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Identifying Enemies Among Us

Evolving Terrorist Threats and the Continuing
Challenges of Domestic Intelligence Collection
and Information Sharing

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Summary

This report summarizes a daylong, in-depth seminar, hosted by the RAND Corporation, at which a group of acting and former senior government and law enforcement officials, practitioners, and experts discussed domestic intelligence operations and information sharing as these relate to terrorist threats. The collective experience of the participants spanned the breadth of the homeland security apparatus. The participants included officials who have served or are serving in the Department of Homeland Security (DHS), the Federal Bureau of Investigation (FBI), the Central Intelligence Agency (CIA), the Department of Defense (DoD), state and local law enforcement agencies, first-responder organizations, and state-level homeland security agencies. Several RAND analysts who have written on and thought about homeland security issues for decades also participated. The discussions were unofficial and nonpartisan.

The goal of the seminar was not to solve perennial problems but rather to elicit the views of a diverse and experienced group of officials with very different perspectives and opinions on the threat of terrorism to the United States and what might be done about it. With these divergent perspectives in mind, the following areas of agreement emerged.

The terrorist threat has changed, although disagreement about its direction and scope persists. From a strategic perspective, al Qaeda is greatly diminished; its ability to launch another catastrophic attack has been substantially reduced. The terrorist threat is now more diverse and complex, and from a local perspective, it is still challenging and dangerous. Moreover, it seems likely to persist.

Local law enforcement focuses on how the terrorist threat manifests itself within the communities the agencies protect. Violence spreading to new regions overseas can impact local U.S. communities, sparking radicalization and eventually violence. The global jihad is no longer the sole organizing principle behind this violence. Rather, locally focused al Qaeda offshoots in Yemen, Iraq, Somalia, and North Africa and emerging extremist groups and conflict elsewhere in places like Nigeria and Mali and the countries affected by the Arab uprisings, especially Syria, are the concern of not only our foreign-focused federal agencies but also homeland security agencies and state and local entities.

Categorizing threats by group and compartmenting them by origin (terrorism, domestic terrorism, cyber terrorism, etc.) may unduly limit intelligence sharing and cooperation and pertains more to past threats than likely future threats. The cyber threat, organized crime, narco-traffickers, and terrorists might intersect, yet law enforcement and intelligence agencies are disconnected and not positioned to detect an intersection among disparate groups.

Building national resilience will require a more composed and nuanced national dialogue that starts in Washington. The rigid dictat that all terrorism must be prevented

and Washington's tendency to focus on fault-finding rather than improving performance are counterproductive.

Joint Terrorism Task Forces (JTTFs) remain the central construct of the domestic counterterrorist structure. Better investigative cooperation with state and local entities could be achieved by removing unnecessary obstacles that prevent consistent and quality cooperation between the JTTFs and local police.

Some of the obstacles that limit cooperation, information sharing, and collaboration among the various layers of government were put in place for good reason. Privacy and civil-liberties protections must be at the forefront in rethinking relationships and breaking down barriers.

Privacy and civil liberties should not be used as a blanket excuse to keep the intelligence community and local law enforcement apart. We should think about how to remove barriers that prevent cooperation and communication between these two communities that have much to benefit and learn from each other.

The intelligence community has much to offer local police, and vice versa. For example, the intelligence community can provide analytic tradecraft, understanding of the adversary, and national-level technical collection. Local law enforcement can provide information that would assist federal intelligence agencies.

Fusion centers seem to fall short both with their local customers and in contributing to the national-level counterterrorism effort. Some fusion centers are performing well, but many are not. Some sort of market system that reduces duplication, harnesses existing expertise, encourages more cooperation, and normalizes protocols could reduce costs and improve effectiveness.

It is difficult for national intelligence structures to talk about domestic terrorism, i.e., terrorism conducted by purely domestic violent extremists on the far left or far right of the political spectrum or extremists motivated by specific issues. National security has a foreign-intelligence focus. Political discomfort precludes the deployment of federal agencies against Americans, although the FBI and the Bureau of Alcohol, Tobacco and Firearms have a long history of pursuing terrorist groups.

The nation's zero tolerance for terrorism may soon come into direct conflict with the need to reduce budgets, including, perhaps for the first time, to consider real declines in counterterrorism funding. This raises a broader question: What is the end state? Must the nation realistically tolerate some level of terrorist risk, and if so, what is that level?