US military running a massive undercover army and conducting warrantless surveillance of Americans

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Two reports over the past week have revealed that the Pentagon is carrying out secret operations within the US and internationally without congressional oversight and in violation of basic constitutional rights.

An exclusive report by *Newsweek* on Monday explained that the US military is operating "[T]he largest undercover force the world has ever known." The secret army of 60,000 people works under "masked identities and in low profile" and is part of a special program called "signature reduction."

The *Newsweek* report—written by journalist William M. Arkin following a two-year investigation of the program—says that the secret military force is "more than ten times the size of the clandestine elements of the CIA, carries out domestic and foreign assignments, both in military uniforms and under civilian cover, in real life and online, sometimes hiding in private businesses and consultancies, some of them household name companies."

Arkin examined "over 600 resumes and 1,000 job postings, dozens of Freedom of Information Act requests, and scores of interviews with participants and defense decision-makers" to uncover the "completely unregulated practice" of the US military. The giant clandestine operation has never been the subject of a hearing in Congress, and Arkin says that it "challenges U.S. laws, the Geneva Conventions, the code of military conduct and basic accountability."

The infrastructure of the Pentagon's covert "signature reduction" program is based upon 130 private companies with the support of dozens of "little known and secret government organizations" that award "classified contracts" and "oversee publicly acknowledged operations."

Among the functions of these private businesses are creating false documentation; paying the taxes of individuals operating under assumed identities; manufacturing disguises and other devices used to avoid identification; building invisible devices used to photograph and listen in on the conversations and activity of people around the world.

Over half of the signature reduction army is made up of special operations forces who Arkin says, "pursue terrorists in war zones from Pakistan to West Africa but also increasingly work in unacknowledged hot spots, including behind enemy lines in places like North Korea and Iran."

The second largest group is made up of military intelligence specialists, "collectors, counter-intelligence agents, even linguists," who are deployed with assumed names in order to conceal their true identities.

Arkin explains that the secret force has been built up "over the past decade" and is in part a response to the growth of cyberwarfare internationally. He writes that the fastest growing group within the secret army are those who never leave their keyboard. "These are the cutting-edge cyber fighters and intelligence collectors who assume false personas online, employing 'nonattribution' and 'misattribution' techniques to hide the who and the where of their online presence while they search for high-value targets and collect what is called 'publicly accessible information'—or even engage in campaigns to influence and manipulate social media."

Although it is well known that the US military-intelligence apparatus is responsible for the transmission of the greatest number, most invasive and most deadly malware and spyware of any country in the

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world, the *Newsweek* journalist and editors express surprise that the Pentagon operation has "led to thousands of spies who carry out their day-to-day work in various made-up personas, the very type of nefarious operations the United States decries when Russian and Chinese spies do the same."

A former military officer, who oversaw supersecret "special access programs" of the signature reduction operations, spoke to *Newsweek* on condition of anonymity. The officer said that "no one is fully aware of the extent of the program, nor has much consideration been given to the implications for the military institution." He added, "Everything from the status of the Geneva Conventions—were a soldier operating under false identity to be captured by an enemy—to Congressional oversight is problematic."

The *Newsweek* report includes details about the activities of several individuals in the signature reduction operations, most of which involves providing fake identity materials and methods for preventing their cover from being blown. Other details are regarding the electronic eavesdropping techniques—such as placing "secret listening devices into everyday objects"—used to monitor the activities and communications of individuals both inside and outside the US.

The fact that the Pentagon has been conducting warrantless surveillance of Americans was exposed in a May 13 letter from Senator Ron Wyden (Democrat from Oregon) to Secretary of Defense Lloyd Austin that was published by Vice's Motherboard Tech.

Wyden asked the Department of Defense (DoD) for detailed information about its data purchasing practices after Motherboard revealed special forces were buying location data last February. The initial DoD responses—which revealed that the military or intelligence agencies were using internet browsing and other types of data—prompted Wyden to demand more answers about warrantless spying on American citizens.

Wyden wrote that his investigation had confirmed that the Internal Revenue Service, Customs and Border Protection, the Drug Enforcement Agency and the Defense Intelligence Agency were all purchasing from private companies the location data of Americans without a warrant.

The Oregon senator also wrote that he had requested answers to his questions in February and that the DoD responded to the first group of question in March and then the remaining questions in April. Among Wyden's questions was for the DoD to explain its legal position with regard to the DIA's argument that the Fourth Amendment protections against unreasonable searches and seizures "do not apply to data about Americans that the government buys, and only apply to data that the government acquires via compulsion."

In typical evasive language the DoD responded that each of its intelligence departments is responsible for ensuring that "intelligence activities are carried out in accordance with existing law (including the Fourth Amendment as understood through the Carpenter opinion [of the Supreme Court] and other relevant case law), regulation, and policy. In this case, DIA's Office of General Counsel provided the legal support for the DIA activity."

Wyden explained in his letter that four of the responses by the DoD were designated Controlled Unclassified Information and another was labelled classified. These questions deal with specifics about which agencies are using purchased location data and internet metadata, including "netflow" and Domain Name System (DNS) records in communications where both ends are within the US and communications where one end is within the US and the other is outside the US. Wyden has requested that the responses to these questions be released to the public by June 15.

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