

# CRS Report for Congress

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## Homeland Security: Establishment and Implementation of the United States Northern Command

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### Summary

The Department of Defense (DOD) established U.S. Northern Command (NORTHCOM) to fight terrorism at home. Significant organizational and procedural progress has been made in setting up this organization. However, questions remain concerning interagency relationships and information sharing. This report will be updated as events dictate.

### Introduction

On April 30, 2002, President Bush signed a new Department of Defense Unified Command Plan (UCP), which went into effect on October 1, 2002. Among other things, the UCP established the United States Northern Command (NORTHCOM) to provide command and control of the Department of Defense's (DOD) homeland defense efforts and to coordinate military support to civil authorities.

NORTHCOM's specific missions are to conduct operations to deter, prevent, and defeat threats and aggression aimed at the United States, its territories and interests within its assigned area of responsibility; and as directed by the President or the Secretary of Defense, provide military assistance to civil authorities, including immediate crisis and subsequent consequence management operations. The command's area of responsibility includes air, land, and sea approaches and encompasses the continental United States, Alaska, Canada, Mexico and the surrounding water out to approximately 500 nautical miles. It also includes the Gulf of Mexico, Puerto Rico, and the U.S. Virgin Islands. NORTHCOM is also responsible for security cooperation and coordination with Canada and Mexico.<sup>1</sup>

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<sup>1</sup> Prior to NORTHCOM's establishment, homeland defense efforts had been coordinated among four different combatant commanders. Joint Forces Command, Pacific Command, Southern Command, and the U.S. element of the North American Aerospace Defense Command (NORAD)

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There are three primary mechanisms by which DOD would take part in a Federal response to a domestic incident. Federal assistance, including DOD, would be provided: (1) at the direction of the President; (2) if the Secretary of Homeland Defense declares an event an Incident of National Significance; or (3) at the request of the Governor of the affected state in accordance with the Stafford Act (P.L. 93-288, as amended by P.L. 100-707). The second and third instances require a request for assistance and approval of the Secretary of Defense in order to obligate DOD assets to provide support.

## Organization

One of DOD's first challenges in establishing NORTHCOM was to determine how it would be organized. The decision was made to place their headquarters at Peterson Air Force Base, Colorado Springs, CO and to use four joint sub-units. The command is staffed by approximately 1,200 civilian employees and service members (active duty, guard, and reserve) from the Army, Navy, Air Force, Marine Corps, and Coast Guard.

At NORTHCOM's headquarters, tracking potential man-made and natural threats is the job of the Domestic Watch Center (DWC). The 70-plus military and civilian personnel are "the command's eyes and ears, detecting and assessing land and maritime threats and reporting them. When necessary, the DWC coordinates federal military support to assist civilian agencies in mitigating the after-effects."<sup>2</sup> For example, in September 2004, as Hurricane Ivan approached the U.S., the DWC arranged for 500 tractor-trailers loaded with ice, clean water, food, and other supplies to be pre-positioned out of harm's way, but as close as possible to expected storm areas.

The DWC and the Department of Homeland Security's (DHS) Homeland Security Operations Center (HSOC) maintained close communications. In accordance with a Memorandum of Agreement between DOD and the Department of Homeland Security (DHS), a DOD representative is on duty around the clock in the HSOC and maintains constant communication with the DWC to coordinate and exchange information.

**Standing Joint Force Headquarters North (SJFHQ-N)**. is based at Peterson Air Force Base, CO. SJFHQ-N maintains situational awareness of NORTHCOM's area of responsibility to allow rapid transition to a contingency response posture, and when directed, quickly deploys assets to support homeland defense and civil support operations. SJFHQ-N is a staff directorate of more than 50 personnel which relies on a cross-functional approach to integrate operations, planning, intelligence analysis, mobility and support functions, and information command and control.

**Joint Task Force North (JTF-N)**. is based at Biggs Army Airfield, Fort Bliss, TX. JTF-N is comprised of approximately 160 soldiers, sailors, airmen, marines, and civil servants. The task force aids federal law enforcement agencies protecting U.S. borders from transnational threats, which "include international terrorism, the proliferation of weapons of mass destruction, delivery systems for those weapons and

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<sup>1</sup> (...continued)

previously had separate responsibilities for aspects of the defense of the United States.

<sup>2</sup> Merrie Schilter-Lowe, "USNORTHCOM and NORAD - Partners in Defending the Homeland," *Homeland Defense Journal*, Vol. 2, Issue 11, December 2004.

organized crime.”<sup>3</sup> Additionally, JTF-N provides counter-drug support to federal, regional, state, and local law enforcement agencies throughout the continental United States. Task force operations include: fixed and rotary wing aircraft reconnaissance missions to locate drug operations; border detection missions to interdict drug smuggling; and engineering missions to build fences, lights, and roads.

**Joint Task Force Civil Support (JTF-CS)** is headquartered at Fort Monroe in Hampton, Virginia. The task force comprises of approximately 160 military and civilian personnel. Their mission is to provide command and control of DOD assets deployed to support the lead federal agency managing the consequences of a chemical, biological, radiological, nuclear or high-yield explosive incident in the U.S. or its territories and possessions. Additionally, when directed, JTF-CS provides support to civil authorities in response to natural disasters.

**Joint Force Headquarters National Capital Region (JFHQ-NCR)** is located at Fort Leslie J. McNair, in Washington, D.C. The headquarters is responsible for land-based homeland defense, military assistance to civil authorities, and consequence management in the national capital region. JFHQ-NCR brings together the resources from the approximately 5,200 service members from the Army, Navy, Air Force, Marine Corps, Coast Guard, and NORAD working across the capital region.

NORTHCOM also has agreements in place to take operational control of other standing joint organizations, such as Joint Task Force Alaska, Task Force East - Consequence Management, and Task Force West - Consequence Management. Operational control of such organizations can be transferred to NORTHCOM in the event of a specific threat or disaster.

## Interagency Relationships

To facilitate interagency relationships, NORTHCOM has created a Joint Interagency Coordination Group (JIACG). The JIACG currently consists of 46 agencies, including representatives from “the State and Transportation Departments, Central Intelligence Agency, Federal Emergency Management Agency, National Geospatial-Intelligence Agency, Federal Bureau of Investigation, Immigration and Customs Enforcement, Army Corps of Engineers, Geological Survey and Sandia National Laboratories.”<sup>4</sup>

The Department of Defense (DOD) and DHS have taken several steps to ensure coordination takes place at all levels of both organizations. At the national level, DOD assigns personnel to DHS in accordance with a Memorandum of Agreement between the two departments. The MOA, signed in September 2003, authorizes a total of 65 DOD personnel to work at DHS. NORTHCOM provides planning and liaison personnel to assist with national level plans for which DHS is the lead agency.

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<sup>3</sup> Cynthia De Pasquale, “NORTHCOM’s Counterdrug Task Force Adds Counterterrorism Mission,” *Homeland Defense Watch*, Vol. 3, No. 19, September 20, 2004.

<sup>4</sup> Harold Kennedy, “U.S. Northern Command Actively Enlisting Partners,” *National Defense*, Vol. 88, Issue 607, June 1, 2004.

Regionally, NORTHCOM has personnel permanently assigned to support DHS components and coordinate DOD support. An example of this is support to DHS for the counter-drug/counter-terrorism and maritime security operations. During an emergency response, NORTHCOM assigns senior military officers to the regional headquarters of the Federal Emergency Management Agency (FEMA) to coordinate DOD support.

At the local level, NORTHCOM assigns military officers to the operations centers of components of DHS to coordinate tactical operations. An example is DOD's response to the hurricanes in Florida in 2004. At the Secretary of Defense's discretion, NORTHCOM assigned senior military officers to FEMA's Disaster Field Office.

## **International Relationships**

NORTHCOM is also part of a binational planning group from the U.S. and Canada that is reviewing the more than 600 agreements between the two countries. The group is considering recommending the cooperative defense agreement be expanded beyond air and space to include the maritime domain. They will make their recommendations sometime in 2005.<sup>5</sup>

Mexican and U.S. forces regularly cooperate on anti-drug trafficking operations. NORTHCOM has begun what it describes as the process of building further ties with Mexico. NORTHCOM has held senior officer visits with Mexican counterparts, invited Mexican participation in exercises, and continues to work on security assistance issues.<sup>6</sup>

## **Training and Exercises**

Another way NORTHCOM is seeking to improve interagency relationships and communication is through training and exercises. NORTHCOM is a full participant in the National Exercise Program and regularly participated in DHS exercises. Numerous exercises are conducted each year at all levels to improve the effectiveness and efficiency of response.

Congressionally mandated Top Officials (TOPOFF) exercises are held annually. The next exercise, scheduled for April 2005, will take place in New Jersey and Connecticut. The exercises are intended to gauge readiness, test internal communications, and develop and reinforce relationships across all levels of government. NORTHCOM is actively participating in the planning and execution of TOPOFF exercises.

NORTHCOM also annually conducts two major exercises of its own. DHS and its components are active participants in both of these exercises. The NORTHCOM Commander has directed that the command will exercise with all 10 FEMA Regions in consequence management exercises. Between June 2003 and December 2004, NORTHCOM exercised with California, Texas, Virginia, Alabama, Alaska, Nevada,

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<sup>5</sup> Cynthia Di Pasquale, "NORAD Agreement Could widen in 2006 to Include Maritime Domain," *Inside the Air Force*, Vol. 15, No. 16, September 3, 2004.

<sup>6</sup> Cynthia De Pasquale, "NORTHCOM's Counterdrug Task Force Adds Counterterrorism Mission," *Homeland Defense Watch*, Vol. 3, No. 19, September 20, 2004.

Washington, and Illinois. At the regional level, NORTHCOM conducts an annual exercise called *Northern Edge*, in which they work with DHS components, generally below the national level. In 2005, the exercise will be a terrorist-based multi-agency, multi-jurisdictional exercise. Additionally, NORTHCOM's Joint Task Forces also conduct at least one regional and several Tactical Training Exercise/Seminar events each year with DHS components.

## Budget

The President's fiscal 2006 budget proposed an 11-percent increase to DOD's homeland security spending over fiscal 2005. Highlights of the proposal include funds for a new maritime domain awareness program, a program for DOD to share high-tech counterterrorism equipment with first responders, and a 40-percent increase in funds to defend against terrorist attacks and to back up first responders in the event of a disaster.<sup>7</sup>

## Issues for Congress

**Organization.** When NORTHCOM was first established, many expressed concern that there would not be large number of standing forces like other military combatant commands. However, like Joint Forces Command, it appears NORTHCOM's structure allows it to pull forces and capabilities across virtually the entire Defense Department. The advantage of this was demonstrated by the forces NORTHCOM was able to pre-position in anticipation of Hurricane Ivan as described earlier. Yet some remain concerned that growing operations tempo on units outside NORTHCOM may limit the resources available in a disaster or during an emergency. This could result in a need to re-examine NORTHCOM's organizational structure and actual availability of forces.

**Interagency Relationships.** While the effectiveness of NORTHCOM's own organizational structure appears to have been tested by real-world disaster responses, its interagency relationships have not. The most robust relationships built thus far appear to be at the national level. For example, since 9/11, procedures have been put in place where, if a Federal Aviation Administration (FAA) air traffic controller notices something out of the ordinary with a flight, they can speak directly to NORTHCOM. As a result, USAF fighters checked out over 1,500 suspicious flights since 9/11.<sup>8</sup> While NORTHCOM appears to be postured to more quickly respond to a 9/11-type attack, there are still issues to be resolved. During the June 2004 ceremonies marking President Reagan's death, the NORTHCOM Commander had to consider whether to order the shoot-down of an unidentified plane violating Washington, D.C. airspace. The FAA had given the plane overflight permission without telling the military.<sup>9</sup>

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<sup>7</sup> Caitlin Harrington, "Budget '06: DOD Gets Proposed Homeland Funding Boost — but Still Finishes Behind DHS," *CQ Homeland Security*, February 9, 2005.

<sup>8</sup> Adam J. Hebert, "Noble Eagle Without End," *Air Force Magazine*, Vol. 88, No. 2, February 2005.

<sup>9</sup> Amy Imse, "Eyes and Ears Protecting U.S. Borders; Created After 9/11, Northern Command Finds, Crushes Threats," *Rocky Mountain News*, November 8, 2004.

While NORTHCOM has worked closely with the FAA to successfully develop a more robust picture of air traffic within the continental U.S., they have not made the same headway in the maritime arena. Capabilities today cannot provide a good picture of what is happening at all times. Some are concerned that the agencies involved in providing maritime security have not all been identified and begun to talk together. Others contend that it is a technology issue that can be solved. For example, NORTHCOM is exploring the use of high-altitude airships to help create better maritime awareness. Such airships could help spot illegal or unidentified vessels before they near U.S. waters. They could also help verify data supplied in advance by legitimate foreign carriers.<sup>10</sup>

While many strides appear to have been made at the national level, relationships at state and local levels seem to be slower in being identified. These relationships will likely continue to be built as NORTHCOM exercises with new states and localities. Some observers have expressed that it is important that NORTHCOM continue to vary the states and localities it exercises with as opposed to using the same areas continuously. Others fear that this approach might only uncover similar high-level issues rather than allowing an in-depth review of how the organizations work together. One of the biggest concerns some analysts express is that most of NORTHCOM's interagency relationships have primarily been tested in exercise environments. Exercises allow for long lead times and communications between agencies before the scenarios actually begin. Some argue that this lead time can artificially create stronger communication than would likely exist in an emergency or disaster. As a result, the strength of the relationships and communication initiatives of NORTHCOM may not truly be known until they are tested in a real world event.

**Information Sharing.** As NORTHCOM continues to develop relationships, they are likely to continue to uncover problems with incompatible communications equipment and information technology systems. Some potential problems were highlighted by the Defense Science Board in 2004. Their concerns included: (1) new organizations, along with new and changing missions leave roles, responsibilities, and interfaces unresolved or immature; (2) some DOD organizations appear unclear on what information is required in the interagency arena for homeland security; (3) information sharing breakdowns, like the aircraft almost targeted for shoot-down during President Reagan's funeral ceremonies, are still occurring; and (4) current information sharing methods and processes are not scaleable and may be inadequate.<sup>11</sup> Some have recommended that nationally-directed standards or requirements may be the only way to ultimately solve incompatibility issues.

**Future Strategy.** DOD's Assistant Secretary for Homeland Defense is completing a 70-page "Strategy for Homeland Defense and Civil Support" strategy paper. It is expected to be published in early 2005.<sup>12</sup> Its publication could provide Congress the opportunity for a review of NORTHCOM's capabilities and challenges.

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<sup>10</sup> John M. Doyle, "NORTHCOM Looks at High-Altitude Airships for MDA," *Homeland Security & Defense*, Vol. 3, No. 42, October 20, 2004.

<sup>11</sup> Sharon Brooks Hodge, "DOD Urged to 'Fundamentally Rethink' Homeland Security Info Sharing," *Inside the Pentagon*, Vol. 20, No. 42, October 14, 2004.

<sup>12</sup> Rich Tuttle, "DOD Favors 'Maritime NORAD' Using Navy, Coast Guard Assets," *Homeland Security & Defense*, Vol. 3, No. 42, October 20, 2004.