

“Emergency Preparedness” or Martial Law?

Vigilant Shield 09: A Cover for Illegal Domestic Operations?

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On November 17, U.S. Northern Command ([NORTHCOM](#)) and the North American Aerospace Defense Command ([NORAD](#)) concluded Vigilant Shield 09 (VS09), described in a [press release](#) as a training exercise focused on “homeland defense and civil support.”

Launched by President Bush in 2002 in the aftermath of the September 11, 2001 terrorist attacks, NORTHCOM has been mired in controversy since its creation. Among its more dubious accomplishments were illegal domestic spying operations in conjunction with the Pentagon’s shadowy Counter Intelligence Field Activity unit (CIFA) that targeted antiwar activists.

Despite CIFA’s [shut-down](#) and the alleged dismantling of its [TALON](#) database (now incorporated into the FBI’s Guardian Threat Tracking System), *SourceWatch* [revealed](#) that “in accordance with intelligence oversight requirements, the DoD will maintain a record copy of the collected data.” One can’t help but wonder whether that “record copy” of TALON somehow migrated into a NORTHCOM database.

But the NORTHCOM-CIFA liaison wasn’t the only episode of illegal military spying on Americans to come to light. In May, the *San Diego Union-Tribune* [reported](#) that Marines, including a Colonel and the co-founder of the Los Angeles County Terrorist Early Warning Center, stole top secret intelligence files from Camp Pendleton’s Strategic Technical Operations Center.

Among the documents filched by the intelligence privateers were those marked “Top Secret, Special Compartmentalized Information,” the highest U.S. Government classification. The files included surveillance dossiers on the Muslim community and antiwar activists in Southern California.

Before being run to ground by investigators, the spy ring regularly received and disseminated secret files and surveillance reports transmitted by Lauren Martin, a Navy reservist who worked as an outsourced intelligence analyst at NORTHCOM headquarters in Colorado Springs. Martin was responsible for the region that included Southern California.

Details on VS09 are few and far-between. However, according to *U.S. Northern Command News*, VS09 “included scenarios to achieve exercise objectives within the maritime, aerospace, ballistic missile defense, cyber, consequence management, and counter terrorism situations.”

The training exercise ran concurrently with “other Department of Defense-sponsored and international exercises to more realistically test the synchronized response of federal, state, local and international mission partners in preparation for homeland defense, homeland security and civil support missions in the United States and abroad.”

A November 5 [press release](#) described that the concurrent exercises included “U.S. Strategic Command GLOBAL LIGHTNING 09 and BULWARK DEFENDER 09; Canada Command DETERMINED DRAGON; California National Guard VIGILANT GUARD; and the State of California GOLDEN GUARDIAN.”

Global Lightning 09 is a plan to use nuclear weapons in the event of a surprise attack while Bulwark Defender was described by Matthew Rothschild in [The Progressive](#) as the Pentagon’s “cyberspace protection outfit.”

California’s Vigilant Guard and [Golden Guardian](#) were state-wide training exercises that concluded November 18 around planning for a catastrophic 7.8 magnitude earthquake along the San Andreas fault. If so, this would be an appropriate training venue for the California National Guard. Why then, fold disaster preparations into a planning scenario for the use of nuclear weapons in the event of a “surprise attack”?

Described as a “Command Post Exercise (CPX),” many of the forces involved were “notional,” in other words, real units and their equipment “were not deployed from their home bases.”

However, the rapidly expanding role of the U.S. military in “domestic civil-support operations” and the breadth and scope of NORTHCOM “training exercises” are troubling, to say the least.

In September, *Army Times* [revealed](#) that the 3rd Infantry Division’s 1st Brigade Combat Team (BCT) was deployed October 1, under the day-to-day control of U.S. Army North, “the Army service component of Northern Command, as an on-call federal response force for natural or manmade emergencies and disasters, including terrorist attacks.”

As *Army Times* noted, the BCT’s “new mission” is the first time “an active unit has been given a dedicated assignment to NorthCom, a joint command established in 2002 to provide command and control for federal homeland defense efforts and coordinate defense support of civil authorities.”

Perhaps a disturbing harbinger of things to come, “military support” of “civil authorities” arises precisely during a period of extreme systemic crisis not seen since the Great Depression and points to the rapid expansion of an “emergency preparedness complex” as a discrete operational division of the U.S. National Security State.

National Exercise Program: “Emergency Preparedness” or Martial Law?

The Congressional Research Service (CRS) issued a 46-page [report](#) November 10, 2008 on the National Exercise Program (NEP). Entitled, “Homeland Emergency Preparedness and the National Exercise Program: Background, Policy Implications, and Issues for Congress,” the document outlines, among other concerns, the domestic implications of military participation in national emergency preparedness drills such as VS09.

As CRS researchers point out, the Reagan-era Executive Order 12656 ([E.O. 12656](#)), “directs

FEMA to coordinate the planning, conduct, and evaluation of national security emergency exercises.” E.O. 12656 defines a national security emergency as “as any occurrence, including natural disaster, military attack, technological emergency, or other emergency that seriously degrades or seriously threatens the national security of the United States.” (CRS-4)

Additionally, Homeland Security Presidential Directive 8 ([HSPD-8](#)) requires the Secretary of Homeland Security, “in coordination with other appropriate federal departments and agencies” to “establish a national program and a multi-year planning system to conduct homeland security preparedness-related exercises that reinforces identified training standards, provides for evaluation of readiness, and supports the national preparedness goal.” CRS avers, “The program is to be carried out in collaboration with state and local governments and private sector entities.”

Indeed, *Washington Technology* [reported](#) November 10, that the defense giant Northrop Grumman “will conduct a national preparedness drill for the Federal Emergency Management Agency next year under a two-year, \$12 million contract.”

While \$12 million is chump change in Washington, the Project on Government Oversight’s Federal Contractor Misconduct Database lists Northrop Grumman at [No. 3](#). With violations running the gamut, from procurement fraud, false claims, installation of substandard parts, violations of the Arms Export Control Act and the International Traffic in Arms Regulations, cost overruns, environmental damage—from illegal dumping of toxic waste to air pollution—the company has paid the federal government and private claimants some \$465.4 million in fines and levies.

But that hasn’t stopped the federal government from doing a brisk business with Northrop Grumman!

The defense giant and their partners, security heavy-hitters [ICF International](#), [Battelle Memorial Institute](#), [Alutiq LLC](#), [L-3 Communications](#), [Unitech](#) and [Interface Media Group](#) “will conduct and evaluate the 2009 Tier 1 National Level Exercise, which is the largest and most complex national disaster drill conducted by FEMA’s National Exercise Division,” the high-tech insider publication reported.

As CRS points out, “NLEs examine the preparation of the government and its officers and other officials to prevent, respond to, or recover from threatened or actual terrorist attacks, particularly those involving weapons of mass destruction (WMD), major disasters, and other emergencies. NLEs address strategic- and policy- level objectives intended to challenge the national preparedness of the United States.” (CRS-12)

“Preparedness Guidance” materials and processes for these exercises are overseen by DHS and include the National Response Framework (NRF), the National Incident Management System (NIMS), and the National Preparedness Guidelines (NPG).

One of the first NEPs was the 1999 Top Officials (TOPOFF) simulation exercises “to assess the nation’s crisis and consequence management capacity under extraordinary conditions.” TOPOFF exercises enabled high-level federal officials and relevant participants to “practice different courses of action, gain and maintain situational awareness, and assemble appropriate resources.” (CRS-7) Between May 2000 and October 2007, four TOPOFF exercises have been run in various locales simulating chemical, biological, pneumonic

plague outbreak, as well as the detonation of an radiological dispersal device (“dirty bomb”) adjacent to a power plant.

As CRS reports, many aspects of federal executive branch planning for prevention and response to “terrorist attacks” are highly classified and that classified exercises “should be a logical component of the exercise scenario and aligned with exercise objectives.” What such “alignment” actually means is not specified by CRS.

As I noted in the examples cited above, VS09 and Golden Guardian, many NEPs run simultaneously, thus rendering the more dubious aspects of such “emergency planning exercises” opaque to citizen scrutiny, let alone democratic decision-making control over their breadth and scope.

For example, NLE 1-08 ran simultaneously with TOPOFF 4 as well as with DoD and Health and Human Services-based exercises. Under cover of NLE 2-08, as CRS documents, “two FEMA exercises, Eagle Horizon 08, designed to exercise the continuity of operations (COOP) capabilities of federal agencies in the National Capital Region (NCR), and Hurricane Prep 08, designed to test FEMA response to a hurricane, exercised under the same scenario. Both exercises incorporated some of the simulated intelligence materials established for three DOD conducted exercises held during NLE 2-08: Positive Response 08-2; Ardent Sentry 08; and Ultimate Caduceus 08.” (CRS-14)

Ardent Sentry, Positive Response and Ultimate Caduceus were training scenarios for a terrorist-related nuclear attack as were Global Lightning and Able Warrior. What pray tell, do such exercises have to do with preparations for hurricane relief? If the federal response to Hurricane Katrina are any indication, not much. What then are such exercises designed to simulate?

CRS reports that “During the NLE 2-08 planning process, DOD and DHS held joint planning conferences. Further, DOD provided some logistical support to the DHS Eagle Horizon continuity exercise, which based its exercise control cell and some evaluation components at DOD’s Joint Warfighting Center (JWFC). Both agencies anticipate future NLEs will be carried out according to timing specified in the NEP implementation plan, based on common exercise scenarios and coordinated response activities.” (CRS-14)

CRS investigators state there are “two principal areas where DOD would play a significant role in the overall response: Homeland defense operations and civil support operations.” The Department of Defense defines homeland defense as “The protection of United States sovereignty, territory, domestic population, and critical defense infrastructure against external threats and aggression or other threats as directed by the President.” (CRS-15)

On the other hand, civil support is defined as “Department of Defense support to US civil authorities for domestic emergencies, and for designated law enforcement and other activities.” While CRS claims that civil support is strictly limited to supporting civil authorities “in their response to manmade and natural disasters” or “supporting public health,” the last clause, “maintaining civil order” should set alarm bells ringing.

DoD’s role during such emergencies are intended to focus “principally on domestic incident management, either for terrorism or non terrorist catastrophic events.” DoD would play a “significant role” in the overall response. Such definitions cover a lot of ground and are ripe with potential for abuse by unscrupulous securocrats and their corporatist partners in crime.

As *Antifascist Calling* has reported in numerous articles, Continuity of Operations (COOP) planning scenarios are intimately linked to top-secret Continuity of Government (COG) programs to be triggered by a “catastrophic event.” Such plans include contingencies for the implementation of martial law and the suspension of the Constitution by Executive Branch fiat.

The primary DoD entity responsible for “civil support,” as numerous researchers have averred is NORTHCOM and its active combat component, U.S. Army North. CRS asserts that NORTHCOM is prohibited by The Posse Comitatus Act (18 U.S.C. 1385) from executing civilian laws and a police function. But as I [wrote](#) in early October, “exercising sweeping emergency powers buried within Presidential Decision Directives (PDDs), unelected officials could suspend the Constitution, declare martial law and create an Executive Branch dictatorship that rests solely on the power of the U.S. military.”

This power will transfer automatically when Barack Obama is sworn in as President and Commander-in-Chief on January 20, 2009. Indeed, it would be a profound error if activists and concerned citizens fell into the trap of assuming that the potential for grave Executive Branch abuses were the exclusive domain of the outgoing Bush administration.

While the Oval Office décor may change, unaccountable Executive Branch power will remain an enduring feature of the repressive capitalist state.

DHS and NORTHCOM: Best Friends Forever

Earlier this year, NORAD and NORTHCOM participated in training exercises across the country, also in support of “civil authorities” in the event of a catastrophic attack or “natural disaster.”

Vibrant Response, another CPX, was conducted at Ft. Stewart, Georgia September 18 and included elements of the Consequence Management Response Force, or CCMRF (“sea-smurfs”). The CCMRF would respond in the event of chemical, biological, radiological, nuclear, or high-yield explosive (CBRNE) incidents.

As I [reported](#) in October, “two combat units from the 1st Brigade Combat Team, 3rd Army Division and the elite 82nd Combat Aviation Brigade participated in mock drills designed to ‘coordinate with local governments and interagency organizations such as the Federal Bureau of Investigation and the Federal Emergency Management Agency,’ according to a [report](#) on *U.S. Northern Command News*.”

As a “subordinate command” under the control of U.S. Army North, the Joint Task Force Civil Support (JTF-CS) provides command and control for the CCMRF unit.

In May, NORAD and NORTHCOM participated in National Level Exercise 2-08 (NLE 2-08) under the overall command of the U.S. Department of Homeland Security (DHS), according to a [report](#) by *U.S. Northern Command News*. NLE 2-08’s main focus “was to provide realistic training” for CCMRF personnel in response “to a simulated chemical attack on the Seattle waterfront followed by a similar simulated attack in Whatcom County, Wash.” Some 1,200 CCMRF personnel were deployed during the exercise.

But planning and consequence management in the event of a catastrophic terrorist attack or natural disaster isn’t all that NORTHCOM’s up to. Indeed, back in April, *U.S. Northern Command News* [reported](#) that both DHS and NORTHCOM are planning

...to refine their existing intelligence relationship, said the top DHS intelligence official during a recent visit to USNORTHCOM headquarters.

"We have a number of areas where we've already agreed that we will begin new initiatives together, where we will do joint projects together, where we will do intelligence analysis together, where we will work to understand what NORTHCOM is doing in exercises and training," said Charles Allen, the DHS undersecretary for Intelligence and Analysis.

The intelligence divisions of DHS and USNORTHCOM are "extraordinarily compatible," Allen said, and the organizations have the same goals. (Sgt. 1st Class Gail Braymen, NORAD and USNORTHCOM Public Affairs, "USNORTHCOM, DHS refine relationship," U.S. Northern Command News, April 10, 2008)

As I [reported](#) last week, citing a leaked planning [document](#) published by the global whistleblowing group [Wikileaks](#), intelligence and security agencies across the federal spectrum including the FBI, DHS, USSS, NGA and NORTHCOM conspired to squelch dissent during the Republican National Convention.

Apparently, this is what DHS Undersecretary Allen meant when he described how the intelligence arms of both organizations were "extraordinarily compatible."

Allen told *U.S. Northern Command News* that strengthening the relationship between DHS and NORTHCOM intelligence "will promote more efficient and effective information sharing," and that "the American public benefits because the intelligence community at the federal level is working together in new and different ways."

As if the militarization of society and the destruction of our civil liberties were something we should embrace! How's that for an Orwellian twist on the phrase "public benefit"? But as the philosopher Voltaire once quipped, "the history of the great events of this world are scarcely more than the history of crime."

And so it is as America breathlessly awaits the dawning of the new "change" regime.

Tom Burghardt is a researcher and activist based in the San Francisco Bay Area. In addition to publishing in Covert Action Quarterly and [Global Research](#), an independent research and media group of writers, scholars, journalists and activists based in Montreal, his articles can be read on [Dissident Voice](#), [The Intelligence Daily](#) and [Pacific Free Press](#). He is the editor of Police State America: U.S. Military "Civil Disturbance" Planning, distributed by [AK Press](#).

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