

<b>REPORT DOCUMENTATION PAGE</b>			<i>Form Approved</i> <i>OMB No. 0704-0188</i>		
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<b>1. REPORT DATE (DD-MM-YYYY)</b> 16-05-2005		<b>2. REPORT TYPE</b> FINAL		<b>3. DATES COVERED (From - To)</b>	
<b>4. TITLE AND SUBTITLE</b> CONSIDERATIONS FOR THE U.S. NORTHERN COMMAND JOINT FORCES MARITIME COMPONENT COMMANDER			<b>5a. CONTRACT NUMBER</b>		
			<b>5b. GRANT NUMBER</b>		
			<b>5c. PROGRAM ELEMENT NUMBER</b>		
<b>6. AUTHOR(S)</b> VALECRUZ, BENEDICT-JOSE B. CDR, USN			<b>5d. PROJECT NUMBER</b>		
			<b>5e. TASK NUMBER</b>		
			<b>5f. WORK UNIT NUMBER</b>		
<b>7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES)</b> JOINT MILITARY OPERATIONS DEPARTMENT NAVAL WAR COLLEGE 686 CUSHING RD NEWPORT, RI 02841-1207			<b>8. PERFORMING ORGANIZATION REPORT</b>		
<b>9. SPONSORING / MONITORING AGENCY NAME(S) AND ADDRESS(ES)</b>			<b>10. SPONSOR/MONITOR'S ACRONYM(S)</b>		
			<b>11. SPONSOR/MONITOR'S REPORT NUMBER(S)</b>		
<b>12. DISTRIBUTION / AVAILABILITY STATEMENT</b> Distribution Statement A: Approved for public release; Distribution is limited.					
<b>13. SUPPLEMENTARY NOTES</b> A paper submitted to the Faculty of the Naval War College in partial satisfaction of the requirements of the Department of Joint Military Operations. The contents of this paper reflect my own personal views and are not necessarily endorsed by the Naval War College or the Department of the Navy.					
<b>14. ABSTRACT</b> Fleet Forces Command has been faced with the challenge of developing doctrine for the joint forces maritime component commander while serving as Northern Command's maritime component commander with primary responsibility for maritime homeland defense. Since the February 2002 Joint Staff requirement for the establishment of JFMCC doctrine, TACMEMO 3-32-03 has been published. This document, as well as the draft JP 3-32 Command and Control for Joint Maritime Operations, have limited relevance to the NORTHCOM JFMCC. Instead, joint publications such as JP 3-26 Joint Doctrine for Homeland Security and JP 3-08 Interagency Coordination During Joint Operations have greater relevance. The NORTHCOM JFMCC is one of many entities in the mission of maritime homeland defense and security. It must leverage the unique capabilities of numerous agencies, especially those under the Department of Homeland Security, and in many ways will be required to play a supporting vice supported role.					
<b>15. SUBJECT TERMS</b> Maritime Homeland Defense, Homeland Security, JFMCC, Interagency coordination, U.S. Coast Guard, DHS, JFACC, Maritime Tasking Order					
<b>16. SECURITY CLASSIFICATION OF:</b>			<b>17. LIMITATION OF ABSTRACT</b>	<b>18. NUMBER OF PAGES</b> 16 Body 23 Total	<b>19a. NAME OF RESPONSIBLE PERSON</b> Chairman, JMO Dept
<b>a. REPORT</b> UNCLASSIFIED	<b>b. ABSTRACT</b> UNCLASSIFIED	<b>c. THIS PAGE</b> UNCLASSIFIED			<b>19b. TELEPHONE NUMBER (include area code)</b> 401-841-3556

**NAVAL WAR COLLEGE  
Newport, R.I.**

**Considerations for the U.S. Northern Command Joint Forces Maritime Component  
Commander**

**By**

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**A paper submitted to the Faculty of the Naval War College in partial satisfaction of the requirements of the Department of Joint Military Operations.**

**The contents of this paper reflect my own personal views and are not necessarily endorsed by the Naval War College or the Department of the Navy.**

**Signature: \_\_\_\_\_**

**16 May 2005**

## **Considerations for the U.S. Northern Command Joint Forces Maritime Component Commander**

But there is an overriding and urgent mission here in America today, and that's to protect our homeland. We have been called into action, and we've got to act.

*- President George W. Bush  
July 10, 2002*

### **Introduction**

In the past three years Under Secretary of Defense John McHale has provided testimony to congress regarding the status of Department of Defense (DOD) efforts in homeland defense. In his statement to Congress on March 15, 2005 Secretary McHale lauds the progress that the DOD has made in coordinating with the Department of Homeland Security (DHS) and underscores DOD contributions to supporting civil authorities.<sup>1</sup> Yet, at a National Defense Industrial conference, he also stated that the "Department of Defense is lagging behind with its plans and allocation of resources to defend the U.S. waterways"<sup>2</sup>

There has also been a lag in establishing joint doctrine for the joint forces maritime component commander (JFMCC). Evidence of this is seen by the challenges which the U.S. Northern Command's (NORTHCOM) JFMCC has had in finalizing initial execution orders and concept plans for maritime homeland defense. With the establishment of NORTHCOM in October of 2002, Commander Fleet Forces Command (CFFC) was designated NORTHCOM's JFMCC. It was anticipated that NORTHCOM would be fully operational by October 2003.<sup>3</sup> A February 2005 Congressional Research Service report states that regarding air defense NORTHCOM has made significant headway but has not done the same with the maritime arena.<sup>4</sup> In addition to developing plans for maritime homeland defense CFFC was

concurrently tasked with developing overall doctrine for the joint forces maritime component commander.

It is my thesis that the NORTHCOM JFMCC's mission of homeland maritime defense is heavily influenced by requirements for interagency coordination and unique implications imposed by its domestic area of responsibility (AOR). New and forthcoming joint maritime doctrine can serve only as a basic guideline for planning and execution of operations in the NORTHCOM AOR. Coordination and parallel planning with agencies of the DHS and as well as other regional combatant commanders will be a predominant NORTHCOM JFMCC requirement.

### **What is the Mission?**

What is the NORTHCOM JFMCC's mission? This is important to answer in order to provide a basis for operational planning in NORTHCOM's unique domestic AOR. This is especially important since there are other U.S. government agencies also charged with protecting the homeland. DOD/NORTHCOM is responsible for homeland "defense" and DHS is responsible for homeland "security." In determining the span of each department's mission the terms must be defined. NORTHCOM's website attempts to explain the differences between the two:

- Homeland *defense* is the protection of U.S. territory, domestic population and critical infrastructure against military attacks emanating from outside the United States.
- Homeland *security* is the prevention, preemption, and deterrence of, and defense against, aggression targeted at U.S. territory, sovereignty, domestic population, and infrastructure as well as the management of the consequences of such aggression and other domestic emergencies.

Yet, NORTHCOM, as a DOD combatant commander also states that its primary missions are:

- Conduct operations to deter, prevent, and defeat threats and aggression aimed at the United States, its territories, and interests within the assigned area of responsibility.
- As directed by the President or Secretary of Defense, provide military assistance to civil authorities including consequence management operations.<sup>5</sup>

Much of NORTHCOM's primary mission statement contains terms such as "deter" and "prevent" which are reflected in its own definition of homeland *security*. One key distinction is that in the defense mission the threat is from attacks emanating from outside the United States. Therefore, a threat not emanating from foreign territory would be a matter for homeland security. However, threats not emanating from foreign territory and not deemed to be a homeland defense mission by higher authority will still require NORTHCOM to be prepared to take action under its second mission of providing military assistance and civil support. The development of plans by the NORTHCOM JFMCC must encompass courses of action both as a supported agency and, perhaps more so, courses of action as a supporting agency.

The draft *Strategy for Homeland Defense and Civil Support* concedes that Cold War threats such as submarines and long range bombers remain but that future adversaries will employ asymmetric means to challenge the United States.<sup>6</sup> Thus, the missions of homeland defense and homeland security both focus on preventing and defeating the same threat, the asymmetric terrorism. In facing threats in the maritime arena, the main DHS lead federal agency which NORTHCOM's JFMCC must work with is the U.S. Coast Guard.<sup>7</sup>

### **Layered Maritime Homeland Defense**

*United States Northern Command Concept of Operations* defines a three layered defense concept consisting of what it delineates as forward regions, approaches, and the homeland. NORTHCOM's AOR encompasses what would primarily be considered the approaches and the homeland layers of this defense concept.<sup>8</sup>

Following are two major considerations for the NORTHCOM JFMCC in having responsibility in these two layers. First, NORTHCOM's AOR is adjacent to three other regional combatant commanders' AORs. These regional combatant commands are Pacific Command (PACOM), Southern Command (SOUTHCOM), and European Command (EUCOM).<sup>9</sup> These combatant commanders have responsibility for threats from the layer defined as the forward regions. Therefore, homeland defense expands beyond NORTHCOM's AOR and these regional combatant commanders will play a key role in supporting NORTHCOM's maritime homeland defense mission. Coordination in information sharing and seamless turnover of responsibilities for tracking potential threats crossing between AORs will be important. Furthermore, in defending the approaches to the United States maritime assets under operational control of NORTHCOM may have to operate in and around the AORs of the adjacent combatant commanders. This will also require close coordination and unambiguous direction with regard to command and control between NORTHCOM and the respective combatant commanders.

Secondly, within the homeland layer, U.S. Navy assets are limited in their scope of actions due to the Posse Comitatus Act. Under DOD policy regarding Posse Comitatus the military is prohibited from conducting acts of law enforcement within U.S. territory. For naval assets these activities may include stopping, boarding, and inspecting vessels within U.S. territorial seas. There are exceptions to when these types of law enforcement acts are authorized such as insurrection or specific declaration of a domestic threat. However the military would still be subject to limitations, specifically in the military rules on the use of force.<sup>10</sup>

Given the similar missions, similar potential adversary, and restrictions imposed on the military by Posse Comitatus how will it be determined that a threat should be prosecuted? Although the decision making process may have complexities the actual decision should be unambiguous. The direction to conduct maritime homeland defense needs to come as an order by the President or Secretary of Defense under Presidential Decision Directive 39 (U.S. Policy on Counterterrorism) whereby the United States, with regard to terrorism "will apply all appropriate means to combat it."<sup>11</sup> There are, however, provisions which allow on-scene Coast Guard or Navy commanders to act in accordance with authorities, procedures, guidance and policies in times of emergency.<sup>12</sup>

### **Relevance of Joint Maritime Doctrine**

As stated above, CFFC has been responsible for both the development of NORTHCOM's maritime homeland defense plans as well as the development of overall joint maritime doctrine. This void in joint maritime doctrine was formally addressed by the Joint Staff in February of 2002 in the form of a "Program directive" message. This message tasked CFFC to fill this void by being the lead agency in publishing *Joint Publication 3-32*.<sup>13</sup> *Joint Publication 3-32* is intended to provide guidance for command and control for joint maritime operations. Since original tasking in February of 2002 this publication is in its second draft and awaits an estimated approval date of January 2006.<sup>14</sup>

As an interim step to the promulgation of joint doctrine for the joint forces maritime component commander the Navy Warfare Development Command promulgated a tactical memorandum entitled *TACMEMO 3-32-03* in June 2004. It provides directions for the "formation, function, and organization of the JFMCC"<sup>15</sup> in support of the joint planning

process. By comparing it to *Joint Publication 3-30 Command and Control for Joint Air Operations*, it appears to directly mirror the doctrinal formation, function and organization of the joint forces air component commander (JFACC). *TACMEMO 3-32-03* suffices as an adequate means of "putting something on the street" as an interim to *Joint Publication 3-32*, however, JFMCC doctrine needs to go beyond the JFMCC construct and basic planning processes. It must address the unique planning requirements for domestic maritime operations. This is especially true for the NORTHCOM maritime AOR.

*TACMEMO 3-32-03* focuses on the promulgation of a maritime tasking order (MTO). This is analogous to JFACC emphasis on the air tasking order (ATO). JFACC doctrine works toward economy and deconfliction of air resources which, in general, are tasked to perform specific, short term missions which can be promulgated through a database driven ATO. However, a mirror of an ATO may not apply to the maritime domain. Maritime command and control by MTO may restrict decentralized execution of tasks by entailing a level of detail that restricts a naval commander's actions. The multi-mission capabilities and on station endurance of maritime forces may make an MTO impractical. To be practical the MTO cannot mirror the ATO. If it is determined that some form of an MTO must be used then it must uniquely serve as a means of organizing task groups and task units while assigning tasks written in terms which allow flexibility and decentralized execution. This is especially true for the NORTHCOM JFMCC whose tasking may go beyond the realm of strictly military operations.

If an MTO is mandated it can serve the purpose of formally delineating what assets are under the operational control of the JFMCC and can allow for tactical control of maritime assets to support other functional component commanders. Clear delineation of operational



control and tactical control of maritime force will be important for the NORTHCOM JFMCC in order to provide unambiguous situational awareness of available maritime assets to all agencies involved in homeland defense and security.

*TACMEMO 3-32-03* provides a process for maritime support to other functional combatant commanders. This requires that re-allocation of JFMCC assets be done through the formal maritime support requests (MARSUPREQ) process. Again, this mirrors the JFACC doctrine of requiring air support requests (ALLOREQ) and may have little application for the NORTHCOM JFMCC. The complexity of integrating maritime assets in support of air or land operations may not be fully served by a MARSUPREQ. Unlike aircraft missions on an ATO which are specific and of limited duration, maritime missions will likely be more complex and of longer duration. Military support to civilian government agencies is not practical through the military MARSUPREQ process. *TACMEMO 3-32-03* does not address the Request for Assistance (RFA) process which, except in times of crisis, requires non-military agencies to request military support through the Secretary of Defense.<sup>16</sup>

For the NORTHCOM JFMCC, *TACMEMO 3-32-03* has limited application except to reinforce the basic steps of the joint planning process and formalizing the establishment of the JFMCC as a functional component commander. For the NORTHCOM JFMCC producing an MTO should not be the goal. Much of what the NORTHCOM JFMCC's mission will be is support of civil authorities and/or immediate reaction to crises.<sup>17</sup> If the process of producing an MTO is deemed to be a JFMCC requirement then it should be tailored to cover the extensive integration and synchronization between maritime defense assets and other agencies which are supporting or are in support. Interagency coordination and collaborative planning will be key.

The draft of *Joint Publication 3-32 Command and Control for Joint Maritime Operations*, provides more general planning guidance which applies to the JFMCC. However, like *TACMEMO 3-32-03*, it repeats the basic tenants of a functional component commander as found in the already published *Joint Publication 3-30 Command and Control for Joint Air Operations*. Like *TACMEMO 3-32-03*, *Joint Publication 3-32* copies and re-emphasizes the JFACC style planning process with requirements to publish MTOs and fulfillment of support requests through the MARSUPREQ process.

*Joint Publication 3-32* does provide a description of the unique multi-mission capability of maritime assets<sup>18</sup> as well as defines the scope of potential maritime assets to include special forces, border patrol, revenue services, merchant marines, embarked ground forces, and air and air defense forces.<sup>19</sup> This may provide justification for the JFMCC to compete for operational control of assets which might otherwise be placed under the operational control of other functional component commanders. *Joint Publication 3-32* is applicable in terms of defining the JFMCC as a functional component commander as well as documenting the general JFMCC planning process. However, like *TACMEMO 3-32-03* it provides little specific guidance relevant to the planning of maritime homeland defense operations.

### **Relevant Doctrine**

The most relevant publication for the NORTHCOM JFMCC's mission of maritime homeland defense is *Joint Publication 3-26, Joint Doctrine for Homeland Security*. Like *Joint Publication 3-32*, *Joint Publication 3-26* is also in the process of development. It is in final coordination draft and is expected to be approved by the middle of 2005.<sup>20</sup>

This publication more comprehensively defines the mission of maritime homeland defense. It covers the gamut of using "all measures to deter, defeat or nullify maritime threats against U.S. territory, domestic population and infrastructure." The definition provided also accounts for countering maritime attacks within U.S. territorial waters when directed by the President and Secretary of Defense.<sup>21</sup> More importantly *Joint Publication 3-26* explains the span of homeland security operations and emphasizes the interagency coordination requirements when DOD supports homeland security or runs its own or parallel homeland defense mission. In any case, especially in the NORTHCOM AOR, interagency coordination is stressed as being vital to ensuring all agencies achieve a unity of effort.

*Joint Publication 3-26* recognizes that homeland defense missions can run concurrent to homeland security efforts. Furthermore, it explains that planners must take into account that homeland defense missions may also rapidly branch into military assistance or civil support missions. This requires that plans must be in place for transitioning key responsibilities, capabilities, and functions between agencies.<sup>22</sup> NORTHCOM is further tasked with developing follow-on doctrine to *Joint Publication 3-26*. Logically the follow-on publication will be titled *Joint Publication 3-26.1 Joint Doctrine for Homeland Defense*.<sup>23</sup>

*Joint Publication 3-08 Interagency Coordination During Joint Operations* is also important doctrine for all NORTHCOM functional component commanders. NORTHCOM's recently approved *U.S. Northcom Concept of Operations* entails much of the joint interagency planning guidance as recommended in *Joint Publication 3-08*. The NORTHCOM JFMCC at its level and at lower tactical levels should also emulate the processes for multi-agency coordination as described in *Joint Publication 3-08*.

## **Leveraging Capabilities of the U.S. Coast Guard**

*Joint Publication-3-26* provides guidance on planning for integration of the Coast Guard. As an agency of DHS, the Coast Guard is the lead federal agency for maritime security and has a second role as a branch of the armed services as well.<sup>24</sup> Maritime Security has always been one of the Coast Guard's many responsibilities. On the day before 9/11 maritime security was only two percent of the Coast Guard's mission.<sup>25</sup> This has had exponentially greater emphasis since those attacks. With the greater emphasis on maritime security came no reduction in emphasis for any of its other missions.<sup>26</sup> It continues to have responsibility for enforcing maritime law, search and rescue, and environmental protection of nearly 95,000 miles of shoreline; 361 seaports; 25,000 square miles of waterways; and 3.4 million square miles of exclusive economic zone.<sup>27</sup> Even with its expanse of responsibilities the Coast Guard can provide many advantages as a NORTHCOM JFMCC military asset.

As both an agency of DHS and as an armed service, the U.S. Coast Guard is not constrained by the Posse Comitatus Act. Its jurisdiction encompasses both U.S. waters and the high seas. Its law enforcement duties under Title 14 of the U.S. Code are not relinquished when operating under the DOD.<sup>28</sup> Furthermore, certain Coast Guard assets bring enhanced tactical capability such as teams trained in opposed ship boardings.<sup>29</sup> Thus, in circumstances requiring maritime military action the NORTHCOM JFMCC must always consider use of the Coast Guard in its plans. In ambiguous tactical situations where law enforcement action may be appropriate having the Coast Guard involved gives the JFMCC increased options in courses of action. Furthermore, the already established relationships the Coast Guard has with all levels of law enforcement, port security and emergency management can be utilized to facilitate the JFMCC mission.

A means for rapidly integrating the Coast Guard under the operational control of the NORTHCOM and PACOM JFMCC has been established. This is in the form of a standing memorandum of agreement between the Secretary of Defense and Secretary of Homeland Security. This memorandum specifically allows for the rapid transfer of operational control of required Coast Guard units to Northern or Pacific combatant commands when a homeland defense mission has been determined.<sup>30</sup>

### **JFMCC Interaction With Other Agencies**

Other agencies which may support or require support of the NORTHCOM JFMCC include, but are not limited to, Customs and Border Protection, FBI, and U.S. Secret Service. These agencies may also bring assets useful to the JFMCC such as surveillance aircraft, anti-terrorist teams, and information systems.<sup>32</sup> As with the Coast Guard, the integration of these types of agencies into the defense effort can provide dividends for the JFMCC.

With the involvement of these types of agencies the options for desired end state will increase and will need to be considered. For example, a maritime threat such as a hostile vessel can be completely neutralized by military means. However, having been destroyed or sunk, only that specific threat will have been neutralized. With the integration of other agencies by the JFMCC other unique assets and capabilities might be available to attain a greater effect in support of the overall homeland defense mission. The Coast Guard has the capability to conduct non-compliant or opposed boardings. It also has aircraft crews trained in disabling vessels.<sup>33</sup> With the integration of specialized law enforcement agencies, evidence can be collected and preserved, arrests can be made, and suspected terrorists can be prosecuted. With the integration of intelligence agencies information might found and

analyzed which can lead to further information on other potential threats.<sup>33</sup> Collaborative interagency planning with all players will enhance unity of effort. *U.S. Northern Command Concept of Operations* calls for this type of Joint Interagency Coordination Group (JIACG) planning at its combatant commander level.<sup>34</sup> The JFMCC should incorporate a JIACG at its level.

### **The Current Status of Maritime Homeland Defense**

Visible maritime homeland defense activity on the part of the NORTHCOM JFMCC has been modest. With the exception of providing port security for defense critical infrastructure, i.e. military bases, other contributions include the transfer of five Cyclone class fast patrol boats to the Coast Guard; the implementation of a five tiered, graduated response posture; and a transmittal of an Enhanced Maritime Interception Operations (EMIO) execution order. The five tiered response system identifies certain numbers and types of naval assets in conjunction with a readiness for sea posture which increases or decreases based on the maritime security level. These assets may also be allocated to the NORTHCOM JFACC to assist in homeland air defense.<sup>35</sup> The EMIO execution order, sent in October 2004, provides a starting point for naval assets to execute maritime interception operations in support of maritime homeland defense. It addresses command and control as well as interagency coordination.<sup>36</sup> In general, naval efforts with respect to maritime homeland defense have concentrated on pro-active deterrence overseas.<sup>37</sup>

NORTHCOM's maritime homeland defense role has generally consisted of being an enabler for homeland maritime security efforts. The Navy's support of the Coast Guard Maritime Domain Awareness initiative has facilitated increased sharing of intelligence between all maritime agencies. The NORTHCOM JFMCC has also been involved with the

development of port security plans as well as full participation in the Joint Harbor Operations Center concept to improve port security and force protection capabilities in key ports.

Strategically, the Navy has been a proponent for future development of Coast Guard assets by supporting the Coast Guard Deepwater acquisition program.<sup>38</sup> Other enabling activity has included support for the development of information sharing systems between agencies in order to provide a common operational picture as well as a secure phone network to provide a means of coordination and command and control between necessary agencies and military commands. This system provides rapid secure communications with upper levels of the chain of command which can authorize and immediately declare events as being homeland defense or security. It can also be used as a means for determining supported or supporting roles and facilitate transfer of tactical control of assets between agencies and military commands thus circumventing the RFA or MARSUPREQ process.<sup>39</sup>

There are at least half a dozen more national initiatives which will facilitate the maritime security/defense effort. These include the Container Security Initiative which facilitates the screening of suspect shipping containers by Customs and Border Protection; the Proliferation Security Initiative which entails international support to stop proliferation of weapons of mass destruction and provides steps to stop the flow by sea, air, or land; and the Advance Notice of Arrival which mandates that ships provide 96 and 24 hour notice prior to arrival at U.S. ports as well as cargo, crew, and passenger information to the Coast Guard.<sup>40</sup>

### **Further Work**

Developing joint forces maritime homeland defense doctrine, enhancing interagency coordination, and supporting homeland security are necessary actions which will set the conditions for the NORTHCOM JFMCC to effectively execute its homeland defense and

civil support missions. These efforts must continue and must be tested. Comprehensive exercises will serve to reinforce work already accomplished and identify gaps. Exercises should test the process of determining events as being homeland defense or homeland security as well as determining the appropriate lead federal agency. These exercises must also test coordination processes between agencies and military commands while using actual communication and network systems. These exercises will also identify requirements for pre-planned responses to time critical threat activity. These pre-planned responses should integrate and be supported by all pertinent government agencies involved.

The graduated five tiered response posture of NORTHCOM maritime forces should be exercised. Random orders to sortie will reinforce actual readiness and capability of individual units. Deliberate regular involvement of naval units in support of actual Coast Guard security operations will reinforce interoperability.

The need for further coordination between regional combatant commanders will likely be identified in the exercise process. Naval assets assigned to PACOM may be homeported, training, or operating in the NORTHCOM AOR. Likewise, SOUTHCOM assets may be operating in and around the southern portion of NORTHCOM's AOR. Meanwhile, the NORTHCOM JFMCC must be aware of the status of these assets. Directives or agreements must be in place to allow NORTHCOM to seamlessly assume tactical control of these assets without having to formally request forces or submit MARSUPREQs.



Furthermore, directives must be in place which allows JFMCC assets to seamlessly support Coast Guard homeland security operations. As stated above, a memorandum of agreement is in place allowing the Coast Guard to seamlessly support naval homeland defense operations, but the opposite does not hold true.<sup>41</sup>

## **Conclusion**

JFMCC doctrine, as it stands, provides only basic relevance to the NORTHCOM maritime homeland defense. The NORTHCOM JFMCC must understand the relationship of its mission to homeland security, the restrictions imposed by domestic operations, and the capabilities of the spectrum of government agencies which can support the maritime homeland defense mission. It has taken over three years for basic maritime homeland security doctrine and concepts of operation to be developed. The Navy has concentrated on conducting maritime counter-terrorism operations in the forward regions layer of defense while depending on the Coast Guard for the homeland layer of defense. With the proactive security efforts of the Coast Guard perhaps the sense of urgency for full development of maritime doctrine and plans concerning maritime homeland defense has not been a priority. Perhaps this is due to a lack of urgency unlike that experienced on 9/11 by the NORAD JFACC counterpart.

The 9/11 Commission Report provides details in the many lapses in aviation security and the gaps in NORAD's ability to respond that day. Moreover, gaps in command and control are highlighted. These command and control gaps went from the highest levels down to the tactical level of being able to communicate with and control fighters in domestic airspace.<sup>42</sup> During my personal experience at NORAD's Western Air Defense Sector I saw

many of these gaps being closed. Interagency processes from working with the FAA, U.S. Secret Service, and Customs and Border Protection were quickly put in place. Improvements in communications were put in place which included internal tactical radio coverage throughout the United States; direct communication with the FAA and other federal emergency agencies; and secure, instantaneous communications with key decision makers. Furthermore, domestic FAA radar feeds were integrated in order to provide a true common operational picture. Moreover, tactical units were and continue to be exercised at regular intervals to test command and control, test interagency coordination, and maintain standards for tactical response. These gaps were closed in a relatively short amount of time and these processes and procedures, which are not perfect, undergo ongoing review and scrutiny. Then again, the sense of urgency was and is there; 9/11 occurred within the air domain.

In the maritime domain carefully paced implementation of doctrine and plans may be the right way to find NORTHCOM JFMCC's perfect fit into maritime homeland security. I would contend, however, that aggressive implementation of doctrine and plans that may not be perfect is more important. Getting plans and processes right is best served by an iterative process of active participation in maritime homeland defense. This will identify more things which the JFMCC must consider and serve to enhance multi-agency unity of effort. The NORTHCOM JFMCC must work with NORAD's same sense of urgency without having that urgency forced upon it by a maritime terrorist incident.

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