

EMBARKATION OF NEWS MEDIA ON THE DEPARTMENT OF HOMELAND SECURITY AIRCRAFT, VESSELS, AND VEHICLES

I. Purpose

This Directive establishes Department of Homeland Security (DHS) policy regarding embarkation of news media on aircraft, vessels, and vehicles.

II. Scope

- A. This Directive applies throughout DHS.
- B. DHS Management Directive 2220, Embarkation of Media on DHS Aircraft, Vessels, and Vehicles, is superseded.

III. Authorities

- A. National Response Framework (NRF)
- B. Emergency Support Function (ESF) 15 External Affairs, Standard Operating Procedures (SOP)
- C. DHS Delegation 2001, "Delegation to the Assistant Secretary for Public Affairs"

IV. Responsibilities

The **Assistant Secretary for Public Affairs** and **Public Affairs Directors from all DHS Components** are responsible for ensuring compliance with this Directive.

V. Policy and Requirements

A. Embarkation of media personnel on DHS aircraft, vessels, and vehicles provides an exceptional means in which to demonstrate homeland security missions and operations. This opportunity provides the media with special access on a selective basis. If managed within established ground rules in accordance with ESF 15, Annex F, it can serve as a highly effective segment of DHS communications efforts. Procedures to support embarkation of media fall within two scenarios: (1) Normal Operations, and (2) Incident Management Operations. The first scenario is day-to-day or routine operations. The second scenario denotes activities in response to an incident requiring a coordinated Federal response, per the NRF. In these cases the primary factor is activation of ESF 15 by the DHS Assistant Secretary for Public Affairs. When ESF 15 is activated, all Federal departments and agencies comply with the ESF 15 SOP and its policies for external affairs activities, media embarkation, and release of information.

B. The **DHS Office of Public Affairs (OPA)** and other **DHS Components** may deploy news media onboard departmental aircraft, vessels, and vehicles. These deployments are also known within other government agencies as “embedding” or “ride alongs.”

C. **Advance Considerations:** Components evaluating news media embarkation requests take the following factors into account:

1. National Security: Operational security or classified information is protected. Plans are developed in advance to assure that protection is fully provided. Operational Security (OPSEC) is paramount. Media provided access to sensitive information are informed in advance of the restrictions on the use or disclosure of such information.
2. U.S. Government International Policy: Components should evaluate the impact of the requested embarkation on national and/or foreign policy issues. Any special restrictions, such as prohibitions on access to and visual documentation of illegal migrants, foreign detainees, or those seeking asylum or temporary refuge, is fully taken into consideration. DHS Components operating in support of another Federal agency coordinate approval for embarkation requests in advance with the respective supporting agency’s public affairs office.

3. Law Enforcement: Embarkation is not approved if ongoing law enforcement operations or the prosecution of forthcoming legal action will be jeopardized. Media access for the purpose of documenting arrestees and suspects is coordinated in advance with the lead Federal agency. Video that may depict an alleged crime is considered before approval, once the embarkation is underway, and after the embarkation is completed. The supporting U.S. Attorney's Office may be contacted in consultation with or through the Office of the General Counsel for guidance. The lead agency may also direct that the identities of law enforcement officials be protected and not documented by media.

4. Safety: Safety is paramount for all air, maritime, and terrestrial operations. To that end, media personnel are not embarked if there is a significant risk of harm, particularly in law enforcement or military operations. For aircraft operations, appropriate safety equipment is provided to all embarked media and a safety briefing is provided before takeoff. Apply the rule of common sense, and **with the exception of Coast Guard aircraft, all aircraft transporting media must have a current standard airworthiness certificate from the Federal Aviation Administration.**

5. Privacy: In accordance with the ESF-15 SOP, Annex F, "media will adhere to established ground rules. Ground rules will be agreed to in advance and signed by media prior to access." One of the ground rules in the SOP is that the media "may report on names and hometowns of unit members, but only after obtaining their consent. Photographs of unit members are taken only with their consent."

D. **Coast Guard:** Coast Guard aircraft and vessels are classified as military vessels. This classification and consideration warrants special evaluation of issues relating to law enforcement, sovereign immunity, and OPSEC.

E. **Normal Operations - Procedures.** Components comply with the following procedures:

1. **Approval:** Embarkation of local media for coverage of routine local operations may be approved at the Component level. Components may approve national media embarkations and routine local requests that may have national implications, but advise DHS OPA in advance of the embarkation. The notification to OPA includes details on story, timing, media identity, and relevant details. Any additional concerns, such as security or potential impact on DHS policies, is documented and briefed.

2. **Prior to Embarkation:** Prior to embarkation, media provide proof of credentials and confirm the scope of their intentions as originally proposed. Media personnel sponsored by DHS Components on non-military aircraft, vessels and vehicles are provided with a detailed briefing on ground rules for the visit. These ground rules are in writing and include specific restrictions and safety considerations.

3. **During Embarkation:** While embarked, media comply with previously agreed-to rules. Components are encouraged to deploy media escorts to support embarked media and ensure their needs and compliance with Departmental policy. The hosting Component may restrict media access on the embarkation as necessary. National security is paramount. Rules of embarkation include provisions that when the media captures an incident placing an ongoing operation in jeopardy, the Component involved may restrict and/or confiscate film, tape, or other documentation in order to protect classified information. Potential issues or concerns during an embarkation are communicated immediately to the servicing Component's public affairs office and the DHS OPA. Media may file stories from aircraft, vessels, and vehicles if previously discussed restrictions and ongoing operations are not jeopardized. The Government is under no obligation to provide provisions for embarked media to file news stories.

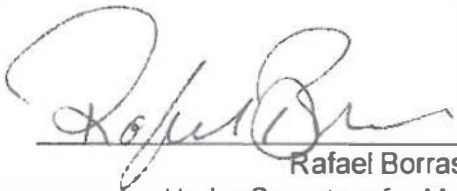
4. **After Debarkation:** Following debarkation, host Components stay in contact with participating media to determine when the particular story or segment will air. Any problems or concerns that arose during the embarkation are communicated to the OPA.

5. **Foreign Contact:** In the event an embarkation is expected to enter foreign airspace, waters, or soil, the respective media, in coordination with the host DHS Component, ensures that country clearance is obtained in advance. If the country in question declines approval, the media is not embarked. In addition, the host DHS Component, in coordination with DHS OPA, conducts advance liaison with the respective American Embassy public affairs office. Unless DHS OPA is sponsoring the embarkation, the primary contact with the foreign country is through the hosting Component. DHS OPA is provided a courtesy copy of all communications with the foreign country. While in a foreign country as a guest on a DHS aircraft, vehicle or vessel, the embarked media complies with US and foreign restrictions or laws. Foreign media are not granted access to DHS operations or assets without prior coordination and approval.

F. Incident Management Operations – Procedures. Specific guidelines for coordination and dissemination of information for all Federal external affairs activities during incidents requiring a coordinated Federal response are detailed in the ESF 15 SOP, which controls when it is activated.

VI. Questions

Address any questions or concerns regarding this Directive to the Office of Public Affairs.



Rafael Borrás
Under Secretary for Management

5/23/12

Date