

## US FEMA Camps

BACKGROUNDERS - September 20, 2007

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### Summary

The United States Federal Emergency Management Agency has numerous detainment camps throughout the United States. Some camps have been recently constructed and / or renovated and are fully staffed. The existence of the camps coupled with Presidential Executive Orders giving the President and Department of Homeland Security (of which FEMA is now part) control over 'national essential functions' in the event of 'catastrophic emergency' have resulted in concerns that the camps will be used to forcefully detain American citizens for unconstitutional purposes.

### Analysis

#### Federal Emergency Management Agency (FEMA)

##### *History*

FEMA was created on April 1, 1979 pursuant to President Jimmy Carter's Executive Order 12127. It amalgamated the Federal Insurance Administration, the National Fire Prevention and Control Administration, the National Weather Service Community Preparedness Program, the Federal Preparedness Agency and the Federal Disaster Assistance Administration activities formerly carried out by the Department of Housing and Urban Development. It also took over Civil Defense from the Department of Defense, which was in charge of preparing citizens for military attack. [1]

In 1993 Bill Clinton turned the directorship of FEMA into a Cabinet position. In 2003 FEMA became part of the Department of Homeland Security's Emergency Preparedness and Response Directorate. [2]

##### *Stated Purpose*

The stated purpose of FEMA is to "reduce the loss of life and property and protect the Nation from all hazards, including natural disasters, acts of terrorism, and other man-made disasters, by leading and supporting the nation in a risk-based, comprehensive emergency management system of preparedness, protection, response, recovery, and mitigation." [3]

##### *Recent Operations*

FEMA's most notable large-scale operation in recent times was in the aftermath of August 2005 hurricane Katrina, which occurred along the north-central Gulf Coast, particularly affecting New Orleans, Louisiana. FEMA's response to the disaster was widely criticized due to a slow and inadequate response, blocking external private and public assistance from individuals and groups including the Red Cross, [4] banning photographs of the dead [5] and confiscating reporter's equipment [6] and homeowner's registered firearms. [7]

The 2006 Congressional report on FEMA's handling of Katrina stated that it was "... a national failure, an abdication of the most solemn obligation to provide for the common welfare," [8]

##### *Criticisms*

Some have criticized FEMA's failure as being due to its focus on 'civil defense' continuity of government and terrorism response programs to the detriment of its natural disaster response readiness. It is further alleged that hurricane Katrina was used to test run of a continuity of government program, allowing FEMA to rehearse rounding up and relocating large numbers of people to camps, suspending their constitutional rights and militarizing the region [9] with the help of private military contractors (mercenaries). Black Water USA, a private security company, was used in the aftermath of Katrina. [10]

## **Powers and Preparations for a Declared State of Emergency**

### *REX-84 and Operation Garden Plot*

*Readiness Exercise 1984 (REX-84)* is an emergency response program involving the implementation of martial law, the movement of civilian populations and the arrest and detainment of segments of the population. A rehearsal of the program was carried out April 5-13, 1984. It was led by FEMA and the Department of Defense and involved the coordination of 34 other Federal departments and agencies. [11] REX-84 was mentioned during the Iran-Contra hearings [12] and publicly exposed by the Miami Herald on Sunday July 5th, 1987. [13]

Similar large-scale emergency preparedness drills have taken place regularly since then. The most recently announced, organized by NORTHCOM, are scheduled for October 15-20. [14] Some assert that the drills continue to include preparations for the suspension of the Constitution and the implementation of martial law. [15]

*Operation Garden Plot* is a United States Army and National Guard program under control of the US Northern Command (NORTHCOM) to provide Federal military support during domestic civil disturbances. One example of the program's implementation was during the 1992 Los Angeles riots when US Army and Marine forces were used in conjunction with the California National Guard. [16] In Los Angeles an Executive Order was made to permit the use of the Federal army to uphold domestic laws pursuant to the 1878 Posse Comitatus Act, which places restrictions on the domestic use of the military for law enforcement purposes. [17]

Recently, however, Section 1076 Public Law 109-364, or the "John Warner Defense Authorization Act of 2007" (H.R.5122) has amended Posse Comitatus and The Insurrection Act (which also places limits on domestic military deployment) to allow the Federal government to unilaterally take control of state National Guards and position Federal troops anywhere in the country during a 'public emergency'. [18]

### *Executive Orders*

Throughout the 1960s numerous Presidential Executive Orders were issued authorizing Federal agencies to take over essential functions in the case of a declared emergency. The powers include, among many others, the authority of the Federal government to take over transportation infrastructure including highways and seaports (10990), food resources and farms (10998) and mobilize citizens into government supervised work brigades (11000). [19]

On May 9, 2007 President George Bush reasserted the role of the Federal government during a declared emergency by issuing Executive Order NSPD 51/ HSPD-20. The Order states that in the event of a 'catastrophic emergency' all 'national essential functions' may be taken over by the Executive branch of government and the Department of Homeland Security (including FEMA). [20]

## **Detainment Camps**

### *Developments and Construction*

In August 2002, then Attorney General John Ashcroft called for American citizens who are deemed 'enemy combatants' to be detained indefinitely without charge and independently of the judiciary. [21] This legal position was upheld in the case of a US citizen detained abroad by the 4th U.S. Circuit Court of Appeals in a January 2003 ruling. [22]

In October 2006 the Military Commissions Act was passed by Congress. [23] The legislation applies to non-US citizens and permits individuals labeled as 'enemy combatants' to be imprisoned indefinitely and without charge. It also denies non-military tribunal judicial review of detainment (Section 7), disregards international treaties such as the Geneva Convention, and states that it is the President who defines what constitutes torture (Sections 5 & 6).

In January of 2007 the American Civil Liberties Union released a report based on documents obtained by a Freedom of Information Act suit showing that the Pentagon had monitored at least "186 anti-military protests in the United States and collected more than 2,800 reports involving Americans in an anti-terrorist threat database." [24]

Little has been said about the purpose of the detainment camps but when official comment has been made it has stated that the camps are for the temporary detainment of illegal immigrants. [26]

#### *Quantity and Locations*

Citizens who are concerned about the purpose and potential use of the detainment camps have documented and, when possible, filmed the detainment facilities. A current estimate of the number of detainment camps is over 800 located in all regions of the United States with varying maximum capacities. [27] If one includes government buildings currently used for other purposes the number is far greater. Video of renovated but empty detainment camps has also been released. [28]

#### **Sources:**

[1] Executive Order 12127–Federal Emergency Management Agency  
<<http://www.fas.org/irp/offdocs/eo/eo-12127.htm>>.

[2] Federal Emergency Management Agency. "About FEMA" April 1, 2007 <<http://www.fema.gov/about/history.shtm>>.

[3] Ibid.

[4] Federal Emergency Management Agency. News Release. "First Responders Urged Not To Respond To Hurricane Impact Areas Unless Dispatched By State, Local Authorities" 29 August 2005 <<http://www.fema.gov/news/newsrelease.fema?id=18470>>;

Rodgers, Ann. "Homeland Security won't let Red Cross deliver food" Pittsburgh Post-Gazette. 3 September 2005 <<http://www.post-gazette.com/pg/05246/565143.stm>>;

Zarend-Kubatko, Jill. "Disaster touches area residents" Valley Life. 2 September 2005 <<http://www.zwire.com/site/news.cfm?newsid=15147862&BRD=>>.

[5] Editorandpublisher.com. "Journalist Groups Protest FEMA Ban on Photos of Dead" 7 September 2005  
<[http://www.mediainfo.com/eandp/news/article\\_display.jsp?vnu\\_content\\_id=1001055768](http://www.mediainfo.com/eandp/news/article_display.jsp?vnu_content_id=1001055768)>.

[6] Gebauer, Matthias. "The Eye of the Hurricane" Spiegel Online International. <<http://www.spiegel.de/international/0,1518,373590,00.html>>.

[7] Berenson, Alex and Timothy Williams. "New Orleans Begins Confiscating Firearms as Water Recedes" New York Times. 8 September 2005 <<http://www.nytimes.com/2005/09/08/national/nationalspecial/08cnd-storm.html?ex=1189483200&en=b7a5f1efcf668506&ei=5070>>.

[8] Cable News Network (CNN). "Report: Katrina response a 'failure of leadership': Homeland Security secretary described as 'detached'" 14 February 2006 <<http://www.cnn.com/2006/POLITICS/02/13/katrina.congress/index.html?iref=newssearch>>.

[9] Nimmo, Kurt. "Attacks on democratic rights, breaching legal barriers: FEMA and Katrina: REX-84 Revisited" Global Research. 11 September 2005 <<http://www.globalresearch.ca/index.php?context=viewArticle&code=NIM20050911&articleId=929>>.

[10] Scahill, Jeremy. "In the Black(water)" The Nation. 22 May 2006  
<<http://www.thenation.com/doc/20060605/scahill>>.

[11] Reynolds, Diana. "The Rise of the National Security State: FEMA and the NSC." Publiceye.org. 1990 <<http://www.publiceye.org>  
"The Rise of the National Security State: FEMA and the NSC"

la.htm>.

[17] Morales, Frank. "U.S. Military Civil Disturbance Planning: The War At Home" *Covert Action Quarterly*, #69 Spring / Summer 2000. <<http://cryptome.org/garden-plot.htm>>.

[18] Morales, Frank. "Bush Moves Towards Martial Law" *Toward Freedom*. 26 October 2006 <<http://www.towardfreedom.com/home/content/view/911/>>.

[19] Anonymous. "FEMA Concentration Camps: Locations and Executive Orders" *Friends of Liberty*. <<http://www.sianews.com/modules.php?name=News&file=article&sid=1062>>.

[20] The White House. "Presidential Directive NSPD 51, HSPD-20." 9 May 2007 <<http://www.whitehouse.gov/news/releases/2007/05/20070509-12.html>>.

[21] Turley, Jonathan. "Camps for Citizens: Ashcroft's Hellish Vision" *Los Angeles Times*. 14 August 2002 <<http://www.commondreams.org/views02/0814-05.htm>>.

[22] Cable News Network (CNN). "Americans may be held as 'enemy combatants,' appeals court rules." 8 January 2003 <<http://www.cnn.com/2003/LAW/01/08/enemy.combatants>>.

[23] The Library of Congress. *Military Commissions Act of 2006*. 17 October 2007 <<http://thomas.loc.gov/cgi-bin/bdquery/z?d109:S.3930:>>>.

[24] American Civil Liberties Union. "ACLU Report Shows Widespread Pentagon Surveillance of Peace Activists" *Press Release*. 17 January 2007 <<http://www.aclu.org/safefree/spyfiles/28024prs20070117.html>>.

[25] Halliburton Public Relations "KBR Awarded U.S. Department of Homeland Security Contingency Support Project for Emergency Support Services." 24 January 2006 <[http://www.kbr.com/news/2006/govnews\\_060124.aspx](http://www.kbr.com/news/2006/govnews_060124.aspx)>.

[26] *Ibid.*

Scott, Peter Dale. "Homeland Security Contracts for Vast New Detention Camps." *New America Media*. 8 February 2006 <[http://news.pacificnews.org/news/view\\_article.html?article\\_id=eed74d9d44c30493706fe03f4c9b3a77](http://news.pacificnews.org/news/view_article.html?article_id=eed74d9d44c30493706fe03f4c9b3a77)>.

[27] Friends of Liberty "FEMA Concentration Camps: Locations and Executive Orders." <<http://www.sianews.com/modules.php?name=News&file=article&sid=1062>>.

[28] FEMA Camp Footage (Concentrations Camps in USA). <<http://www.youtube.com/watch?v=0P-hvPJPTi4>>.