DOMESTIC SECURITY REVISITED

An Update on the Progress U.S. Intelligence and Law Enforcement Agencies have Made in Confronting a Dynamic Domestic Threat Landscape
WHO WE ARE
Business Executives for National Security is a unique nonpartisan, nonprofit organization of senior executives who volunteer time, expertise, and resources to assist defense and homeland security leaders on a variety of national security challenges.

OUR MISSION
Apply best business practice solutions to our nation’s most challenging problems in national security, particularly in defense and homeland security.

ACKNOWLEDGMENTS
BENS gratefully acknowledges the expert contributions of our membership, their colleagues, and their staff. We would also like to acknowledge the tremendous assistance received from the senior leadership of the staff of the Department of Homeland Security, Federal Bureau of Investigation and the Office of the Director of National Intelligence.

UPDATE: Domestic Security Revisited
An Update on the Progress U.S. Intelligence and Law Enforcement Agencies have Made in Confronting a Dynamic Domestic Threat Landscape

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EXECUTIVE SUMMARY

In January 2015, Business Executives for National Security (BENS) released a report entitled Domestic Security: Confronting a Changing Threat to Ensure Public Safety and Civil Liberties. Since publishing Domestic Security, BENS has sought to facilitate discussion around the issues articulated in the report and to build support for strengthening the coordination and management of U.S. intelligence and law enforcement functions in the face of evolving threats. Our members have since pursued these objectives through direct engagement with principals in Congress, the executive branch, and state and local governments, all of whom are making encouraging progress toward a more integrated and collaborative domestic security enterprise. This follow-up report is intended both to highlight this progress and identify those areas where more must be done.

Domestic Security offered ten actionable recommendations to address the extent to which:
1) information sharing processes could be improved; 2) federal-level management and coordination could be strengthened; and 3) workforce initiatives for domestic analysts could be enhanced. Each of the individuals with whom our members met during the ensuing roll-out phase proved to be exceedingly gracious, candid, and perceptive, and helped to enrich our overall understanding of the issues.

It is clear that considerable movement toward improvement is underway. It is also clear that this movement must account for evolving trends, such as the challenges posed by social media and encrypted communication, while maintaining a balance between security and civil liberties. These and other challenges have also become central issues in the eighteen months since Domestic Security was written. Thus, although our report identified specific recommended actions, improvement is being achieved through numerous initiatives—all consistent with, if not specifically tied to, our original recommendations—and in response to a constantly evolving domestic threat landscape.

To reflect this learning process BENS has reconsidered two of the recommendations contained in our original report. This is an acknowledgement of the progress our government partners are making and of our readiness to reinforce that progress. As this update details, in many cases senior leaders have recognized the value of our recommendations, and there are efforts underway to address them. The issues we examined are complex, dynamic, and must be addressed through a variety of approaches in coordination with a large number of stakeholders. Ultimately, BENS recognizes that “the how” of implementing change must be left to the agencies themselves. Nevertheless, the three overarching themes of our report remain valid, as does the desired end state of improved collaboration and management among and between agencies at all levels of government.

Now, one-year later it is prudent for BENS to step back and allow our government partners to enact the changes that only they can undertake. As Domestic Security stated, change is not a finite state but a continuous effort.
CONTENTS

Introduction .......................................................... 7
Discussion

   Information Sharing ............................................... 10
   Management and Oversight ................................. 12
   Analyst Training .............................................. 16
Conclusion ........................................................... 18
Status of BENS Recommendations ......................... 19
“Along with our domestic and foreign partners, we are collecting and analyzing intelligence about the ongoing threat posed by foreign terrorist organizations and homegrown violent extremists. We continue to encourage information sharing; in partnership with our many Federal, State, and local agencies assigned to Joint Terrorism Task Forces around the country, we remain vigilant to ensure the safety of the American public. Be assured, the FBI continues to strive to work and share information more efficiently, and to pursue technological and other methods to help stay ahead of threats to the homeland.”

— James Comey
Director, FBI, October 2015

“Terrorists will almost certainly continue to benefit in 2016 from a new generation of recruits proficient in information technology, social media, and online research. Some terrorists will look to use these technologies to increase the speed of their communications, the availability of their propaganda, and ability to collaborate with new partners.”

— James Clapper,
Director of National Intelligence, February 2016

“Next, given the new reality of the global terrorist threat—which involves the potential for small-scale homegrown attacks by those who could strike with little or no notice—we are enhancing our collaboration with state and local law enforcement. Almost every day, DHS and the FBI share intelligence and pertinent terrorist threat information with Joint Terrorism Task Forces, state fusion centers, local police chiefs and sheriffs. We have also enhanced our information sharing with businesses and critical infrastructure.”

— Jeh Johnson
Secretary, DHS, October 2015
INTRODUCTION

In January 2015, Business Executives for National Security (BENS) released a report entitled Domestic Security: Confronting a Changing Threat to Ensure Public Safety and Civil Liberties (hereafter “Domestic Security”). The report operated from the fundamental premise that as the terrorist threats to the United States continue to adapt, so too must our national ability to interdict and manage them.

Our work focused on three key themes, considering the extent to which:

**INFORMATION SHARING**

between federal, state, and local agencies is efficient and responsive;

**FEDERAL-LEVEL MANAGEMENT**

and coordination may be strengthened to bring greater focus to domestic security support state and local public safety officials; and

**WORKFORCE INITIATIVES**

are effective at recruiting and maintaining a cadre of skilled domestic analysts.

Overall, our report held that despite the significant progress made since the September 11, 2001 terror attacks, the United States continues to lack an enterprise-wide concept for domestic security. Absent improved federal-level management, state and local law enforcement officials remain underutilized assets, and information sharing initiatives are frequently sub-optimized. Moreover, significant operational duplication and overlap reduces our national capacity to identify and manage domestic terrorist threats.

The report offered ten pragmatic recommendations to improve the management, coordination, and organization of the U.S. domestic security enterprise—those federal, state, and local law enforcement and intelligence entities charged with ensuring public safety. Although it primarily examined U.S. domestic counterterrorism efforts, if implemented the report’s proposed recommendations would improve our national ability to counter a broad spectrum of domestic threats.

Since publishing the report one year ago, BENS members, leadership, and representatives of our Practitioners Panel—the high-level group of intelligence and law enforcement professionals that vetted, contributed to, and endorsed the report—have been actively engaging with key stakeholders at the federal, state, and local levels. This roll-out phase has included meetings with senior leaders at the Office of the Director of National Intelligence (ODNI), Department of Homeland Security (DHS), the Federal Bureau of Investigation (FBI), relevant Congressional committees, and the private sector. BENS also met with organizations representing state and local stakeholders to discuss those issues most pertinent to public safety and local law enforcement officials.

Through these engagements BENS has sought to facilitate discussion around the need for consistent improvement in the face of a dynamic threat landscape, and to support our government partners in enacting the change needed to ensure our collective public safety. As we have learned, it is
clear that these issues are being actively addressed, and we are encouraged by the progress leaders at all levels of government have made in the areas of information sharing and awareness, talent management, and interagency coordination.

This progress is reflected in the significant strides ODNI, DHS, and FBI have made in refining federal-level management of domestic security. State and local law enforcement officers are now also increasingly viewed as critical assets which should be leveraged to greater effect. At all levels of government, domestic analysts are afforded an increased—albeit insufficient—number of professional development opportunities at all levels of government.

While these are encouraging signs, there is room for further improvement. It is now our conviction that:

This follow-up report is intended to highlight what BENS has learned throughout the year-long engagement process, emphasizing the progress that has been made and identifying those areas where additional attention is needed. Based on the engagements with key leaders, BENS has also reconsidered its recommendation to empower a deputy-level ODNI official to manage national domestic security efforts, as well as its recommendation to create new integrated fusion centers. There is no single course of action to achieve greater overall coordination and collaboration. Indeed, many of the elements contained in the integrated fusion center concept have been implemented—albeit on a limited and uneven basis—placing into question the need to create wholly new entities. Moreover, federal-level management can be improved in a variety of ways, as will be further discussed.

As BENS learned during the engagement phase, this improvement must be achieved amid a dynamic and constantly shifting domestic threat landscape. Incipient trends today may portend emerging threats tomorrow. The use of social media to engage with and radicalize individuals and the increasing ubiquity of networked devices were not the central security challenges eighteen months ago that they have become today. These and other issues are indicative of the evolving threat landscape. As such, the movement toward an improved domestic security enterprise must balance managing these trends against ensuring appropriate civil liberty protections.

Although we maintain that the recommendations presented in Domestic Security would move the needle toward greater operational efficiency, we recognize that there are forward-leaning leaders at ODNI, DHS, FBI, and other agencies who are pursuing innovative solutions to the challenges we articulated. During the roll-out phase, BENS sought to facilitate discussion rather than advocate for
specific solutions, emphasizing the “what” of the issues over the “how to” of the solution. Instead of pressing only for our recommended solutions, it is our intention to be supportive of and reinforce the progress that is already underway.

Discussion is ongoing and there are many viable options to realize the intent of BENS’ original report. BENS stands ready to support our government partners as they seek to address these dynamic issues and improve the collaboration, management, and operational efficiency of the U.S. domestic security enterprise.

The following sections provide a brief discussion of what BENS learned during the roll-out of Domestic Security and highlight the progress made against the three key themes identified above. They also identify those areas where more attention is needed. Where applicable, the sections will detail specific recommendation’s receptivity and implementation status, and explore specific examples of the progress law enforcement and intelligence agencies have made. An appendix at the end of the document provides an overview of each original recommendation’s implementation status.
DISCUSSION

I. THE EXTENT TO WHICH information sharing between federal, state, and local agencies is efficient and responsive.

Information sharing between the federal, state, and local levels has improved, both in efficiency and responsiveness. This improvement is a result of nascent initiatives that were already underway when Domestic Security was published and new initiatives that have since been introduced. Although there are still variations depending on locality, the overall trend is toward more timely, responsive, and proactive information sharing among all domestic security entities. However, more must be done to institutionalize effective programs and formalize real-time sharing processes and information feedback.

Considerable progress has been made between the FBI and state and local officials, but there is room for even greater movement. Some FBI Joint Terrorism Task Forces (JTTFs)—including those at the Boston, Atlanta, and Austin Field Offices—now hold weekly and quarterly meetings with relevant state and local officials to review the status of all ongoing JTTF cases. FBI Special Agents in Charge (SACs) also routinely call their state and local counterparts to update them on evolving situations. While encouraging improvements, these initiatives should be institutionalized across the Bureau with a focus on creating standardized mechanisms for real-time and evolving notifications in addition to more routine information exchanges. This point was stressed in Domestic Security and continues to be a key area for improvement, particularly for ongoing and closed cases.

Information sharing and collaboration at field-level fusion centers has also improved. In particular, the National Mission Cell (NMC) pilot program has proven to be a promising endeavor to connect local analysis with national counterterrorism priorities. Initiated in 2014, NMCs are small contingents of federal, state, and local personnel who are co-located within state and local fusion centers. The objective of these cells is to provide an “unblinking eye, a relentless single-minded focus” on federal counterterrorism priorities “regardless of other events vying for the attention of fusion center personnel.” NMCs operate pursuant to standards, processes, and objectives determined collaboratively by the FBI, DHS, National Fusion Center Association, and Program Manager for the Information Sharing Environment. The National Mission Cells’ strict counterterrorism focus and emphasis on integrating federal, state, and local efforts to maximize resources aligns with BENS’ original call to establish integrated fusion centers in high-threat areas. The NMC pilot program is an encouraging program which should be prudently expanded to additional locations.

Throughout BENS’ engagements, stakeholders indicated a high-degree of support for other elements of the integrated fusion center concept, particularly its emphasis on co-location to increase the scale of analytic capacity. They noted, however,
that co-location should be pursued in a purposeful manner. One high-level stakeholder termed this a “practical” approach because co-location is only as effective as the objectives it is intended to address. As state and locally owned entities, fusion centers are founded at the discretion of those officials. Their value proposition, therefore, is defined by the relationships they build and expertise they cultivate within their jurisdiction. It is incumbent on federal partners, then, to understand how to best leverage state and local entities and, thus, where to physically co-locate in order to effectively improve connectivity and collaboration. Absent the context that this practical approach provides, statistics regarding the number of fusion centers co-located with partner agencies are often misleading.

Centers in Los Angeles, CA, Austin, TX, and Atlanta, GA were frequently cited as exemplars of practically co-located facilities that enjoy strong interpersonal relationships among actors from a variety of federal, state, and local agencies. These are encouraging improvements, but more should be done to better integrate federal, state, and local analysts, as originally intended in Domestic Security. The objective must be to build interagency relationships that improve information access; co-location is one way to achieve this, but not the only way. Federal, state, and local partners should develop and promulgate best practices for building these relationships and leveraging the collective expertise of the national network of fusion centers. For example, virtual collaboration has become an increasingly valuable construct for fusion center analysts to share tradecraft and subject matter expertise across the national network.

The distribution of intelligence products at the field-level has become much more efficient. Many fusion centers now tag their analytic products against standing information needs or priority intelligence information requirements to better assist their federal, state, local, and private sector customers in associating these products with their requirements. DHS, FBI, and fusion centers are also increasing the quantity of jointly-published products which helps to decrease the amount of redundant products, but more progress can be made toward reducing product overlap.

Providing and receiving feedback on raw intelligence and finished products is another area in need of improvement. BENS has learned that there is still a sentiment among state and local partners that sharing with federal agencies, particularly the FBI, remains a limited one-way street that lacks a formal feedback loop. As Domestic Security observes, a formal feedback loop would help to provide state and local partners with a better understanding of the quality and utility of the information they delivered to their federal partners so that they may improve how and what type of information is prepared and shared.
II. THE EXTENT TO WHICH federal-level management and coordination may be strengthened to bring greater focus to domestic security priorities and better support state and local officials.

U.S. domestic security efforts are carried out by a diverse and disparate array of law enforcement and intelligence officials at all levels of government. BENS originally observed that the U.S. was operating without an enterprise-wide concept for these efforts, and while progress has been made this conclusion remains valid. This concept envisions a more strategic, integrated, and collaborative effort; one in which state and local efforts complement national missions, and federal efforts coherently support local capacities. There is widespread agreement that this enterprise concept is the correct organizational construct for our domestic security efforts. There is also agreement, however, that federal-level management and coordination of the domestic security enterprise must be improved, and that the U.S. Intelligence Community (IC) should appreciate to a greater degree the potential value-add of law enforcement information.

In late 2014, FBI Director James Comey created an independent Intelligence Branch within the Bureau lead by the Executive Assistant Director for Intelligence (EAD-I). This was a significant development for two reasons. First, it elevated the role of intelligence within the FBI which will help to better integrate intelligence throughout all operations. Second, the new EAD-I maintains a “liaison” relationship with the ODNI “as the focal point for the FBI’s engagement” with that office. Encouraging closer coordination between the FBI and ODNI was a key recommendation of Domestic Security and one that will help to refine the overall federal-level focus on domestic security.

In addition to closer collaboration with the FBI, the ODNI has significantly increased its own attention to domestic security matters. The National Intelligence Manager (NIM) for the Western Hemisphere and Homeland has initiated an interagency process that seeks to produce a common domestic threat picture among key federal-level agencies. Pursuant to a presidential policy directive, the ODNI is also currently working with its colleagues across the executive branch and in the private sector to create a unified threat assessment of the 16 critical infrastructure sectors. Moreover, BENS has learned that the FBI is expanding its internal Threat Review and Prioritization (TRP) process to include greater input from field offices, agencies such as DHS, and fusion centers.

Individually, these are encouraging developments, but as BENS originally recommended, a truly unified domestic threat assessment must meld these distinct efforts to provide insight at the state and local level.
It is at those levels where many domestic threats—to include terrorism and cyber-attacks—are likely to originate and impact. It must also be sufficiently adaptable to incorporate emerging challenges such as those from social media, encryption tools, and networked devices. For this reason, a unified assessment cannot be a strictly top-down construct, but must provide a common, unified threat picture to help inform state and local efforts and provide avenues to feed information from the bottom up. This will help to further knit together national-level efforts with state and local law enforcement.

The Drug Enforcement Administration (DEA) may offer an effective model for consideration. In April 2015, the DEA published the National Heroin Threat Assessment, a collaborative effort with over a dozen federal, state, and local entities. As the federal-level coordinator for this effort, the DEA relied on internal intelligence assessments, as well as a survey sent to state and local law enforcement through existing networks such as the National Fusion Center Association, Regional Information Sharing Systems, and the High Intensity Drug Trafficking Areas, among others. Leveraging these networks allowed the DEA to reach down to the field, and provided avenues for law enforcement officers to feed into this process, with over 1,000 respondents answering the survey. Although there are certain methodological shortcomings associated with surveying (e.g. response biases), they nonetheless can be helpful in constructing a general national-level baseline for the issue in question. Thus, the DEA was able to meaningfully incorporate state and local perspectives into the national-level assessment. This model may prove effective for producing issue-specific unified domestic threat assessments wherein a federal-level agency can be identified to coordinate the effort at all levels of government.

In addition to a unified threat assessment process, improved coordination and management at the federal level is needed to ensure the effective execution of domestic security efforts. BENS originally envisioned a central role for ODNI in managing the domestic security enterprise, primarily because the ODNI has the legislative mandate to manage the entire IC, including many of the primary agencies that comprise the enterprise. The original report recommended a top-down structure wherein a deputy-level official would be empowered to act as the domestic security, and related intelligence, manager. This was due, in part,
to the belief that bureaucratic necessity mandated that the domestic security manager be a senior official with near-peer status to that of the agency principals that he or she would manage. It was also intended to signal the importance of domestic security at the same level as foreign intelligence.

After consultation with ODNI, FBI, DHS, and other key officials, however, BENS now believes that central management and coordination of the entire domestic security enterprise does not necessarily need to emanate from a deputy-level ODNI official. Rather, strategic management could be achieved through several alternatives, including a dedicated NIM for Domestic Security, an expanded role for the FBI’s Executive Assistant Director for Intelligence within the IC, an equivalent official within the Department of Homeland Security, or, through the Joint Intelligence Community Council.

Just as there are NIMs for Counterintelligence or Counterproliferation, a domestic security NIM would act as a community manager leading the coordination of the various agencies charged with the domestic security mission. Alternatively, as discussed above, the FBI’s EAD-I already has a close liaison relationship with ODNI. The most mature option, therefore, may be for the ODNI to delegate, as appropriate, cross-agency management authority to the EAD-I as the manager for the domestic security enterprise. This dual-hatted role would be similar to the Under Secretary of Defense for Intelligence, who holds responsibilities under both the Department of Defense and ODNI. Likewise, a senior DHS official could serve in conjunction with, or instead of, the EAD-I as the dual-hatted domestic security manager. Finally, the Joint Intelligence Community Council, a cabinet-level body chaired by the ODNI,
could serve a strategic coordinating function for the domestic security enterprise.

The domestic security enterprise is a reflection of diverse entities at the federal, state, and local levels which operate pursuant to different authorities and within different jurisdictions. While progress has been made, it remains clear—as it was in the original report—that more focused and efficient management of the domestic security enterprise at the federal level is necessary and must materialize. As discussed above, we offer a number of potential solutions for consideration with the aim of improving federal-level management and coordination.

As the primary interlocutor for state and local law enforcement and the private sector, DHS also has a fundamental role in the domestic security enterprise and is continuing to refine this role. Specifically, under the leadership of Under Secretary Frank Taylor, the Office of Intelligence & Analysis (I&A) has begun to better leverage those capabilities and information streams that are unique to it, namely border security, transportation security, critical infrastructure, and information aggregation from DHS component agencies. This is a significant development in BENS’ view, as many of the stakeholders with whom BENS met indicated that I&A should not endeavor to serve as an “intelligence agency.” Rather, it should focus on its core competencies and avoid replicating what other organizations already provide. As one official stated, “I&A should be what everyone else can’t be.” This development complements BENS’ original recommendation.

I&A has also begun to more fully embrace its role as a steward for state and local law enforcement and the private sector within the IC. For this reason, although BENS recommended expanding the IC to include DHS component agencies with intelligence functions, I&A’s progress in acting as a conduit between the IC and law enforcement community could obviate the need to formally expand the IC. BENS originally proposed this recommendation because expanding the IC could provide the ODNI with more comprehensive strategic management of all intelligence functions. Many stakeholders with whom BENS met understood this logic, but noted that there are significant statutory and oversight issues that make expansion challenging.

An important observation must be made here, which is the result of extensive conversations with stakeholders at all levels of government and within the private sector. State and local law enforcement officials and private industry are critical U.S. domestic security assets; a point made clear in BENS’ original report. Although many federal agencies recognize this and now regularly seek to leverage state and local capabilities to greater effect, the potential value-added of law enforcement information is still not fully embraced by the broader IC. As threats continue to become increasingly localized (like homegrown violent extremism) or directly impact the private sector (like cyber-attacks) the value of law enforcement, private sector, and non-IC information must be appreciated. I&A has the responsibility for bringing this law enforcement and private sector information to the IC, and more can be done among other agencies to effectively exploit this information.

Lastly, effective management of the domestic security enterprise cannot be achieved without improved Congressional oversight. This recommendation, and those that are similar, have been promulgated by a series of commissions and reports. Although the vast majority of stakeholders supported BENS’ recommendation to streamline and rationalize Congressional oversight, improved oversight is unlikely to be accomplished in the near future. Nonetheless, the logic of this recommendation is self-evident and BENS will continue to encourage effective, comprehensive, and enabling Congressional oversight of the domestic security enterprise.
III. THE EXTENT TO WHICH workforce initiatives are effective at recruiting and maintaining a cadre of skilled domestic analysts.

BENS has perhaps observed the most progress in creating standardized training for domestic security analysts and developing robust career paths. All of the principal federal agencies, to include the FBI, DHS, and Department of Justice (DOJ), recognize the need to improve analyst training and create uniform standards. It is unclear, however, whether the progress is anecdotal or indicative of an overall trend across the enterprise. For this reason, more focus should be given to cataloging and updating the training resources available to ensure that they are appropriate to the current threat environment and provide ample opportunities for sustainment and advanced skill training. This will help to develop a robust cadre of highly skilled analysts.
The FBI is making great strides with regard to improving the training of its own analysts. In late 2014, the FBI began to integrate its analysts and special agents at the FBI Academy in Quantico, VA. This new integrated curriculum brings together analysts and special agents to train side-by-side at the Academy and run practical exercises replicating the type of scenarios they will encounter in the future. Director Comey has demonstrated strong leadership and a keen awareness of this issue. As he has stated: “success will be when the EAD for Intelligence, and all the leaders down through the intelligence program, are people who came up through the intelligence career service, they came up through the analytical pipe…”

The FBI has also begun to take a larger role in providing training opportunities to state and local analysts. The FBI Academy now offers two courses for state and local law enforcement officers; one for officers detailed to JTTFs and one for those who are not. According to the 9/11 Review Commission, the latter course is intended to provide training to officials who “may provide critical indicators regarding radicalization or plots based on their observations of the communities they serve.”

Expanding the FBI’s role in training state and local officials was a central recommendation in BENS’ report. As critical assets in the domestic security enterprise, these state and local officers must have access to high-quality training and standards. This was one of the central tenets of BENS’ original report, and it is here that a consultative body called the Criminal Intelligence Coordinating Council (CICC) plays a key role. Chaired by a state-level official and composed of representatives from federal, state, and local agencies, the CICC is a coordinating body within DOJ’s Global Justice Information Sharing Initiative. It supports law enforcement and homeland security officers by helping to develop and coordinate information sharing and training programs among its partner agencies. In July 2015, the CICC, in conjunction with the FBI, DHS, DEA, and a dozen other agencies, released a tiered roadmap and curriculum for fusion center analysts. Indeed, the CICC and other organizing bodies, such as the International Association of Law Enforcement Intelligence Analysts (IALEIA), can play a central role in collaboratively developing and promulgating training resources throughout the domestic security enterprise.

While these are encouraging developments, more must be done to catalogue and update the resources and opportunities available, and to ensure that sustainment training or continuous learning opportunities are available. Analyst training must be a purposeful effort provided to fill gaps in an analyst’s capabilities or meet specific objectives. For this reason, the standards and resources must be periodically updated to ensure relevancy and appropriateness to the current threat environment. Moreover, as discussed above, many different actors provide training curriculum, opportunities, and measureable standards to diverse customer groups. This partnership between entities at all levels of government must continue, but more focus should be given to cataloging available training opportunities and coordinating the provision of that training to customers. This should include not only baseline training, but sustainment and advanced skill training as well. This was one of the primary conclusions of Domestic Security, which originally envisioned the FBI as a logical accountable party to spearhead this effort; however, the CICC already provides many of these services and may also be an appropriate issue lead.
CONCLUSION

In January 2015, BENS published a report entitled *Domestic Security: Confronting a Changing Threat to Ensure Public Safety and Civil Liberties*, which offered ten pragmatic ways to improve the operational efficiency of the U.S. domestic security enterprise. The recommendations were based on an extensive primary research effort and the insight of a distinguished panel of security practitioners. Publication was not the finish line of BENS’ efforts; rather, it was the beginning of the conversation.

Over the past year, BENS has engaged with a variety of leaders at all levels of government and in so doing has learned a great deal about the progress made in the areas of information sharing, interagency coordination and collaboration, and talent management. BENS has also achieved a significant degree of success in building support for improvement, and facilitating discussion around the need for constant adaptation in the face of an evolving threat landscape. This concluding status report explores that progress and highlights those areas in need of additional attention.

As BENS steps back the policy process will not end. Change is not a finite state and must keep pace with a dynamic and ever-shifting domestic threat landscape. Our government partners must continue to actively address the challenges identified in *Domestic Security*, as well as the incipient challenges such as those presented by social media, networked devices, and encryption tools. As policies, rules, and institutions are adapting to emerging security trends, an appropriate equilibrium between upholding our civil liberties and ensuring our public safety must be reached and sustained.

In keeping with a three decade tradition, BENS resolves to maintain focus on these issues and support our government partners as appropriate. *Domestic Security* identified significant gaps that must be addressed by leaders at all levels of government. As that report concluded: the measure of our collective success will be a safer nation.
### BENS RECOMMENDATIONS IMPLEMENTATION STATUS

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<th>Recommendation</th>
<th>Implementation Status</th>
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<tbody>
<tr>
<td><strong>1</strong></td>
<td>Establish integrated fusion centers located in the highest-threat areas by enhancing analytic capability and co-locating selected federal intelligence components with state and local law enforcement and public safety entities.</td>
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<td><strong>2</strong></td>
<td>Increase the mutual awareness of state and local law enforcement and FBI Joint Terrorism Task Forces by creating mechanisms to ensure that information about current counterterrorism investigations is shared with state and local partners in real-time, and that closed case information is provided to state/local partners so that they can determine whether to pursue independent investigations within their authorities.</td>
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<td><strong>3</strong></td>
<td>Enhance intelligence analyst capabilities through the development and application of standardized training and Goldwater-Nichols style joint duty protocols for intelligence personnel at all levels of government, pursuant to guidelines established by the DNI and Attorney General.</td>
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<td><strong>4</strong></td>
<td>Encourage the service and retention of high-quality analysts through career path enhancement and incentives at federal and state/local domestic security agencies.</td>
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**BENS RECOMMENDATIONS IMPLEMENTATION STATUS**

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<td><strong>5</strong> RECOMMENDATION: Assign a Deputy-level officer at the Office of the Director of National Intelligence to manage the programmatic aspects of the federal domestic security effort, and emphasize civil liberty protections.</td>
<td>IMPLEMENTATION STATUS: ODNI, DHS, and FBI officials acknowledge the need to improve federal-level management; however, they diverge on how best to achieve this. BENS believes that a dedicated NIM, the FBI’s EAD-I, an equivalent DHS official, or the JIIC may provide needed effective management.</td>
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<td><strong>6</strong> RECOMMENDATION: Establish a domestic threat framework through an annual, interagency process to assess and prioritize domestic threats and intelligence needs.</td>
<td>IMPLEMENTATION STATUS: ODNI is leading the development of two interagency threat assessments; however, more must be done to integrate these assessments at the federal-level to provide greater insight for state and local law enforcement.</td>
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<td><strong>7</strong> RECOMMENDATION: Enable better coordination and management of federal intelligence efforts by including within the definition of the Intelligence Community those federal entities that undertake domestic security activities but are not now included.</td>
<td>IMPLEMENTATION STATUS: Several stakeholders were reticent to include DHS components in the IC; however, improving I&amp;A’s ability to act as advocate and conduit for these components largely obviates the need to formally expand the community.</td>
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<td><strong>8</strong> RECOMMENDATION: Strengthen the intelligence culture at the FBI by creating a reporting relationship, as determined by the FBI Director, between the FBI and the ODNI for intelligence priorities and community management, and enhancing internal recruitment, training and talent management programs for its intelligence analysts.</td>
<td>IMPLEMENTATION STATUS: The newly created FBI Executive Assistant Director for Intelligence maintains a close liaison and coordinating relationship with ODNI, and the FBI has initiated several career enhancement programs for analysts.</td>
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<td><strong>9</strong> RECOMMENDATION: Enhance the capabilities of DHS I&amp;A by focusing on those missions unique to it: e.g. critical infrastructure protection; border and transportation security; aggregation of intelligence information from DHS subcomponent agencies.</td>
<td>IMPLEMENTATION STATUS: DHS I&amp;A, under the leadership of Under Secretary Frank Taylor, has made significant progress in focusing on the qualities of I&amp;A that give it a comparative advantage as compared to other intelligence agencies.</td>
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<td><strong>10</strong> RECOMMENDATION: Improve Congress’ ability to provide oversight of domestic security activities by having all activities authorized and overseen by the Intelligence Committees, and by creating an Intelligence Appropriations Subcommittee in each chamber to appropriate funds to support those activities.</td>
<td>IMPLEMENTATION STATUS: This recommendation has been widely endorsed but is unlikely to be enacted in the near or immediate future; however, the House Homeland Security Committee has demonstrated a clear preference for more efficient and enabling oversight.</td>
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END NOTES


3 Pilot locations: Iowa Intelligence Fusion Center, Montana All-Threat Intelligence Center, Georgia Information Sharing Analysis Center, and the Northern California Regional Intelligence Center.


5 Ibid.


10 Ibid. Page 80.

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