

ISSUE BRIEF

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The Immediate Aftermath of Boston: No Time to Stand Still

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The act of terrorism in Boston is still fresh in Americans' minds. The finest law enforcement personnel in the world are working night and day to determine who did this cowardly act and perhaps why. There is no good reason for such barbarism; no one's faith or political ideology can adequately justify it, no matter how twisted the reasoning. As the nation waits for the results of the investigation to bear fruit, there will be calls for action.

That is both understandable and justified. However, the actions need to be the right ones. The U.S. already knows what good homeland security policies look like. Washington should reinforce its current approach to homeland security with responsible reforms that build on what has already been done to promote real security.

Continued Threat of Violent Extremism.

There is no question that the United States is a much "harder" target for terrorism of any sort than it was before 9/11. Federal, state, and local law enforcement agencies pay much more attention to the threat of "homegrown" and transnational terrorism. Since the September 11 attacks, government agencies have thwarted at least 54 Islamist-inspired conspiracies

aimed at killing Americans, as well as other non-Islamist plots.¹

If those thwarted attacks were not enough, the latest tragedy serves as a blunt reminder of the continued threat of terrorism. It also argues for the need to ensure that the nation's law enforcement and intelligence authorities continue to possess the tools they need to fight these attacks.

It is, however, unrealistic to believe that even herculean homeland security efforts will foil every attack every time. Experts and practitioners have long worried about improvised explosive devices in the U.S., where the blessed openness of American society could be exploited. Additionally, armed assaults and vehicle-borne explosive attacks are tactics that are not beyond the reach of any modestly funded and committed terrorist group.

What Not to Do. Now that the "next attack" has occurred, there are things that Congress and Administration should not do:

- **Throw money at the problem.** Lawmakers should resist the shrill cries claiming that this new attack occurred because the nation was not spending enough on security. The government is still not doing a very good job spending the money it has already allocated. It knows, for example, that it needs to do a better job spending the money already allocated to emergency responders. America needs a system that will spend the money allocated for homeland defense efficiently and effectively.
- **Trade civil liberties for safety.** Calls for new security measures that require temporary

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impositions on basic civil liberties could also dominate the aftermath of the attack. The U.S. must respect the rights of its citizens, and calls for security at the expense of liberty should be resisted. However, Americans should understand that, despite hysterical claims to the contrary, not every government action to fight terrorism is a slap at the Constitution. Successfully defending a 26-mile-long public event venue that is part of an active American city without changes to citizens' way of life is not an insignificant challenge. The U.S. should strive to maximize both security and civil liberties, not trade one for the other.²

- **Blame America.** Regardless of who did this horrible deed, someone will say that the U.S. deserved it. No nation is perfect, but the U.S. strives to be a force for good in the world. Some may not like American politics or policy—or even its popular music, for that matter—but nothing the United States has done domestically or internationally justifies terrorist acts aimed against innocent people.

What Should Be Done. No Administration can guarantee it will stop every attack everywhere. But if the U.S. assumes the offensive, it can, with law enforcement domestically and the military overseas, take the initiative away from the terrorists, lessen their chances of success, and mitigate the damage they cause. Ultimately, in order to better protect the U.S. and halt terrorists in their tracks, Congress and the Obama Administration should:

- **Break down silos of information.** Washington should emphasize continued cooperation and information sharing among federal, state, and local law enforcement agencies so that terrorists do not slip through the cracks between the various jurisdictions.

- **Retain an integrated approach to homeland security.** When an explosion occurs, the government cannot wait until it knows if the incident was a terrorist attack or an industrial accident. Rather, it needs to respond swiftly. To be able to do so, the U.S. should increase its overall level of preparedness from the local to the national level and focus not only on acts of terror but on all hazards.
- **Fully implement a strategy to counter violent extremism.** Countering violent extremism remains an important complementary effort to an effective counterterrorism strategy. In August 2011, the U.S. government released a plan called “Empowering Local Partners to Prevent Violent Extremism in the United States.”³ The strategy focuses on outlining how federal agencies can assist and empower local officials, groups, and private organizations to prevent violent extremism. More should be done to transform a laundry list of good ideas into an effective program to support communities in protecting and strengthening civil society.
- **Maintain essential counterterrorism tools.** Support for important investigative tools such as the PATRIOT Act is essential to maintain the security of the U.S. and combat terrorist threats. Key provisions within the bill, such as the roving surveillance authority and business records provision, have proven essential in thwarting terror plots, yet they require frequent reauthorization. In order to ensure that law enforcement and intelligence authorities have the essential counterterrorism tools they need, Congress should seek permanent authorization of the three sunset provisions within the PATRIOT Act.
- **Clarify the domestic counterterrorism framework.** Cooperative efforts among local,

1. Jessica Zuckerman, “54th Terror Plot Against the U.S.: Qazi Brothers’ Plot to Attack New York,” Heritage Foundation *Issue Brief* No. 3812, January 3, 2013, <http://www.heritage.org/research/reports/2013/01/54th-terror-plot-against-the-us-qazi-brothers-plot>.

2. Cully Stimson and Andrew Grossman, “How Must America Balance Security and Liberty,” Heritage Foundation *Understanding America Report* No. 13, December 9, 2011, <http://www.heritage.org/research/reports/2011/12/how-must-america-balance-security-and-liberty>.

3. News release, “Empowering Local Partners to Prevent Violent Extremism in the United States,” The White House, August 3, 2011, <http://www.whitehouse.gov/the-press-office/2011/08/03/empowering-local-partners-prevent-violent-extremism-united-states> (accessed January 2, 2013).

state, and federal law enforcement have been essential in thwarting other plots before the American public was ever in danger. Moving forward, the U.S. should properly apportion roles and responsibilities among the various levels government based on their resources (e.g., money, people, and experience). In order to clarify the domestic counterterrorism framework, the President should issue an executive order establishing a national domestic counterterrorism and intelligence framework that clearly articulates how intelligence operations at all levels should function to combat terrorism while keeping citizens safe and free.

Terrorist Threat Remains. Regrettably, this most recent act of terror is likely not going to be the last attempt seen by the U.S. as a whole. However, by continuing to provide the nation's law enforcement and intelligence authorities with the essential counterterrorism tools they need, and by continuing to strengthen current efforts, U.S. leaders can help ensure that the nation is better prepared to stop all enemies, foreign and domestic.

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