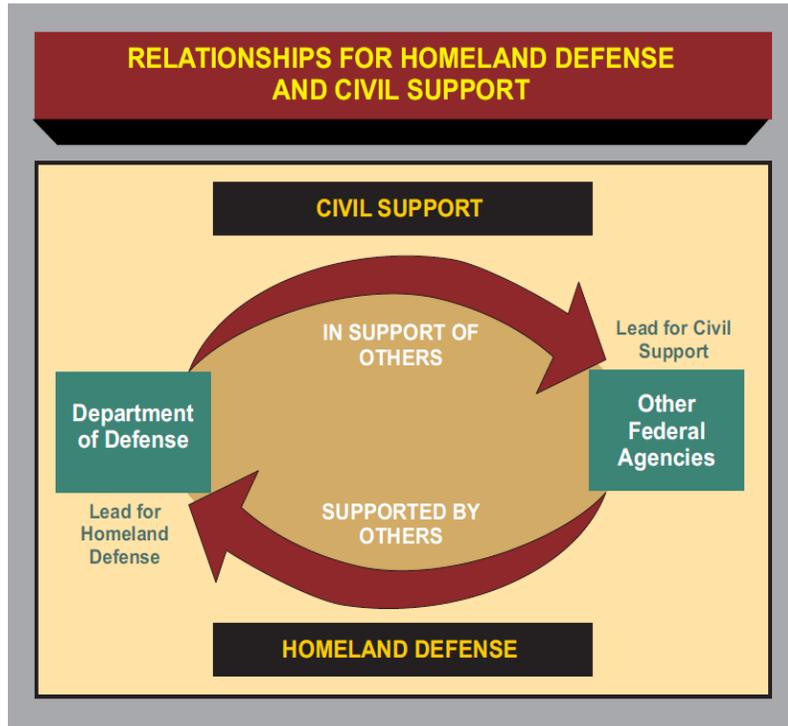
the homeland, whether manmade or natural. The geographic homeland boundaries include the 50 states, four territories, and numerous island possessions.⁵ The US also enjoys exclusive sovereignty 12 nautical miles out to sea and exercises responsibilities extending 200 nautical miles from the coast.⁶

HOMELAND OPERATIONS CONSTRUCT

A key distinction between homeland defense and DSCA is that in homeland defense, the DOD is the lead federal agency. In contrast, in DSCA, another federal organization, is the lead federal agency, with DOD acting in support (see figure, Relationships for homeland defense and DSCA).⁷

HOMELAND DEFENSE

Homeland defense is the protection of US sovereignty, territory, domestic population, and critical defense infrastructure against external threats and aggression or other threats as directed by the President.⁸



Relationships for homeland defense and DSCA

For the Air Force, homeland defense operations involve significant emphasis on counterair. Additionally, the Air Force supports special operations to locate, characterize, and secure weapons of mass destruction (WMD) before adversary use against the homeland.⁹ Likewise, Air Force cyberspace capabilities support and defend US assets when directed by the President. When defensive cyberspace operations are directed, [US Northern Command](#) (USNORTHCOM), [US Indo-Pacific Command](#) (USINDOPACOM), and [US Cyber Command \(USCYBERCOM\)](#), as part of DSCA, integrate cyberspace operations forces as required to defend US assets. In addition, USSF forces presented to USSPACECOM contribute to homeland defense by providing global satellite communication (SATCOM) and precise navigation and timing capabilities, as well as

⁵ See Title 48, U.S. Code, [Territories and Insular Possessions](#).

⁶ Consistent with the 1982 United Nations [Convention on the Law of the Sea](#), the United States has claimed a 12 nautical mile territorial sea and a 200 nautical mile exclusive economic zone.

⁷ JP 3-27, [Homeland Defense](#), and JP 3-28, [Defense Support of Civil Authorities](#).

⁸ JP 3-27.

⁹ JP 3-40, [Joint Countering Weapons of Mass Destruction](#).

missile warning and space surveillance in support of USNORTHCOM, [North American Aerospace Defense Command](#) (NORAD), and [US Strategic Command](#) (USSTRATCOM).

DEFENSE SUPPORT OF CIVIL AUTHORITIES

DSCA, often referred to as civil support, is support provided in response to requests for assistance from civil authorities, for domestic emergencies, law enforcement support, and other domestic activities, or from qualifying entities for special events.¹⁰ It includes military assistance for civil law enforcement operations in very limited circumstances. In all these missions, various federal, state, or local civilian agencies are responsible for managing a particular incident. The National Guard Bureau uses the term National Guard Civil Support, which it defines as the civil support provided to civil authorities by forces in State Active Duty (SAD) or Title 32 status.¹¹

Examples of DSCA Missions

DSCA missions may include support to the Department of Justice in preventing or defeating terrorist attacks, as well as aiding local agency response to natural disasters and terrorist use of chemical, biological, radiological, and nuclear weapons.

They can also include countering malicious cyber activity to safeguard US military command and control networks and supervisory control and data acquisition applications that directly affect critical infrastructure operability. While defensive cyberspace operations generally focus on the DOD Information Network, military cyberspace forces prepare to defend any US or other blue cyberspace when ordered.

DOD operations within the US are governed by law, including the [Posse Comitatus Act \(PCA\)](#), which prohibits use of the military for law enforcement purposes except as authorized by Congress or the US Constitution. For DSCA, the Air Force's involvement is supportive and dependent on a request to the DOD from the designated lead federal agency. The Secretary of Defense (SecDef) determines the scope of DSCA missions to ensure they do not interfere with higher priority missions. Unless directed by higher authority, Combat operations remain the highest priority for the Air Force and take precedence over noncombat operations. To comply with Homeland Security Presidential Directive 5, [Management of Domestic Incidents](#), Air Force organizations providing support to domestic emergencies should use the Air Force Incident Management System (AFIMS) structure. The AFIMS structure mirrors the [National Incident Management System](#) (NIMS) structure used by civil response agencies.¹²

When the SecDef approves the use of military forces to aid in a domestic incident, the corresponding combatant command (CCMD) establishes a command structure to

¹⁰ DOD Directive (DODD) 3025.18, *Defense Support of Civil Authorities (DSCA)*.

¹¹ Chief National Guard Bureau Instruction 3000.04, *National Guard Bureau Domestic Operations*.

¹² The National Incident Management System (NIMS) structure is outlined in the National Response Framework. For detailed information, see Department of the Air Force Instruction (DAFI) 10-2501, *Emergency Management Program*.

conduct the response and incorporate the appropriate Air Force response forces and capabilities. Air Force organizations use the AFIMS structure to organize response forces for compatibility and integration with domestic response organization incident management systems. As operations progress, military forces receive direction from civil authorities on how to respond; this continues until the emergency subsides.

EMERGENCY PREPAREDNESS

The Air Force includes emergency preparedness within homeland operations as an integral subset mission of both homeland defense and DSCA. Emergency preparedness is measures taken in advance of an emergency to reduce the loss of life and property, and to protect a nation's institutions from all types of hazards through a comprehensive emergency management program of preparedness, mitigation, response, and recovery.¹³

Homeland operations routinely involve a unique collaboration of federal, state, local, and tribal agencies, which present several challenges. These agencies may have different resources, levels of experience, and legal considerations. Regional partnerships should also be considered. The development of regional partnerships should be encouraged to increase interoperability and mitigate cross-organizational differences affecting collaborative efforts.

NATIONAL POLICY FOR HOMELAND SECURITY

As with any Air Force mission, the Service role in homeland operations is directed and guided by national policy. The Interim National Security Strategic Guidance provides the overarching national guidance for providing a safe and secure environment for the American people. It includes national-level priorities in pursuit of US security objectives. Two major documents further detail the DOD's role in homeland operations: the [National Response Framework](#) (NRF) and the [National Strategy for Homeland Security](#) (NSHS).

NATIONAL RESPONSE FRAMEWORK

The NRF is written primarily for government executives, private sector and nongovernmental organization leaders, and emergency management practitioners to guide how the nation conducts all-hazards response. Its intended audience includes senior elected and appointed leaders, federal department or agency heads, state governors, mayors, tribal leaders, and city or county officials—those responsible for providing an effective response. To ensure the nation is prepared, its leaders should have a baseline familiarity with the concepts and mechanics of the NRF

The NRF is built on scalable, flexible, and adaptable coordinating structures that align key roles and responsibilities across the nation. It describes specific authorities and best practices for managing incidents, ranging from high-impact local events to national-level catastrophic natural disasters and terrorist attacks. The term “response”, as used in the NRF, includes immediate actions to save lives, protect property and the environment, and meet basic human needs. Response also includes the execution of emergency plans and

¹³ JP 3-28, [Defense Support of Civil Authorities](#).

actions to support short-term recovery. The NRF is always in effect. Its elements can be implemented as needed, on a flexible, scalable basis to improve response.

The NRF defines the principles, roles, and structures that organize how the US responds as a nation. The NRF:

- ★ Describes how communities, tribes, states, the federal government, private sectors, and nongovernmental partners coordinate the national response.
- ★ Describes specific authorities and best practices for managing incidents.
- ★ Expands upon the NIMS, which provides a consistent template for managing incidents.

Typically, local authorities have the primary responsibility to deal with a catastrophic event's immediate consequences. State involvement is usually contingent on a request for support from local authorities. Because such authorities are reserved to the states by the 10th Amendment to the US Constitution, federal involvement in disaster response is normally contingent on a request for support. However, terrorist events, such as 9/11 or those preceded by substantial threat warnings, may involve overlapping authorities among local, state, and federal agencies. For acts or threats of terrorism in the US, the [Department of Justice](#), acting through the Federal Bureau of Investigation (FBI), is the lead agency.

Acts of terrorism, natural disasters, and accidents involving hazardous materials can stretch local and state emergency response resources to the limit and sometimes beyond. Though attempts are normally made to maintain local and state control of domestic incidents, attacks and disasters that threaten national security may fall under federal jurisdiction. Specifically, when national security is at stake, federal authorities lead the effort.

Importantly, incidents that require federal involvement at the state and local level bring with them the potential for friction between responding agencies. The involvement of numerous local, state, and federal agencies in homeland operations, each with a differing chain of command, can complicate response efforts. Just as they are in emergency preparedness, regional partnerships should be developed to increase interoperability and mitigate cross-organizational differences affecting collaborative efforts. Within this context, the DOD and Air Force should establish an integrated response capability to support these efforts and to conduct directed missions.

NATIONAL STRATEGY FOR HOMELAND SECURITY

The NSHS is designed to mobilize and organize the nation to secure the US homeland from terrorist attacks. The strategic objectives of homeland security and how the Air Force supports them are:

- ★ **Prevent and disrupt terrorist attacks.** To prevent attacks against the US, Air Force forces deter, detect, predict, plan for, and preempt threats to the homeland.

- ✦ **Protect the American people, critical infrastructure, and key resources.** Air Force operations can reduce America's vulnerability to terrorist attacks by air patrols over specific locations or resources. Examples include military support to law enforcement during special events or national special security events such as the Olympics, the Super Bowl, and Presidential movements. In addition, the Air Force places special emphasis on securing and safeguarding stockpiles of nuclear and conventional weapons and associated facilities, whether operationally deployed, in storage, in transit, or awaiting disposal.
- ✦ **Respond to and recover from incidents.** During DSCA operations, the Air Force provides critical support functions and resources, such as rapid deployment medical capabilities and civil engineer expertise. The Air Force has the ability to provide logistics at all levels of operations, from bare base to main operating base support.
- ✦ **Ongoing process improvement.** Proactive joint planning and training exercises with civil authorities are crucial to reduce the US's vulnerabilities and provide force protection in support of national security priorities.

It is now undeniable that the homeland is no longer a sanctuary. America is a target, whether from terrorists seeking to attack our citizens; malicious cyber activity against personal, commercial, or government infrastructure; or political and information subversion. New threats to commercial and military uses of space are emerging, while increasing digital connectivity of all aspects of life, business, government, and military creates significant vulnerabilities. During conflict, attacks against our critical defense, government, and economic infrastructure must be anticipated.

-- 2018 National Defense Strategy

USAF SUPPORT OF DEPARTMENT OF DEFENSE HOMELAND SECURITY

Within the United States, the NSHS envisions circumstances under which the DOD and, therefore, the Air Force would be involved in improving national security. Specific instances where the Air Force could play a key role include:

- ✦ **Air surveillance, airspace control alert, and direct air defense operations to defend US citizens and territory.** The extraordinary events of 9/11 increased steady-state air defense operations. Such operations have been normalized and are now adjusted as needed in response to known and perceived threats.
- ✦ **Cyberspace operations.** The DOD seeks to preempt, defeat, or deter malicious cyber activity targeting U.S. critical infrastructure that could cause a significant cyber incident regardless of whether that incident would impact DOD's warfighting readiness or capability. Its primary role in homeland defense is to defend forward by leveraging

its focus outward to stop threats before they reach their targets.¹⁴ Air Forces Cyber presents Airmen and Air Force capabilities to USCYBERCOM as the Air Force's contribution to cyberspace operations as a DOD cyberspace operations force.

- ★ **Quick response** in support of civilian agencies by providing forces and capabilities during an emergency such as an attack or natural disaster.
- ★ **Participation in limited scope missions** where other agencies have primary responsibility for security, such as at national special security events like the Olympics or the State of the Union address.
- ★ **Support to a joint task force or federal coordinating officer (FCO) under DSCA as a designated incident support base or base support installation.** Support may include use of the installation infrastructure, personnel, equipment, and ancillary resources.

AIR FORCE CAPABILITIES FOR DSCA

Most Air Force support to civil authorities will be in familiar roles such as airlifting supplies to affected areas or providing medical or engineering assistance to people in need. The list below is intended to provide examples of the breadth of capabilities the Air Force can bring to its DSCA role. It is not all-inclusive but conveys the large variety of responses to DSCA needs the Air Force can perform.

Examples of Air Force capabilities that may be requested in a domestic disaster or emergency include:

- ★ **Air mobility.** The Air Force may provide airlift to support local, state, DOD, or other federal agencies (e.g., aeromedical evacuation).
- ★ **Airbase opening and sustainment.** The Air Force provides air expeditionary task force (AETF) modules to open an airbase, provide command and control (C2), establish an airbase, operate an airbase, generate missions, and robust the airbase. These modules can be used to establish remote, abandoned, or inactive airfields with capabilities to accomplish an assigned mission; the capabilities can also be used to augment existing airfield facilities to handle the demands of a homeland security incident.
- ★ **Communications.** Deployable Air Force communications systems can provide worldwide, single-channel, secure voice and record communications, and secure on-site communications.
- ★ **Incident Awareness and Assessment.** Incident awareness and assessment (IAA) refers to the SecDef-approved use of DOD intelligence, surveillance, and reconnaissance and other intelligence capabilities for domestic, non-intelligence DSCA support. When a Title 10 DOD intelligence component asset or capability is needed for a non-intelligence activity, specific SecDef authorization is required for

¹⁴ [Summary, Department of Defense Cyber Strategy, 2018.](#)

both the mission and use. Intelligence oversight rules do not apply to non-intelligence activities. Rather, the SecDef authorization includes any restrictions on the forces or capabilities used in a domestic support operation. Examples of IAA capabilities include monitoring floodwaters and wildfires or assessing natural disasters.

Whether DOD intelligence components are conducting an intelligence activity or a non-intelligence activity, certain rules apply universally to data and imagery collected from overhead and airborne sensors. No intelligence activities should take place while conducting DSCA unless authorized by appropriate authorities per Executive Order 12333, *United States Intelligence Activities*; DOD Directive (DODD) 5240.01, *DOD Intelligence Activities*; DOD 5240.1-R, *Procedures Governing the Activities of DOD Intelligence Components that Affect United States Persons*; and DOD Manual 5240.01, *Procedures Governing the Conduct of DOD Intelligence Activities*. IAA missions should be conducted following an approved proper use memorandum or domestic imagery legal review. The servicing staff judge advocate and senior intelligence officer should be involved in discussing these missions.

- ★ **Investigative support.** Air Force Office of Special Investigations (AFOSI) can provide investigative expertise to support criminal investigations and counterintelligence services.
- ★ **Search and rescue.** Air Force assets can provide rapid response capability for search, transportation, insertion, and extraction functions in support of rescue activities and initial treatment of medical and other needs.
- ★ **Civil engineer support.** Air Force civil engineer forces are capable of rapidly responding to worldwide contingency operations. Capabilities include operation and maintenance of facilities and infrastructure, aircraft rescue and facility fire suppression, explosive ordnance disposal (EOD), and construction management of emergency repair activities. In addition, the emergency management program integrates preparedness, response, recovery, and mitigation activities in an all-hazards threat environment, helping commanders maintain and restore mission capability. EOD responds to all incidents involving military munitions and assists federal, state, and local law enforcement agencies with EOD matters when determined to be in the interest of public safety. EOD supports specialized [joint task force](#) (JTF) operations and hazardous materials response for incidents involving explosives. 10 U.S.C. 2692, *Storage, Treatment, and Disposal of Nondefense Toxic and Hazardous Materials*, prohibits introducing non-DOD hazardous material onto DOD installations.
- ★ **Health Services.** While primarily designed to meet wartime missions, Air Force Medical Service capabilities are easily adaptable for civil disaster response. Small, incremental packages of tailored medical capability can be rapidly deployed to meet immediate and short-term civilian requirements. Additional capabilities provide emergency response for chemical, biological, radiological, and nuclear incidents; environmental surveillance; and occupational health of personnel.

All requests from civilian agencies for DOD assistance are submitted to the Joint Staff/J33. Exceptions to this includes assistance provided under mutual aid agreements, in response to imminently serious conditions, or Federal Emergency Management Agency (FEMA) mission assignments. Joint Staff/J33 forwards requests to the Office of the Assistant Secretary of Defense (Homeland Defense and Global Security) (OASD [homeland defense & GS]) and the DOD Executive Secretariat for staffing. Decision authority is at the SecDef level. The Assistant Secretary of Defense (homeland defense & GS) has been delegated the authority to approve requests for certain forms of assistance. If appropriate, the Joint Staff/J33 will prepare an execution order for SecDef approval. If approved, the DOD provides support.

Regular Air Force Airmen and activated Reservists are always under the command of military commanders up through the SecDef and the President. When Air Force capabilities are provided to civil authorities, the relationship is similar to direct support provided by a military force in support of another. The same is true when Air National Guard (ANG) forces are federalized under Title 10, United States Code (U.S.C.). If in Title 32, U.S.C., or SAD status, National Guard forces operate under the command authority of the state's Adjutant General (TAG), who is responsible to the state governor. For Washington, DC, where there is no governor, the TAG reports to the Commanding General of the District of Columbia. Additionally, at SecDef request, a governor may direct the state's National Guard to support a federal mission or operation while in Title 32 status. Command authority to support such operations is established in a command arrangements agreement and exercised by a combatant commander (CCDR) through a dual-status commander.

CHAPTER 2: HOMELAND SECURITY RELATIONSHIPS

HOMELAND SECURITY ENVIRONMENT

Missions within homeland operations are normally accomplished either within a “whole of government” environment through an interagency process or a military structure. The complexity and basic premise of the interagency process for homeland operations and the potential for a surprise terrorist event on American soil differentiate operations in the homeland from traditional Air Force missions overseas. These differences affect how the Air Force organizes and presents forces.

DSCA may be provided to civil organizations through a variety of methods. The most visible means of providing DSCA, particularly when natural disasters occur, is when Air Force capabilities are provided to assist through the NRF, as authorized by the [Stafford Act](#). Importantly, the agreements or laws through which support requests are made shape how the DOD response occurs. For instance, the DOD, in compliance with public law, provides Air Force Reserve Command’s WC-130J “Hurricane Hunter” aircraft to CDRUSNORTHCOM or CDRUSINDOPACOM to support the Department of Commerce’s [National Oceanic and Atmospheric Administration](#) weather reconnaissance program. Another example is support, provided by C-130s equipped with modular airborne firefighting systems, to the National Interagency Fire Center through Economy Act agreements.

Consistent with Homeland Security Presidential Directive #5 and the NRF, overall coordination of federal response activities is implemented through the Secretary of the [Department of Homeland Security](#) (DHS). Other federal departments and agencies carry out their response authorities and responsibilities within this overarching construct. The DHS Secretary appoints a primary federal officer as the on-scene coordinator, the FCO. If DOD involvement is needed, the SecDef directs CDRUSNORTHCOM or CDRUSINDOPACOM, as appropriate, to activate the defense coordinating officer (DCO) as the single voice for the DOD.

The DCO is the SecDef point of contact for DOD response. Typically, an Air Force emergency preparedness liaison officer (EPLO) is deployed with the DCO to represent the Service to the DCO and assist in recommending Air Force capabilities to support the lead federal agency. For most major DSCA events, state National Guard EPLOs deploy to a state’s emergency operations centers or a Joint Force Headquarters-State (JFHQ-State) and can provide situational awareness to the air component commander.

The DCO’s role may vary depending on the scale of an event. The DCO, along with the defense coordinating element staff, coordinates DOD capabilities between the FCO and DOD. Additionally, the DCO may direct USNORTHCOM or USINDOPACOM Service component response efforts for a small event. If DOD involvement becomes extensive, CDRUSNORTHCOM or CDRUSINDOPACOM may establish a JTF or response task force that would receive operational control (OPCON) or tactical control (TACON) of forces. In this case, the DCO becomes the JTF or response task force commander’s liaison to federal agencies.

STATE AGENCIES

Each state has an agency comparable to FEMA designed to direct a response. During an incident, the C2 function is run by the state's emergency operations center, led by the Governor. Parallel to state government structures, each state's National Guard joint operations center (JOC) operates within the JFHQ-State. The JOC is led by the TAG, who reports to the Governor. This structure provides a close connection between a state's political and National Guard leadership. Other state agencies, including law enforcement and natural resource management, could also become involved. Other members of the emergency operations center/JOC include the NRF emergency support and joint staff functions.

Joint Force Headquarters-State. The National Guard may be the first military organization engaged at the state level in an incident area. Coordination or integration of the federal response with ongoing state operations supporting civil authorities is arranged through the state's JFHQ-State.¹⁵ Each JFHQ-State provides C2 of all National Guard forces in the state or territory for the governor, or in the case of the District of Columbia, the SecDef. The JFHQ-State ensures unity of command and effort for employed National Guard forces and provides an interface for the AETF. In coordination with JFHQ and state joint operation centers, the National Guard Coordination Center provides situational awareness and status information to the CCDR and other federal stakeholders as the "first line of situational awareness." Likewise, due to the National Guard's proximity and speed of response, CCDRs can leverage National Guard resources and capabilities, including existing C2 structures, into homeland operations.

To ensure proper state National Guard involvement in federal operations, the air component commander should coordinate with the National Guard Bureau before contacting a JFHQ-State to establish a working relationship. The air component commander may benefit by placing a liaison within a JFHQ-State or an appointed dual-status commander's staff. Once forces are attached to the air component commander, he or she can communicate directly with the attached forces.

JOINT AND MULTINATIONAL ENVIRONMENT

Joint or combined command structures have been used to execute the majority of recent military actions within the homeland, including Air Force homeland operations. Understanding partner roles and missions, as well as supported command direction, is paramount for successful actions.

Though all CCDRs contribute to defense of the homeland, USNORTHCOM, USINDOPACOM, and NORAD provide homeland defense in the US. USNORTHCOM and USINDOPACOM also accomplish DSCA.

USNORTHCOM. USNORTHCOM's mission is to conduct homeland defense within its assigned AOR, which includes the continental US, Alaska, Canada, Mexico, and parts of

¹⁵ For specific guidance, see AFTTP 3-2.67, [Multi-Service Tactics, Techniques, and Procedures for Defense Support of Civil Authorities](#).

the Caribbean. In addition, it conducts DSCA in the continental US, Alaska, Puerto Rico, and the US Virgin Islands. It may conduct the related mission of foreign disaster response in Mexico, Canada, and the Bahamas. The Air Force component to USNORTHCOM is First Air Force (1 AF), (Air Forces Northern [AFNORTH]).

Unlike other CCDRs with a designated AOR, there are Air Force forces permanently located within the boundaries of the USNORTHCOM AOR not assigned or attached to that CCMD. The multitude of commands operating within the US drives the need to deconflict roles, responsibilities, and missions. Successful actions have typically resulted from early planning engagements and understanding the supporting CCDR's role in relation to the supported CCDR using wide socialization of organizational structures and procedures, as well as continual information flow both vertically and horizontally. Importantly, CCDR force protection policies take precedence over all force protection policies for programs of any other DOD component deployed in that CCMD's AOR.

NORAD. NORAD and USNORTHCOM are separate commands, each charged with the critical mission of defending the United States and North America. NORAD is a binational command with the responsibility to provide aerospace warning, aerospace control, and maritime warning of the North American continent, specifically the CONUS, Alaska, Canada, Puerto Rico, and the US Virgin Islands. This also includes the air defense identification zones, the air approaches, maritime areas, internal navigable waterways, and the maritime approaches thereto. USNORTHCOM's AOR also encompasses a defined portion of North America with a broad spectrum of missions assigned in the Unified Command Plan (UCP). Deconflicting the NORAD, USNORTHCOM, and USINDOPACOM missions within the overlapping geographic areas is accomplished by SecDef orders and the UCP.

USINDOPACOM. USINDOPACOM's AOR includes Hawaii, the US territories of Guam and American Samoa, the Commonwealth of the Northern Marianas, and several smaller nations in free association with the US. These include the Federated States of Micronesia, the Marshall Islands, and the Republic of Palau. The Air Force component to USINDOPACOM is Pacific Air Forces (PACAF).

Partners and allies. Various other alliances may be a source of additional homeland defense support. For example, Article 5 of the [North Atlantic Treaty](#) states: "an armed attack against one or more of them in Europe or North America shall be considered an attack against them all." When the US was attacked on 11 September 2001, the North Atlantic Treaty Organization (NATO) invoked Article 5. It provided NATO Airborne Warning and Control System (AWACS) aircraft to help patrol US airspace and initiated Operation ACTIVE ENDEAVOUR as part of an antiterrorism effort.

SERVICE FORCE PROVIDER RESPONSIBILITY FOR ORGANIZING THE FORCE

The air component commander, in conjunction with the joint force commander, may create organizational templates during planning. They can be built within theater campaign plans and accompanying component support plans, concept plans, or standing operation orders as a starting point to establish organizational structures that can ease the transition to contingency operations and speed the overall deployment process.

These documents can then be refined during planning for particular contingencies or campaign branches and sequels (for example, if threatening weather is developing or there is an increased terrorist threat). Organizations tasked to provide forces should ensure responding forces are provided with appropriate administrative support.

1 AF (AFNORTH) is the Air Force component presented to USNORTHCOM. USNORTHCOM and 1 AF (AFNORTH) are assisted by NORAD. The NORAD focus is on three regions: Continental US NORAD Region (CONR), Alaskan NORAD Region (ANR), and Canadian NORAD Region (CANR). To achieve unity of effort, the 1 AF commander is also designated by USNORTHCOM as both commander and air component commander for AFNORTH and CONR, respectively.

Additionally, Alaskan Command, a subordinate unified command established by USNORTHCOM, is commanded by the 11th Air Force (11 AF) commander, who also serves in separate positions as the commander of both Alaskan Command and NORAD's ANR.

Beyond the organizations above, few standing organizations are in place to accomplish homeland operations. Since many homeland operations are in response to emergency or crisis-driven events, organizations such as 1 AF's (AFNORTH) 601 AOC are pre-established to cover response activities. Commanders should consider the establishment of additional organizations for the same purpose as conditions, threat, or situation warrants.

Below are other standing Air Force organizations that aid in homeland operations:

- ★ **National Security Emergency Preparedness Program (NSEP).** This 1 AF directorate is responsible for integrating DSCA mission considerations into contingency plans and exercise scenarios. They also coordinate mission requirements with CCMDs and civilian agencies for planning, training, and execution. During DSCA events, they provide trained EPLOs to represent the Air Force to the DCO and civilian agencies. To support USINDOPACOM, NSEP deploys EPLOs to Hawaii, Guam, and other US territories and commonwealths in the Pacific when required. 1 AF (AFNORTH) maintains OPCON of the EPLOs and transfers TACON to the DCO.¹⁶
- ★ **Civil Air Patrol/United States Air Force Auxiliary (CAP/AFAUX).** Civil Air Patrol (CAP) is a federally supported, congressionally chartered non-profit corporation that may be used as a civilian volunteer auxiliary of the Air Force. The Secretary of the Air Force (SECAF) can employ the CAP in its capacity as an Air Force auxiliary, in lieu of or to supplement Air Force resources, to fulfill Air Force noncombat programs and missions. 10 U.S.C. § 9492 identifies CAP as an auxiliary of the Air Force when its services are used by any department or agency in any branch of the federal government, including the Air Force. CAP is deemed an instrumentality of the United States while carrying out missions assigned by the SECAF and is required to comply

¹⁶ All Air Force EPLOs are reservists, and therefore Air Force Reserve Command may have administrative control depending on duty status.

with the PCA. CAP/AFAUX is not authorized to perform Air Force assigned missions outside of the United States, the Commonwealth of Puerto Rico, and the US Virgin Islands unless specifically authorized by the Deputy Chief of Staff of the Air Force for Operations (AF/A3), on behalf of the SECAF, or if certain criteria are met. USNORTHCOM or USINDOPACOM may request CAP assistance in support of DSCA during response and recovery operations and other federal operations.

CAP/AFAUX assets, much like the ANG, can be classified into two categories within the law, and can only be in one status at a time. The first category is Title 10, in which Air Force Auxiliary forces are deemed an instrumentality of the United States when carrying out non-combat missions assigned by the Secretary of the Air Force. The second category is Title 36, in which these same individuals and equipment operate in the CAP Corporate category as a federally sanctioned non-profit corporation.

-- derived from Titles 10 and 36, U.S.C.

- ★ **Air Force Rescue Coordination Center (AFRCC).** CDRUSNORTHCOM delegates mission coordinator responsibilities for day-to-day search and rescue (SAR) to the commander of Air Force forces (COMAFFOR), 1 AF [AFNORTH]/CC). The COMAFFOR, as JFACC, executes via the AFRCC located within the 1 AF (AFNORTH) 601st air operations center (AOC). According to the national SAR plan, the center coordinates all inland SAR responses within the CONUS. Duties include searching for missing/overdue aircraft, managing beacon alerts, and assisting states with their SAR missions. The AFRCC validates all requests and brokers federal assistance on an “ask, not task” basis to save lives and prevent undue suffering. Similarly, the 11 AF Rescue Coordination Center performs the same mission within Alaska. Under the National SAR plan, for the state of Hawaii and US territories and commonwealths within USINDOPACOM’s AOR, these functions are performed by the US Coast Guard.

HOMELAND SECURITY AUTHORITIES

FEDERAL AND STATE AUTHORITIES AND AIR FORCE INVOLVEMENT

The United States’ constitutional foundations of federalism and limited government place significant trust and responsibility in the capabilities of state and local governments to help protect the American people. These foundations are encapsulated in the 10th Amendment to the Constitution. State, local, and tribal governments provide first response to incidents through law enforcement, fire, public health, and emergency medical services. They play a prominent, frontline role in helping prevent terrorist attacks, as well as in preparing for and responding to a range of natural and manmade emergencies.

Specific federal laws affect Air Force personnel and operations in the homeland. The PCA and the Insurrection Act place limitations on Air Force forces; all Air Force personnel, regardless of status, should be aware of this information.

POSSE COMITATUS ACT, 18 U.S.C. § 1385.

The PCA does not apply outside of the homeland. However, for homeland operations within the US, except as expressly authorized by the Constitution or act of Congress, this federal statute, and associated legal precedent, limits the use of military personnel for civilian law enforcement duties. Specifically prohibited activities include search and seizure; arrest, apprehension, “stop-and-frisk” detentions, and or similar activities; surveillance; pursuit of individuals; or use of military personnel as undercover agents, informants, investigators, or interrogators. DOD Instruction 3025.21, [Defense Support of Civilian Law Enforcement Agencies](#), identifies several forms of assistance to civilian authorities, which are allowed under the PCA. Any use of federal forces to support law enforcement should be coordinated with the servicing staff judge advocate to ensure compliance with law and policy and approval at the appropriate level of command.

Exceptions to the PCA include but are not limited to:

- ★ Support to law enforcement agencies under 10 U.S.C., Chapter 15.
- ★ Protection of federal property.
- ★ Presidential directed support under the Insurrection Act (see below).
- ★ Emergencies involving WMD (10 U.S.C. § 282).
- ★ Prohibited transactions involving nuclear materials (18 U.S.C. § 831).
- ★ Counterintelligence support and other missions as approved by the President and the SecDef.

Opportune Law Enforcement Agency Support. If Air Force forces are used in a law enforcement role, they must comply with law and policy. Service force protection assets, such as Security Forces and AFOSI, may be called on for their expertise. Tactical level employment of these forces should be in accordance with their training. Intelligence forces and capabilities may also support law enforcement agencies. Unless information is acquired in an incidental manner, such support requires SecDef approval.¹⁷ Other support can also be provided (training, expert advice, etc.) per applicable authorities.¹⁸

[Chapter 15 of 10 U.S.C. \(§§ 271-282\).](#) This chapter addresses military support of civilian law enforcement agencies and provides statutory authority for specific types of military support of law enforcement. 10 U.S.C. § 275 directs the SecDef to promulgate regulations that prohibit “direct participation by a member of the Army, Navy, Air Force, or Marine

¹⁷ See DODD 5240.01, [DOD Intelligence Activities](#); DOD Instruction 3025.21, [Defense Support of Civilian Law Enforcement Agencies](#).

¹⁸ DODD 3025.18, [Defense Support of Civil Authorities \(DSCA\)](#).

Corps in a search, seizure, arrest, or other similar activity unless participation in such activity by such member is otherwise authorized by law.”

Insurrection Act, 10 U.S.C. §§ 251-255. These statutory provisions allow the President, at the request of a state governor or legislature, or unilaterally in some circumstances, to employ the armed forces to suppress insurrection against state authority, enforce federal laws, or suppress rebellion.

OTHER AUTHORITIES

Along with those command authorities already discussed, there are some other authoritative duties the air component commander should consider.

Airspace Coordination Authority (ACA). Unlike other areas where the air component commander is normally delegated airspace control authority by the JFC, the term airspace coordination authority or ACA is used in homeland operations.

The ACA is responsible for coordinating and deconflicting air traffic. This responsibility is almost always retained by the [Federal Aviation Administration](#) (FAA). All airspace planning is coordinated with and approved by the FAA. The FAA provides liaisons to USNORTHCOM and USINDOPACOM to collaborate and minimize conflicts during mission execution. If the FAA cannot uphold these responsibilities, the air component commander should be prepared to take over the ACA role. The President may transfer any function of the FAA through executive order to the DOD in a time of war.

Area Air Defense Commander (AADC). The AADC is responsible for defensive counterair (DCA) operations, including the integrated air defense system for the operational area. DCA and offensive counterair operations constitute the counterair mission, designed to attain and maintain the degree of control of the air desired by the JFC. The AADC develops, integrates, and distributes a JFC-approved joint area air defense plan in coordination with the component commanders.

Incident Awareness and Assessment. Various organizations, such as the [FBI](#), [National Counterterrorism Center](#), DHS, and state and local law enforcement can provide much of the required information. When authorized by the SecDef to conduct incident awareness and assessment, Services should coordinate with these agencies before collecting data independently.

COMMAND

Unity of command ensures concentration of effort for every objective under one responsible commander. This principle emphasizes that all efforts should be directed and coordinated toward a common objective. **Unity of effort** is critical during interagency operations and can best be achieved through consensus building. The main effort in interagency planning should be to develop a shared, detailed understanding of the situation. This understanding allows the various agencies to better determine how they can best apply their respective capabilities and measure success.

Aligning joint and combined commands and responsibilities with identified Service components achieves unity of effort, if not unity of command. When several senior level commands are operating within the same geospatial areas, arranging to have one Service component support all the different higher headquarters achieves unity of effort. Resourcing the Service component and enabling subordinate commands assists in maintaining unity of effort.

A standing command element combined with forces capable of response decreases response time. Events that prompt homeland defense or DSCA operations, such as natural disasters or terrorist attacks, often come with minimal or no warning. This lack of warning stands in contrast to the time typically available to posture and organize forces ahead of traditional combat operations. Likewise, natural disasters may occur simultaneously or consecutively without warning, and with cascading or compounding effects. As a result, homeland operations often require an immediate or near-immediate response. Some regions have ANG forces on standby and postured under the governor's authority to respond immediately to homeland operations requirements.

Quick Response through Standing Command Elements

When the alert fighters scrambled during the response to 9/11, the fact they were on alert and tied to a 24/7 chain of command allowed their response to be nearly instantaneous.



This rapid response was again demonstrated by Air Forces Northern through their staff and standing AOC in 2005 during the preparations for and the aftermath of Hurricanes Katrina and Rita.

Similarly, alert air forces assigned to the Alaskan NORAD Region are on 24/7 tasking from the combined AOC-Alaska to protect critical oil resources and the national missile defense sites in the remote Alaskan homeland.

These standing organizations provide the operational C2 capability necessary for homeland operations in the continental US, Alaska, and Asia-Pacific territories.

OPERATIONAL AND ADMINISTRATIVE CONTROL

When conducting homeland defense or DSCA under CCDR authority within the homeland, policy, doctrine, and law on command relationships, authorities, and responsibilities apply the same as they do to operations in any other AOR. Additionally, the ANG may conduct state-level homeland operations under the executive authority of a governor, with commensurate state command authorities.¹⁹

With several CCMDs, NORAD, the Department of the Air Force, and each state's ANG, all operating within the homeland, it is important to understand command relationships when forces are conducting homeland operations. Unity of command of Air Force forces,

¹⁹ ANG operations under gubernatorial control are often labeled Domestic Operations or DOMOPS. For purposes of this document, homeland operations include DOMOPS.

whether in Title 10 or Title 32, U.S.C., or SAD status in homeland operations, is maintained through the presentation of forces to the appropriate [JFC](#) at the [CCMD](#), subordinate joint task force, NORAD, incident command system, or state level. For purposes of unity of command and effort, forces conducting DSCA or homeland defense in the homeland are normally assigned or attached with specification of [OPCON](#) to either Commander (CDR) USNORTHCOM, USINDOPACOM, or for specified missions, to the NORAD commander. When personnel are attached to an Air Force Service component for homeland operations, detailed [administrative control](#) (ADCON) authorities to be exercised by the gaining commander should be specified in appropriate orders. The ADCON requirements associated with Air Reserve Component forces are complex and require legal consideration.

COMMAND ARRANGEMENTS AGREEMENTS

Command arrangement agreements (CAAs) establish procedures and delineate responsibilities between two or more CCDRs concerning mutual support, interface, and cooperation. The CAA between CDRUSNORTHCOM and CDRUSPACOM establishes the methodology under which transfer of forces between the two CCMDs is executed in support of homeland defense missions. Proper execution of command arrangements agreements is paramount to provide unity of effort in support of civil authorities across various jurisdictions. To ensure CAAs are formed and executed properly, they are established according to the following principles:

- ✦ The use of attached forces should be limited to specific missions or operations.
- ✦ Force roles, functions, and uses to accomplish missions or operations should be specified.
- ✦ Conditions of attachment should be established.
- ✦ The command authority specified in the CAA should define the nature, extent, and degree of control a CCDR and subordinate commanders have over forces in Title 32 status regarding operational aspects of directing forces and planning missions or operations.
- ✦ Administrative aspects of “command” are reserved to the nation, state, or Services.
- ✦ Agreements should be negotiated at senior levels of command and agreed to by appropriate executive agents, e.g., the SecDef or state governors.
- ✦ Agreements should be promulgated using or referring to relevant memoranda of agreement, doctrine, or other appropriate documents.

COMMAND OF AIR FORCE FORCES IN DIFFERENT LEGAL STATUSES

Airmen accomplish homeland defense and provide support to civil authorities under multiple laws and authorities, which may enable or restrict Airmen’s actions. The status of Airmen is commonly referred to by the legal authority under which they are authorized to perform their assigned missions.

These statuses are commonly grouped as:

- ✦ **[Title 10, U.S.C.](#)** Regular Air Force, Air Force Reserve, and Air National Guardsmen in federal active duty status operate in Title 10 status. In addition, under Title 10, the Civil Air Patrol is a volunteer civilian Air Force auxiliary. Forces operating under Title 10 are under the authority of the President as commander in chief.²⁰
- ✦ **[Title 5, U.S.C.](#)** Federal civilian employees, including air reserve technicians (ART) in civilian status, fall under Title 5. ARTs are full-time DOD civilian employees required to serve as members of the Air Force Reserve. They serve under Title 5 authority when in civilian status, and under Title 10 when serving as Reservists.
- ✦ **[Title 32, U.S.C.](#)** Air National Guardsmen may also be requested to accomplish federal activities, including DSCA and homeland defense, while remaining under the control of the governor. This circumstance is referred to as Title 32 status. They are under the authority of the state governor, but funding is provided by the federal government.²¹
- ✦ **State Active Duty.** When the governor of a state mobilizes the National Guard, state Air National Guardsmen are typically in SAD status. The governor exercises command over forces in SAD status through the state's TAG. Funding is provided by the state. SAD forces conduct state missions in accordance with state needs and within the guidelines of state laws and statutes.

ANG forces can be classified into three categories within the law. Except for dual-status command under [32 U.S.C. §§ 315](#) and [325](#) (see below) requiring approval of the President, they can only be in one status at a time. [Coordinating authority](#) allows the state governor to have ANG forces respond to the direction of a Title 10 commander. In such an arrangement, Guard forces remain under the authority of the governor, but coordination between the ANG commander and Title 10 commander (i.e., regular Air Force officer) is required to achieve unity of effort. Coordination challenges can be overcome through the use of command arrangements agreements.

Special considerations exist in determining command relationships when dealing with the ANG. **When federalized in Title 10 status for homeland operations, the COMAFFOR exercises OPCON of applicable ANG units and members.** ADCON for discipline, personnel support, and administration for these federalized units or ANG forces is routinely shared by the gaining command and the ANG Readiness Center. However, when fully mobilized, ADCON is transferred to the gaining command. While training for federal missions (Title 32 status), the commander of the providing command may exercise training and readiness oversight of ANG personnel, but not command. Command remains with state authorities. Guard members in Title 32 status fall under the authority of the state's TAG and, therefore, their governor. If Guard members operate in Title 32 status outside of their state, but within the US, authority remains with the TAG. However, it remains subject to any coordinating authority or state-to-state agreements, such as emergency management assistance compacts (EMAC). If no pre-negotiated

²⁰ 10 U.S.C.

²¹ 32 U.S.C., Chapter 1.

agreement exists, responsibilities should be coordinated between applicable commanders.

DUAL-STATUS COMMANDERS

A unique command relationship is usually established when federal and state forces operate together. The following information describes circumstances where regular Air Force and National Guard officers may be appointed to command both federal and state forces, pursuant to a command arrangements agreement, promulgated as a memorandum of agreement (MOA) between a governor and the SecDef (via delegated authority from the President). The intent of dual status command is to improve unity of effort for operations focused on a specific, temporary mission in which forces are in different legal statuses, and where having a single commander direct operations is advantageous.

- ★ **National Guard Dual-Status Commander.** Title 32 U.S.C. § 325 authorizes a federally recognized National Guard officer to exercise command on behalf of, and receive separate orders from, both a federal Title 10 and state chain of command simultaneously. If the President authorizes such service in both duty statuses, and the governor of the National Guard state or territory (or the Commanding General of the District of Columbia National Guard) consents to such service in both duty statuses, the National Guard officer is not relieved from duty in the National Guard.
- ★ **Regular Air Force Dual-Status Commander.** Title 32 U.S.C. § 315 authorizes a commissioned regular Air Force officer to exercise command on behalf of, and receive separate orders from, both a federal Title 10 and state chain of command simultaneously. The SECAF details the regular Air Force officer to duty with a state National Guard unit. With the President's permission, the officer may accept a commission in the National Guard without prejudicing his or her rank and without vacating the regular commission.

Upon approval of the dual status, the officer may be appointed to command both state and federal forces through distinct, separate chains of command. Before a dual-status command can be established, an MOA must be signed by the governor and the President or their respective designees. The MOA includes command arrangements as agreed to by the parties and is reviewed by judge advocates from both chains of command to ensure the concerns of both are addressed.

Forces assigned or attached to the dual-status commander are not in dual status. Federal forces can only be placed under the command of Title 10 authorities (e.g., COMAFFOR). In contrast, while operating in a Title 32 or SAD status, state forces can only be placed under the command of state authorities. **Although the dual-status commander is empowered to exercise command on behalf of, and may receive orders from, two separate chains of command, those chains of command must recognize and respect the dual-status commander's duty to exercise all authority in a mutually exclusive manner.** A dual status commander gives orders on behalf of, or relays orders from, the federal chain of command to federal military forces, and gives orders on behalf of, or relays orders from, the state chain of command to state military forces. Federal

orders are never given or relayed to state military forces, or state orders to federal military forces. In addition, the commander maintains separate federal and state staff to ensure the two chains of command remain separate and distinct.

Because the dual-status commander must comply with all applicable state and federal laws appropriate to the assigned mission while executing his or her duties, operational plans, execution orders, and command arrangements agreements should address procedures and processes for resolving potential conflicts in policy or process. If the dual-status commander perceives that orders provided by the state or federal chains of command may violate state or federal law or create a potential conflict of interest in policy or process, the commander should refrain from executing such orders and advise the state and federal chains of command and seek resolution.

COMMAND RELATIONSHIPS

Understanding command relationships is required to plan and execute homeland operations properly. The information below outlines the roles and responsibilities of relevant command elements.

COMBATANT COMMANDERS

Though Alaska is in the USNORTHCOM AOR, it is unique in that the forces in Alaska are under the [combatant command](#) (COCOM) of CDRUSINDOPACOM. One of PACAF's three numbered air forces, 11 AF employs the 611 AOC to support Alaskan Command and Alaskan NORAD region missions. This arrangement preserves unity of command and unity of effort in presenting Air Force forces to CDRUSNORTHCOM. If additional forces are needed to support a USNORTHCOM mission, the SecDef may direct attachment of forces from another command. USNORTHCOM has very few assigned forces. In most cases, the SecDef will attach Service retained forces, or forces from another CCMD.

In the area of homeland defense, [US Space Command](#) (USSPACECOM) may expect to be the supported command for DOD space operations. USSPACECOM is responsible for missile warning to the other CCDRs. In addition, it is tasked as a supporting command to NORAD, providing missile warning and space surveillance to further NORAD's North America aerospace warning mission. USSPACECOM also supports USNORTHCOM and USINDOPACOM if military operations are required to protect the homeland. 1 AF is designated as the Service component to USSPACECOM.

USSTRATCOM has global responsibility to assess missile attacks. Additionally, USSTRATCOM supports USNORTHCOM and USINDOPACOM if military operations are required to protect the homeland.

USCYBERCOM supports homeland defense through the DOD's Integrated Cyber Center, which supports the DHS National Cyber Security and Communications Integration Center.

[US Transportation Command](#) (USTRANSCOM) is the single manager for Title 10 transportation, providing common-user air, land, and sea transportation and terminal services to meet national security objectives. For homeland operations, USTRANSCOM will normally provide support. [Air Mobility Command](#) (AMC) is the air component to USTRANSCOM and the Air Force's manager for Title 10 air mobility. Its mission is to provide airlift, air refueling, special air missions, and aeromedical evacuation to support national objectives. These capabilities support humanitarian, homeland defense, DSCA, and other operations. AMC provides these capabilities to USTRANSCOM, and in turn, to other commands.

The commander, [US Special Operations Command](#) (CDRUSSOCOM), is responsible for planning, synchronizing, and executing global special operations against terrorist networks in coordination with other CCDRs. During homeland defense operations, CDRUSSOCOM may provide special operations forces and expertise to the commanders of USNORTHCOM and USINDOPACOM, as required.

NORTH AMERICAN AEROSPACE DEFENSE COMMAND

NORAD, as a binational command, has two chains of command. One goes to the Canadian Prime Minister and the other to the President of the United States. **Air Force forces conducting NORAD missions are attached with specification of OPCON to the NORAD commander. US forces made available for NORAD are assigned or attached to US Element NORAD in accordance with 10 U.S.C. § 162.** Because OPCON in the NORAD chain differs from US OPCON, commanders should consult with their staff judge advocates for clarification of responsibilities. Each region has a commander triple hatted as combined/joint force air component commander (C/JFACC), airspace coordination authority, and area air defense commander for executing NORAD missions. Alaskan NORAD Region and CONUS NORAD Region commanders do not routinely have OPCON over entire Air Force units; rather, once forces are attached, they have OPCON over specific personnel and assets conducting the NORAD mission. Under heightened operational situations, these commanders may have OPCON over entire units or portions thereof. NORAD air defense sectors execute [TACON](#) of DCA assets as designated in the regional air tasking order.

AIR EXPEDITIONARY TASK FORCE AND SUBORDINATE ORGANIZATIONS

If a domestic incident occurs, CDRUSNORTHCOM or CDRUSINDOPACOM may establish a JTF to provide C2 for the DOD response force. In such cases, just as in any other AOR, when Air Force forces are employed in support of CCMD homeland operations, the air component commander should establish and present forces as an AETF. An [AETF](#) provides the most efficient organizational basis for the Air Force to conduct operations in the homeland, and should include a command element with A-staff functions, an appropriately tailored AOC, and a clearly identified commander. The AETF commander, designated as the COMAFFOR, provides the single Air Force face to the JTF commander. For example, the 1 AF (AFNORTH) commander shares a relationship with state-level JTFs when they are stood up. 1 AF (AFNORTH) commander may use the 601 AOC or other organic capabilities to support state-level operations.

Upon direction, the 1 AF (AFNORTH) commander, as the theater air component commander, should be prepared to transfer forces to a JTF. In most cases, the 1 AF (AFNORTH) commander or designee is the COMAFFOR. In some situations, there may not be a need to attach Air Force forces to the JTF, in which case AFNORTH would likely perform direct support. In the USINDOPACOM AOR, the PACAF commander designates the COMAFFOR. In Alaska, where USNORTHCOM has responsibility for homeland security, but forces are under the COCOM of CDRUSINDOPACOM, PACAF provides the 11 AF commander as the COMAFFOR supporting USNORTHCOM's Alaskan Command.

Before an event, a pre-identified or standing command element can establish key relationships with interagency participants. In addition, the staff can be educated and trained on the interagency processes, the NRF, and other areas that add to the complexity of homeland operations. When employed for DSCA under the NRF, an AETF provides a C2 structure to the CCMD, NORAD, or an incident commander to achieve operational unity of command and unity of effort.

Regardless of the organizational model used, Airmen tend to be spread out during homeland operations, both geographically and organizationally. It is critical that Air Force leadership at all levels maintain accountability of—and full support to—their Airmen.

Multiple air component commanders may be appointed within the homeland, each assigned to a task- or event-specific JTF (e.g., JTF-Civil Support, JTF-North, and JTF-National Capital Region all operate within the homeland). Coordination among all JTFs should be considered when operations cross their respective operational areas. The air component commander (theater or JTF) should be aware of the multiple other JTFs and JTF-like entities in the interagency environment within the AOR and should establish relationships with them.

There may be instances in which the required military capability resides in a single Service. In such cases, the formation of a single Service task force may be appropriate. If the Air Force is tasked in this manner, it may establish an AETF. Due to established relationships and roles previously described, the AETF commander would not serve as the COMAFFOR but remain subordinate to the designated COMAFFOR. As in all other task forces, command arrangements are approved by the CCDR. For additional information, see AFDP 3-30, [Command and Control](#).

CHAPTER 3: HOMELAND OPERATIONS PLANNING, PREPARATION, AND RESPONSE

PLANNING

Planning and assessment are critical to success in any endeavor. All three phases require an understanding of the threat and the roles of various other government agencies. It is also important to understand the Air Force's role is broader than just air actions. The Service can employ a variety of other capabilities to support operations within the homeland.

Air Force forces (AFFOR) staffs and AOCs provide the full spectrum of planning and assessment in support of homeland operations. A specific AOC supports each homeland AOR, aligned by both CCMD and NORAD region. Geographically, USNORTHCOM is supported by 1 AF's (AFNORTH) 601 AOC, except for Alaska. Alaskan operations are run by Alaskan Command, supported by the 611 AOC. USINDOPACOM is supported by PACAF's 613 AOC for the Pacific region.²²

Additionally, each of these AOCs is supported by USTRANSCOM for air refueling, airlift, aeromedical evacuation, and specialized airlift missions. USTRANSCOM's air component provides this support via the 618 AOC (Tanker Airlift Control Center).

PLANNING CONSIDERATIONS

Command and Control. The defense of the homeland should primarily follow established warfighting doctrine. However, the command structure for homeland operations is more complex than in most AORs. As a result, C2 relationships should be emphasized in planning to ensure forces understand their chain of command and who they take orders from during certain events.

Alaska is an environment that requires C2 clarity. Air Force forces there are assigned to USINDOPACOM, while the defense of Alaska is a USNORTHCOM responsibility. Clarity of command is provided through Alaskan Command. Similarly, while Hawaii, Guam, and other US territories and commonwealths in the Pacific are a part of the homeland, the commander of USINDOPACOM is the CCDR responsible for those locations.

Interagency Cooperation. Many federal, state, and local agencies are involved when a domestic incident occurs. Air Force personnel should be aware of the different agencies to facilitate effective and efficient support. Except for homeland defense missions, a civilian agency will be in charge of the incident, and military assistance is similar to a direct support role.

Although the Air Force can provide many capabilities, there is often another service or agency better suited to a particular mission. For example, the Air Force can respond with chemical, biological, radiological, and nuclear response forces and medical teams.

²² NORAD assists the defense of Canada via CANR, supported by Canada's CANR AOC. The territories protected by PACAF's 613 AOC, such as Hawaii and Guam, do not fall within the auspices of NORAD and therefore do not have a parallel NORAD mission.

However, depending on the scenario, the [Centers for Disease Control and Prevention](#) may be the more appropriate federal agency to lead a response to a biological event.

The air component commander should have a clear understanding of the capabilities, shortfalls, and legal limitations on the use of forces. With a similar understanding of other agencies, the air component commander and staff can plan appropriately, assuring mission success by leveraging the strengths and weaknesses of all agencies and building strong peacetime relationships.

Lead Federal Agencies. A lead federal agency may be designated to lead and coordinate the overall federal response during an emergency or other event. Designation and responsibilities of a lead federal agency vary according to the type of emergency and the agency's statutory authority. Airmen should consider which agency could be designated as the lead federal agency when planning Air Force responses to potential scenarios. Planners should discern the legal charge and authorities of lead federal agencies to better understand how the air component commander can seamlessly employ Airmen to assist during an incident.

PREPARATION

Preparedness ensures Air Force readiness to defend the homeland. From terrorist attacks to natural disasters, events can occur with little or no warning. Terrorists attempt to hit quickly and decisively. Malicious cyber activity can degrade communications and temporarily cripple critical infrastructure. A natural disaster, such as a hurricane, can begin as an event believed to be controllable but rapidly spiral upward into one requiring significantly increased response needs. One of the best ways to mitigate those realities is to lean forward within the existing legal and policy framework. There are several options available for the Air Force to be prepared for an array of homeland events.

Specifically for homeland defense operations, [rules of engagement](#) (ROE) and [rules for the use of force](#) (RUF) should be well-established, rapidly executable, and clearly defined and understood for the full spectrum of potential response actions. RUF apply when DOD forces perform civil support missions and routine Service functions including force protection within the US and its territories or when DOD forces perform law enforcement or security duties within (when permitted by the PCA) or outside the US.

Commanders should establish and maintain a comprehensive and effective emergency management program. Preparation of standing orders provides for better readiness and faster response. These can include prepare-to-deploy orders, establishment of [direct liaison authorized](#) (DIRLAUTH) relationships or command relationships, and other responsibilities, all before an event occurs. They can also include force modules with unit type codes identified, sourced, and alerted to be ready for deployment within a certain notification window. DIRLAUTH allows subordinate echelons to establish relationships within the interagency community, crossflow information, and refine plans and potential support requests.

Similarly, concepts of operation help the air component prepare to act by documenting various processes, policies, and plans well before an event takes place. Air Combat

Command is the lead agent for the Air Force's homeland security concepts of operation. The previously discussed standing [C2](#) elements enable the air component to lean forward. Once identified, the air component commander and staff can become experts on the plans and policies affecting operations in the homeland that are substantially different than those impacting traditional operations.

In anticipation of being tasked during an actual emergency, Title 10 commanders can recall personnel, exercise mobility processes, palletize equipment, and accomplish other preparatory actions that minimize the response timeline. Existing rules prohibit the actual deployment of personnel until a written request has been made. Where an immediate response resulting from a civil emergency or attack is required to save lives, prevent human suffering, or mitigate great property damage, the initial request for assistance from a civil authority can be made orally or in writing. Civil authorities are informed that oral requests for assistance be followed by a written request that includes an offer to reimburse DOD at the earliest available opportunity.

EMERGENCY PREPAREDNESS

Many DOD planning efforts for homeland operations focus on DSCA and, more specifically, emergency preparedness. Air Force leaders charged with an emergency preparedness mission should anticipate the capabilities they may provide during an emergency and how best to prepare. Any Air Force capability, including intelligence capabilities, may be used in the DSCA context provided there is adherence to applicable federal law and there is no interference with military readiness or operations.

Local Preparations. Normal day-to-day preparation activities include the creation of MOUs/MOAs between military installation commanders and local municipal leaders for capability support. Military and civilian units should test the functionality of these agreements through local response exercises. Personnel should meet regularly to discuss relevant issues, such as training, manning, and funding. This communication also serves to maintain relationships between the base and the local community. Such partnerships can significantly reduce friction and increase effectiveness during an actual disaster response.

To ensure solid passive defense measures and allow a coordinated approach to installation and community protection, upgraded emergency preparedness planning and training are coupled with other efforts at the installation level, including counterterrorism, antiterrorism, critical infrastructure protection, mission assurance, and information assurance for Air Force infrastructure and personnel. Combining these protection measures with AFIMS and continuity of operations (COOP) planning gives local base offices the tools to respond to an event quickly, efficiently, and adequately. To sustain these efforts, networks of DOD installations should be integrated into the local community's preparation and response scheme with rapid detection, response, and incident management capabilities.

An installation may be identified as a support location. Air Force commanders may be called upon to provide support listed below:

- ✦ **Incident Support Base.** An extension of the national distribution system includes distribution centers and sites positioned to enable resource management and provisioning capability. When a DOD installation is selected as an incident support base, its purpose is to support the lead federal agency and supporting personnel and equipment. This ability is vital to ensure that resources are in or near the disaster impact area for immediate distribution upon direction from appropriate state and federal officials. These resources remain national assets until directed forward to distribution points where the state takes control.
- ✦ **Federal Team Staging Facility.** An installation or facility designated by the lead federal agency and used by a supporting agency to mass responding forces, when the full capabilities of an incident support base are not required.
- ✦ **Base Support Installation (BSI).** Normally a DOD installation with an airfield and suitable support facilities, the BSI is the domestic equivalent of a main operating base in other operational areas. It may be the aerial port of debarkation and may become the joint reception, staging, onward movement, and integration (JRSOI) facility for the joint forces. CDRUSNORTHCOM or CDRUSINDOPACOM designates the BSI after receiving concurrence of the owning military department Secretary. Not all states have a DOD facility capable of handling military or heavy commercial aircraft. Units should be prepared to conduct JRSOI from a civilian aerial port of debarkation and conduct further movement to a BSI or incident area.
- ✦ **Joint Reception, Staging, Onward Movement, and Integration.** JRSOI is the essential process that assembles forces (personnel, equipment, and materiel) arriving in theater into forces capable of meeting the CCDR's operational requirement. During JRSOI, responsibilities are delineated, communications frequencies are deconflicted, and incoming personnel are fed and housed before departure to forward areas. The reception process varies by mission but always provides accountability for personnel and equipment. Various briefings such as a local area orientation, safety, communications, and logistics support may be provided. Personnel should also be briefed on the chain of command, ROE/RUF, and any legal restrictions to operations.

State Preparations. At the JOC, the ANG determines its current capabilities based on its inventory of personnel and equipment and categorizes capabilities according to FEMA NRF emergency support functions. The ANG identifies "non-standard" equipment requirements for domestic responses based on the National Guard Empowerment Act of 2008 and the ANG domestic operations equipment requirements process. Each JOC is expected to have a thorough understanding of local agencies, their capabilities and limitations, and any local factors (terrain, weather, legal issues, etc.) that may impact their response. The JOC should serve as the focal point for local preparation and later federal involvement. Installation commanders should interact with their respective JOC to ensure proper local planning and response actions are coordinated.

Regional Preparations. Requests for state support should be made to the state coordination officer (SCO), typically at the state emergency operations center. The SCO coordinates with state agencies to determine the agency best suited to respond. An EMAC can exist between States. EMAC covers various disciplines, including law

enforcement, legal, fire, emergency medical service, and ANG capabilities. For example, [expeditionary medical support](#) (EMEDS) has a basic capability in every state. However, larger EMEDS bedded hospitals for ANG use reside on the east coast (Pennsylvania), central plains (Kansas), and west coast (Washington), providing support to the entire national system.

Federal Preparations. The NRF and annexes outline which agency will take the lead for various events and how authority transitions from one agency to another. FEMA also has standing plans which identify expected support from the DOD. These support requirements are pre-identified and prioritized to aid planning, training, and actual response efforts.

The air component staff should work with FEMA, the DCO and defense coordinating element, EPLOs, and related state JOCs to ensure proper integration of Air Force capabilities into response plans. Air component staff members should work through the state EPLO to assist states in developing disaster plans, identifying shortfalls, and gaining a clearer understanding of capabilities across all levels of government.

DOD-level policies mandates COOP plans be developed and maintained to ensure essential functions continue unabated during national emergencies, ensuring continuity of government at the federal level. These plans integrate with, and are required to support, the overarching and enduring constitutional government, continuity of the presidency, resilient C2 channels of communication, and continuity of government programs. Current guidelines require an all-hazards approach to continuity planning covering any contingency, from natural or manmade disasters to a general nuclear war. COOP plans support enduring Constitutional government programs.

Historical events indicate the disruption of Air Force operations is a distinct possibility. Accordingly, the Air Force maintains COOP plans and provides significant input into the threat assessment process. Survival of the Air Force is critical to the defense of the nation. Each echelon of the Air Force should understand its role in supporting Air Force mission essential functions. All Airmen should be prepared and know what actions to take when COOP is implemented.

Air Force Instruction 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. Headquarters Air Force, major commands, direct reporting units, and field operating agencies are required by DOD and Air Force guidance to possess a comprehensive and effective COOP program. All Air Force organizations are required to develop plans to ensure continuity of their essential functions, including alert and notification of personnel, movement of key personnel, and operational capability. To meet requirements and ensure continuity of missions, COOP plans should integrate force protection, information assurance, counterterrorism, antiterrorism, mission assurance, critical infrastructure protection, and other efforts, as required.

RESPONSE

IMMEDIATE RESPONSE

Imminently serious conditions resulting from a civil emergency or attack may require immediate action by military commanders (or responsible DOD agency officials) to save lives, prevent human suffering, or mitigate great property damage. When such conditions exist, and time does not permit prior approval from higher headquarters, local military commanders and responsible officials of other DOD agencies are authorized to take necessary action to respond to requests from civil authorities, with follow-on reporting up the appropriate command chain as soon as practicable.

INITIAL RESPONSE

The formal request for assistance process takes time. From the moment the initial request is sent to the DOD until military forces are on scene, critical time elapses that could result in significant human suffering and property damage. There are actions component commanders can take in the interim. The commanders of 1 AF (AFNORTH) and PACAF are dual-hatted as component commanders and the Air Force regional planning agents for DSCA in their respective AORs. 1 AF (AFNORTH) and PACAF staffs and designated operations centers play a central role in providing component-level initial support to civil authorities.

In general, to execute a component-level initial response effort, regional planning staffs should:

- ✦ Quickly establish lines of communication to facilitate requests for assistance and coordinate with the respective CDR and civil authorities through the assigned DCO and EPLO.
- ✦ Develop courses of action appropriate for Air Force support and response capabilities.
- ✦ Perform risk management, categorizing hazards and assigning risk controls to the appropriate level of leadership.
- ✦ Identify potential Air Force capabilities.
- ✦ Establish command and control structures for Air Force forces.
- ✦ Plan for the efficient hand-off to follow-on forces.

DEFENSE SUPPORT OF CIVIL AUTHORITIES

Many Air Force capabilities can provide rapid response to support civil authorities in domestic emergencies and disasters. Planning for and responding to these events should be a Total Force effort.

Installation commanders should plan for situations that may require assigned units to assist local authorities. They and their staffs should be aware of the various industries or other facilities in the surrounding community and should assess potential hazards or

threats these industries and facilities may pose to the installation. They should also determine what type of assistance each may require in an emergency.

Risk management is integral to any planning related to homeland operations. Installation commanders should also be aware of critical dependencies within the surrounding community. They should work with involved agencies to ensure the installation can continue minimum essential functions in an emergency. **Coordinated planning between the installation and the community is critical to a successful emergency response and should take into account the need to preserve the installation's ability to perform its mission and protect its forces when and where needed.** What occurs in the community may affect the installation's ability to perform its mission. In addition to providing support, Air Force installations should have plans and procedures to receive aid and assistance from DOD or civil agencies when needed.

Memoranda of agreement or understanding (MOAs/MOUs) with surrounding communities can clarify issues such as response procedures and capabilities and reimbursement of costs. MOAs and MOUs provide a means to answer numerous questions before a disaster or accident occurs and allow for planning as to how military units respond and what local authorities expect of them. Governors may also have EMACs.

Key agencies for planning include local fire, medical, and police forces. During off-base emergencies, the Air Force may be able to provide assistance fighting fires, treating the injured, evacuating buildings, and establishing cordons. However, these should not be confused with law enforcement actions.

The NRF contains detailed guidance and planning considerations and should be the primary reference in developing MOAs/MOUs. Refer to the NRF and consider the following when drafting an MOA/MOU:

- ✦ **Installation commanders may provide immediate response to save lives, prevent human suffering, or mitigate great property damage resulting from any civil emergency or attack.** Immediate response authority only applies when the local capability is overwhelmed, triggered by a request from civil authorities under imminently serious conditions, with no time to seek approval from higher authority. The requirement to employ forces under immediate response authority should be reassessed at least every 72 hours. Otherwise, SecDef approval is required before providing Air Force support. Commanders acting under immediate response authority must notify the joint director of military support through command channels. In cases other than immediate response, installation commanders should seek legal advice before providing support
- ✦ Circumstances should be identified under which mutual response will be requested and provided between the parties named in the memorandum. Circumstances vary from installation to installation depending on available capabilities of both on-base and off-base organizations and the types of industries in the community. Common examples of requested assistance are firefighting, explosive ordnance disposal, or hazardous materials handling.

- ★ Memoranda should include instructions that civil authorities can follow when requesting assistance to standardize request procedures and clarify requirements for military and civilian organizations involved.
- ★ Legal authority for DOD participation varies according to an incident's nature and severity, e.g., declaration of a major disaster, a request under the Economy Act, or a mutual aid request permitted by a specific regulation. These distinctions are important to ensure all parties understand when the MOA/MOU will apply and that DOD funds are expended properly.
- ★ Memoranda should include specific procedures to be used by responding units when reporting to the scene of an emergency. Procedures should specify how military organizations should integrate with the civil authorities. A section within an MOA/MOU should also include radio frequencies, how to obtain spectrum support, radio procedures, equipment requirements, personnel requirements, force protection requirements, etc.
- ★ A section within an MOA/MOU should provide instructions for tracking costs and requesting reimbursement.
- ★ An MOA/MOU should specify the minimum notification time before assistance is withdrawn, the maximum amount of time assistance can be provided, and procedures for transferring responsibilities to relief units.
- ★ To familiarize all parties with the command structure and the scenarios in which assistance might be rendered, MOAs/MOUs should incorporate procedures for conducting exercises.²³
- ★ For communities in which multiple DOD installations might respond, MOAs/MOUs should detail integration efforts aimed at providing a cohesive community support plan.

RESPONSE SCENARIOS

There are numerous incidents and scenarios that may warrant a DOD response. The list below is not exclusive. However, these scenarios are included to provide specific consideration for those listed.

National Special Security Events. Due to the potential for significant physical and psychological damage, terrorist attacks against highly visible, well-attended events can significantly impact our country. Adopted by DHS and the FBI, each organization follows the special event assessment rating (SEAR) system's methodology to provide situational awareness and determine additional support required. When designated by the Secretary of Homeland Security, per [18 U.S.C. § 3056](#), these events are called national special security events (NSSE).

²³ See Department of the Air Force Instruction 10-2501, [Emergency Management Program](#), for emergency management, off-base exercise, and coordination requirements with local communities.

Examples include the State of the Union Address and national political party conventions. Presidential Decision Directive 62, *Protection Against Unconventional Threats to the Homeland and Americans Overseas*, reaffirms the domestic lead agencies and their responsibilities. It outlines the roles and responsibilities of other federal agencies, including the Public Health Service, the Environmental Protection Agency, the [Department of Energy](#), the FBI, the [US Secret Service](#), the [Federal Emergency Management Agency](#), and others.

Air Force forces can provide a wide range of support, such as assisting with C2; performing air patrols; and providing medical support, military working dogs, logistical support, and response if a crisis occurs. Since many NSSE are vulnerable to air threats, an air sovereignty mission is expected.

Defense of Critical Infrastructure Assets. Certain infrastructure within the US is critical to the defense and normal function of the nation. If a disaster disrupts this infrastructure, it could cause grave damage. Examples include national missile defense sites, the National Capital Region, communications and networking infrastructure, and electrical generation plants. The DOD can be called on to help protect such installations from attack and respond if a disaster occurs. The Air Force should be prepared if it is called on to detect, preempt, respond to, mitigate, and recover from any potential threat to the nation's critical infrastructure.

Military Assistance to Civil Disturbances. The Insurrection Act is an exception to the normal prohibition of military forces performing direct law enforcement duties in the civilian communities. Under certain conditions, the President may invoke this act to employ DOD forces to help control a situation. If Air Force forces are employed, they should normally be trained and equipped to handle civil disturbances and operate under precise ROE/RUF. Since National Guard forces in state status and under the control of a governor do not have the same restrictions (for PCA purposes) as active duty forces, they may be the force of choice.

APPENDIX: NATIONAL POLICY AND LAW

The Air Force examines US policy, domestic law, and international obligations when planning homeland operations. There are two general points regarding homeland operations and the law:

First is the overall legal framework affecting the application of airpower in the homeland. There are restrictions on using the military to collect intelligence in the homeland. In addition, there are restrictions on using the military for civil law enforcement purposes, with exceptions. Some examples include the President's ability to invoke the Insurrection Act if needed and legislation permitting some use of the military in law enforcement roles to counter the influx of illegal narcotics.

Second is the law and its impact on potential financial reimbursement to the DOD. When managing the consequences of an event, states normally exercise primacy over domestic incidents. Only when they ask for federal assistance, or in extraordinary circumstances, will the federal government get involved. The request process is key for the military because, except for immediate emergencies, a formal request by the state followed by Presidential approval is necessary for the military Services to be reimbursed financially.

Because of the legal and policy complexities, prompt and frequent consultations with military legal experts are among the most important considerations in planning for and employing military assets. The homeland legal environment is very complex and dynamic. The following is a nonexclusive list of legal sources for homeland operations.

[Anti-Deficiency Act](#), 31 U.S.C. §§ 1341-42, 1511-19: This act generally prohibits the obligation or expenditure of appropriated funds in advance of, or in excess of, an appropriation by Congress.

[Defense Against Weapons of Mass Destruction Act](#), 50 U.S.C. Chapter 40: Requires DOD coordination with WMD response agencies. Authorizes DOD support to the Department of Justice when the SecDef and Attorney General jointly determine that a WMD threat exists, and civil authorities lack sufficient capabilities.

[Economy Act](#), 31 U.S.C. § 1535: This act governs the transfer of material between executive branch agencies within the federal government. The Economy Act does not apply to the transfer of material to non-federal law enforcement agencies. Reimbursement to the DOD from civilian law enforcement agencies is authorized under 10 U.S.C. § 277 to the extent such would be authorized under the Economy Act.

[Enforcement of the Laws to Restore Public Order Act](#), 10 U.S.C. §§ 251-255: These statutes authorize the use of military forces by presidential order in response to civil disturbances, including rebellion, insurgency, insurrection, or domestic violence such that the state authorities cannot or will not enforce state or federal law. The statutes permit the President to use federal forces in response to a request from a state or territory to enforce federal authority or to protect Constitutional rights. (See DOD Instruction 3025.21, [Defense Support of Civilian Law Enforcement Agencies](#))

Executive Order 12656, [Assignment of Emergency Preparedness Responsibilities](#):

The national security emergency preparedness policy of the United States is to have sufficient capabilities at all levels of government to meet essential defense and civilian needs during any national security emergency. A national security emergency is any occurrence, including natural disaster, military attack, terrorist attack, technological emergency, or other emergency that seriously degrades or seriously threatens the national security of the United States.

Executive Order 13228, [Establishing the Office of Homeland Security and the Homeland Security Council](#):

The Office of Homeland Security is headed by the Assistant to the President for Homeland Security. Its mission is to develop and coordinate the implementation of a comprehensive national strategy to secure the United States from terrorist threats or attacks. The office coordinates the executive branch's efforts to detect, prepare for, prevent, protect against, respond to, and recover from a terrorist attack within the US. Since the promulgation of this executive order, the DHS has been established as a cabinet department of the United States federal government.

[Foreign Intelligence Surveillance Act of 1978](#) and Amendments, 50 U.S.C. §§ 1801

et seq.: The Foreign Intelligence Surveillance Act (FISA) establishes a legal framework for foreign intelligence surveillance separate from ordinary law enforcement surveillance. It aims to regulate the collection of foreign intelligence information in furtherance of United States counterintelligence while protecting the privacy interests of United States citizens. Under FISA, surveillance is generally permitted based on a finding of probable cause that the surveillance target is a foreign power or an agent of a foreign power; in these cases, specific procedural processes must be adhered to.

[Homeland Security Act of 2002](#), 6 U.S.C. §§ 101 et seq.:

The Homeland Security Act established the DHS by combining and consolidating previously existing agencies, such as the [Coast Guard](#), [Transportation Security Administration](#), [Secret Service](#), Customs, and the Immigration and Naturalization Service, under one department. The DHS's mission is to prevent terrorist attacks within the United States, reduce the vulnerability of the United States to terrorism, minimize the damage, and assist in the recovery from terrorist attacks that occur within the United States. DHS also has responsibility for investigating and prosecuting terrorism.

[Military Cooperation with Civilian Law Enforcement Officials](#), 10 U.S.C. Chapter 15:

This chapter authorizes support to civilian law enforcement agencies and deal with the use of military information, equipment, facilities, and personnel.

- ★ **Military Information:** Information collected during the normal course of military operations may be forwarded to federal, state, or local law enforcement agency if the information is relevant to a violation of criminal law. While the needs of the law enforcement agency may be considered when scheduling routine missions, missions may not be planned for the primary purpose of aiding law enforcement agency.
- ★ **Intelligence:** The USA Patriot Act removed some of the legal obstacles to sharing information between law enforcement and intelligence components. Intelligence is a specialized activity governed by multiple Congressional statutes, Executive Orders,

and DOD Directives. (See EO 12333, [United States Intelligence Activities](#); DODD 5240.01, [DOD Intelligence Activities](#); and AFI 14-404, [Intelligence Oversight](#))

- ✦ **Military Equipment and Facilities:** Military equipment and facilities may be made available to law enforcement agencies, subject to certain restrictions. (See DOD Instruction 3025.21, [Defense Support of Civilian Law Enforcement Agencies](#)) Generally, military working dogs can be used to support civilian law enforcement agencies. (See DAFI 31-121, [Military Working Dog Program](#))
- ✦ **Military Personnel:** Except when authorized by statute or the Constitution, direct participation by military personnel in the execution or enforcement of the law is prohibited. Prohibited activities include interdiction, searches and seizures, arrests, and surveillance activities. Generally, the Air Force will not provide advanced military training to civilian law enforcement agencies. Permissible training includes basic marksmanship, patrolling, mission planning, medical, and survival skills. (See DOD Instruction 3025.21, [Defense Support of Civilian Law Enforcement Agencies](#))

National Defense Authorization Acts: Since 1991, Congress has annually renewed military support for counterdrug operations. Under this, the SecDef may authorize support to federal, state, local, or foreign law enforcement agencies if requested. Types of support include maintenance and repair of DOD equipment, transportation of personnel and supplies to facilitate counterdrug activities, counterdrug training activities, aerial and ground reconnaissance, and provision of support for C2 networks. [10 U.S.C. § 124](#) makes the DOD the lead federal agency for the detection and monitoring of aerial and maritime transit of illegal drugs into the US. [32 U.S.C. § 112](#) authorizes certain federal funding for the state counterdrug activities of the National Guard. 10 U.S.C., chapter 16, discusses the authority for most counterdrug operations.

[National Emergencies Act, 50 U.S.C. §§ 1601-1651:](#) This act establishes a process for presidential declarations of emergencies. These declarations must be published in the Federal Register, and Congress must review declarations every six months. Congress is also able to terminate these declarations. This act does not impact the President's Constitutional authority.

[Posse Comitatus Act, 18 U.S.C. § 1385:](#) The PCA prohibits the use of the Army, the Navy, the Marine Corps, the Air Force, or the Space Force for law enforcement purposes, except as authorized by Congress or the United States Constitution. Prohibited direct support includes arrests, searches, and seizures. In addition, any form of indirect support that would subject civilians to a regulatory, prescriptive, proscriptive, or compulsory use of DOD power is prohibited. The PCA does not apply to National Guard units in non-federal status.

- ✦ **Military Purpose:** The PCA does not prohibit direct support to law enforcement agencies if the primary purpose is to further a US military or foreign affairs function. Actions that serve a primarily military purpose include investigations taken pursuant to the Uniform Code of Military Justice or other military administrative proceedings and actions taken pursuant to a commander's inherent authority to protect military personnel, property, or guests or maintain order on an installation.

- ✦ **Emergency Authority:** The PCA does not prohibit direct support in emergencies when the action is taken under the inherent right of the US to preserve order and carry out government operations. During sudden or unexpected emergencies, responsible DOD officials or commanders may approve the use of military forces in a law enforcement capacity to prevent the loss of life or the wanton destruction of property or restore governmental functioning or order. This authority should be used with great caution and in extremely unusual situations.

Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121 et seq. (Stafford Act): The statutory authority for federal disaster assistance. The act provides procedures for declaring an emergency or major disaster and the type and amount of federal assistance available. The act authorizes the President to provide DOD assets for relief once a disaster is declared. After a presidential determination is made, DOD may use resources to “save lives, protect property,” and avert future threats (see DOD Directive 3025.18, [*Defense Support of Civil Authorities*](#)).
