

War Plans Drafted To Counter Terror Attacks in U.S.

Domestic Effort Is Big Shift for Military

By Bradley Graham
Washington Post Staff Writer
Monday, August 8, 2005; A01

COLORADO SPRINGS -- The U.S. military has devised its first-ever war plans for guarding against and responding to terrorist attacks in the United States, envisioning 15 potential crisis scenarios and anticipating several simultaneous strikes around the country, according to officers who drafted the plans.

The classified plans, developed here at Northern Command headquarters, outline a variety of possible roles for quick-reaction forces estimated at as many as 3,000 ground troops per attack, a number that could easily grow depending on the extent of the damage and the abilities of civilian response teams.

The possible scenarios range from "low end," relatively modest crowd-control missions to "high-end," full-scale disaster management after catastrophic attacks such as the release of a deadly biological agent or the explosion of a radiological device, several officers said.

Some of the worst-case scenarios involve three attacks at the same time, in keeping with a Pentagon directive earlier this year ordering Northcom, as the command is called, to plan for multiple simultaneous attacks.

The war plans represent a historic shift for the Pentagon, which has been reluctant to become involved in domestic operations and is legally constrained from engaging in law enforcement. Indeed, defense officials continue to stress that they intend for the troops to play largely a supporting role in homeland emergencies, bolstering police, firefighters and other civilian response groups.

But the new plans provide for what several senior officers acknowledged is the likelihood that the military will have to take charge in some situations, especially when dealing with mass-casualty attacks that could quickly overwhelm civilian resources.

"In my estimation, [in the event of] a biological, a chemical or nuclear attack in any of the 50 states, the Department of Defense is best positioned -- of the various eight federal agencies that would be involved -- to take the lead," said Adm. Timothy J. Keating, the head of Northcom, which coordinates military involvement in homeland

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security operations.

The plans present the Pentagon with a clearer idea of the kinds and numbers of troops and the training that may be required to build a more credible homeland defense force. They come at a time when senior Pentagon officials are engaged in an internal, year-long review of force levels and weapons systems, attempting to balance the heightened requirements of homeland defense against the heavy demands of overseas deployments in Iraq, Afghanistan and elsewhere.

Keating expressed confidence that existing military assets are sufficient to meet homeland security needs. Maj. Gen. Richard J. Rowe, Northcom's chief operations officer, agreed, but he added that "stress points" in some military capabilities probably would result if troops were called on to deal with multiple homeland attacks.

Debate and Analysis

Several people on the staff here and at the Pentagon said in interviews that the debate and analysis within the U.S. government regarding the extent of the homeland threat and the resources necessary to guard against it remain far from resolved.

The command's plans consist of two main documents. One, designated CONPLAN 2002 and consisting of more than 1,000 pages, is said to be a sort of umbrella document that draws together previously issued orders for homeland missions and covers air, sea and land operations. It addresses not only post-attack responses but also prevention and deterrence actions aimed at intercepting threats before they reach the United States.

The other, identified as CONPLAN 0500, deals specifically with managing the consequences of attacks represented by the 15 scenarios.

CONPLAN 2002 has passed a review by the Pentagon's Joint Staff and is due to go soon to Defense Secretary Donald H. Rumsfeld and top aides for further study and approval, the officers said. CONPLAN 0500 is still undergoing final drafting here. (CONPLAN stands for "concept plan" and tends to be an abbreviated version of an OPLAN, or "operations plan," which specifies forces and timelines for movement into a combat zone.)

The plans, like much else about Northcom, mark a new venture by a U.S. military establishment still trying to find its comfort level with the idea of a greater homeland defense role after the Sept. 11, 2001, attacks.

Military officers and civilian Pentagon policymakers say they recognize, on one hand, that the armed forces have much to offer not only in numbers of troops but also in experience managing crises and responding to emergencies. On the other hand, they worry that too much involvement in homeland missions would diminish the military's ability to deal with threats abroad.

The Pentagon's new homeland defense strategy, issued in June, emphasized in boldface type that "domestic security is primarily a civilian law enforcement function." Still, it noted the possibility that ground troops might be sent into action on U.S. soil to counter security threats and deal with major emergencies.

"For the Pentagon to acknowledge that it would have to respond to catastrophic attack and needs a plan was a big step," said James Carafano, who follows homeland security issues for the Heritage Foundation, a conservative Washington think tank.

William M. Arkin, a defense specialist who has reported on Northcom's war planning, said the evolution of the Pentagon's thinking reflects the recognition of an obvious gap in civilian resources.

Since Northcom's inception in October 2002, its headquarters staff has grown to about 640 members, making it larger than the Southern Command, which oversees operations in Latin America, but smaller than the regional commands for Europe, the Middle East and the Pacific. A brief tour late last month of Northcom's operations center at Peterson Air Force Base found officers monitoring not only aircraft and ship traffic around the United States but also the Discovery space shuttle mission, the National Scout Jamboree in Virginia, several border surveillance operations and a few forest firefighting efforts.

'Dual-Use' Approach

Pentagon authorities have rejected the idea of creating large standing units dedicated to homeland missions. Instead, they favor a "dual-use" approach, drawing on a common pool of troops trained both for homeland and overseas assignments.

Particular reliance is being placed on the National Guard, which is expanding a network of 22-member civil support teams to all states and forming about a dozen 120-member regional response units. Congress last year also gave the Guard expanded authority under Title 32 of the U.S. Code to perform such homeland missions as securing power plants and other critical facilities.

But the Northcom commander can quickly call on active-duty forces as well. On top of previous powers to send fighter jets into the air, Keating earlier this year gained the authority to dispatch Navy and Coast Guard ships to deal with suspected threats off U.S. coasts. He also has immediate access to four active-duty Army battalions based around the country, officers here said.

Nonetheless, when it comes to ground forces possibly taking a lead role in homeland operations, senior Northcom officers remain reluctant to discuss specifics. Keating said such situations, if they arise, probably would be temporary, with lead responsibility passing back to civilian authorities.

Military exercises code-named Vital Archer, which involve troops in lead roles, are

shrouded in secrecy. By contrast, other homeland exercises featuring troops in supporting roles are widely publicized.

Legal Questions

Civil liberties groups have warned that the military's expanded involvement in homeland defense could bump up against the Posse Comitatus Act of 1878, which restricts the use of troops in domestic law enforcement. But Pentagon authorities have told Congress they see no need to change the law.

According to military lawyers here, the dispatch of ground troops would most likely be justified on the basis of the president's authority under Article 2 of the Constitution to serve as commander in chief and protect the nation. The Posse Comitatus Act exempts actions authorized by the Constitution.

"That would be the place we would start from" in making the legal case, said Col. John Gereski, a senior Northcom lawyer.

But Gereski also said he knew of no court test of this legal argument, and Keating left the door open to seeking an amendment of the Posse Comitatus Act.

One potentially tricky area, the admiral said, involves National Guard officers who are put in command of task forces that include active-duty as well as Guard units -- an approach first used last year at the Group of Eight summit in Georgia. Guard troops, acting under state control, are exempt from Posse Comitatus prohibitions.

"It could be a challenge for the commander who's a Guardsman, if we end up in a fairly complex, dynamic scenario," Keating said. He cited a potential situation in which Guard units might begin rounding up people while regular forces could not.

The command's sensitivity to legal issues, Gereski said, is reflected in the unusually large number of lawyers on staff here -- 14 compared with 10 or fewer at other commands. One lawyer serves full time at the command's Combined Intelligence and Fusion Center, which joins military analysts with law enforcement and counterintelligence specialists from such civilian agencies as the FBI, the CIA and the Secret Service.

A senior supervisor at the facility said the staff there does no intelligence collection, only analysis.

He also said the military operates under long-standing rules intended to protect civilian liberties. The rules, for instance, block military access to intelligence information on political dissent or purely criminal activity.

Even so, the center's lawyer is called on periodically to rule on the appropriateness of some kinds of information-sharing. Asked how frequently such cases arise, the

supervisor recalled two in the previous 10 days, but he declined to provide specifics.

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