

Issue Date: 04/21/2003

# EMBARKATION OF MEDIA ON AIRCRAFT, VESSELS, AND VEHICLES

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## I. Purpose

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

## II. Scope

This directive applies to all DHS organizational elements. Special circumstances should be directed to the Assistant Secretary for Public Affairs.

## III. Authorities

This directive is governed by numerous Public Laws and (where applicable) manuals, such as:

- A. 5 USC 552, Freedom of Information Act, as amended.

## IV. Definitions

N/A

## V. Responsibilities

- A. The **Assistant Secretary for Public Affairs** and **public affairs directors from respective DHS organizational elements** are responsible for ensuring compliance with this policy.

## VI. Policy & Procedures

### A. Policy.

1. 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, it can serve as a highly effective segment of DHS communications efforts.

2. The **DHS Office of Public Affairs (OPA)** and **DHS organizational elements** may deploy media onboard departmental aircraft, vessels, and vehicles. Historically, the Coast Guard, Customs, Immigration and Naturalization Service, and Border Patrol deployed media on their respective assets. These deployments are also known within other government agencies as “embedding” or “ride alongs.”

3. **Advance Considerations:** Organizational elements evaluating media embarkation requests should take into account the below factors:

a. National Security: Operational security or classified information must be protected. Plans must be developed in advance to assure that protection is fully provided. Operational Security (OPSEC) is paramount.

b. U.S. Government International Policy: Organizational elements should evaluate the impact of the requested embark on national 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, must be fully taken into consideration. DHS organizational elements operating in support of another Federal agency will coordinate approval for embarkation requests in advance with the respective supporting agency’s public affairs office.

c. **Law Enforcement:** Embarkation should not be approved if ongoing law enforcement operations or the prosecution of forthcoming legal action will be jeopardized. Media access to document arrestees and suspects should be coordinated in advance with the lead Federal agency. Video that depicts an alleged crime puts prosecution efforts potentially at risk. This should be considered before approval, once the embarkation is underway, and after the embarkation is completed. The supporting US Attorney's Office may be contacted in consultation with or through the Office of the General Counsel in advance for guidance. The host agency may also direct that the identities of law enforcement officials be protected and not documented by media.

d. **Safety:** Safety is paramount for all air, maritime, and terrestrial operations. To that end, media personnel will not be embarked if there is a significant risk of harm, particularly in law enforcement or military operations. The rule of common sense should be applied here.

4. **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.

B. **Procedures.** Organizational elements will comply with the following procedures:

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

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

3. **During Embarkation:** While embarked, media must comply with previously agreed to rules. Organizational elements are encouraged to deploy media escorts to support embarked media and ensure their needs and compliance with Departmental policy. The hosting organizational element may restrict media access on the embarkation as necessary. National security guidelines will be complied with at all times, especially in the event that an embarked media captures an incident that puts operations in jeopardy. The organizational element involved may restrict and or confiscate film, tape, or other documentation in order to protect classified information. Potential issues or concerns during an embarkation should be communicated immediately to the servicing organizational element'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 filing provisions for embarked media.

4. **After Debarcation:** Following debarcation, host organizational elements should stay in contact with embarked media to determine when the particular story or segment will air. Any problems or concerns that arose during the embarkation should be communicated to the OPA.

5. **Foreign Contact:** In the event that an embarkation is expected to enter foreign airspace, waters, or soil, the respective media, in coordination with the host DHS organizational element, must ensure that country clearance is obtained in advance. If the country in question declines approval, the media will not be embarked. In addition, the host DHS organizational element, in coordination with DHS OPA, must conduct advance liaison with the respective American Embassy public affairs office. While in a foreign country as a guest on a DHS aircraft vehicle or vessel, the embarked media will comply with US and foreign restrictions or laws.

C. **Questions or Concerns Regarding the Process.** Any questions or concerns regarding this directive should be addressed to OPA.