

**Final Paper**  
**“White Paper” on Domestic Counterterrorism & Civil Liberties**

175 points, 12 May 2006

**Assignment**

You are the senior national security and homeland security policy advisor to a prospective presidential candidate for the 2008 election.

You are meeting regularly with the candidate to review policy, identify the candidate’s policy priorities, develop the candidate’s specific proposals, and, ultimately, plan and refine strategy for the campaign. Your next major meeting is to discuss what will become a major theme of the campaign: the appropriate balance of counterterrorism security measures and civil liberties. Your candidate has already made strong statements reflecting that the array of current policies is unbalanced: not only does the current Administration’s approach unduly erode Americans’ civil liberties, it does so with policies that are not optimally effective (and even counterproductive) in increasing our security from terrorism.

To prepare for the meeting, your top priority for the next two weeks is the writing of a “white paper” exploring this issue. A “white paper” is a colloquial term in the policy community for an analysis or “thought piece” that dissects a complex problem and charts a provisional path forward. It is substantively meatier than a policy memo (containing a more comprehensive and systematic analysis that weights thoroughness over brevity), and makes only broad policy suggestions, though few, if any, refined policy proposals. Rather, the goal of a “white paper” is to communicate your analysis of the full dimensions of a problem, and outline a strategic approach that can serve as the foundation for specific policies and actions. “White papers” can vary greatly in length (generally, from about 5-6 pages long, to 25-30 pages long). Within the executive branch, they are often used to frame discussion of a policy issue within an official’s personal staff (e.g. the Chief of Staff of the Army), within a single organization (e.g. West Point, the Army Staff, the National Security Council), or across agencies (e.g. the staffs of multiple Cabinet departments such as State, Defense, Justice, CIA, etc.).

Your assignment is to write a white paper that critically examines current policy, explores the appropriate balance of counterterrorism security measures and civil liberties in a coherent and thoughtful way, and articulates a strategic approach for the future.

**Substantive Guidance**

Your paper should encompass the key issues associated with homeland security policies and civil liberties. This may include many, if not all, of the following: law enforcement investigative practices (e.g. surveillance, searches, wiretapping, access to personal records, etc.); immigration policy and enforcement; other border security policies; watchlisting and screening; biometrics; identification and documentation standards; gathering, integrating, maintaining, and sharing information on US persons; domestic intelligence; as well as other topics discussed in the course.

Your paper should draw on the course readings, particularly those associated with the topics above. You may also draw on your own research. You will likely find it necessary to be very specific, within the space constraints, in your discussion of important technical, legal, and ethical issues.

Your paper should apply in some manner concepts and issues discussed by Heymann and Posner, should seek to articulate a conceptual framework for striking the appropriate balance between security and liberty, and should offer a vision for your candidate's approach on this issue.

### **Administrative Requirements**

4-6 pages; single-spaced. Times New Roman; 11- or 12-pitch font; one inch margins; no cover page; don't number paragraphs; no page number on page one; include page numbers on pages 2 and up, centered at the bottom of the page.

The top of page 1 should look as such:

#### **Title of Your Paper**

Your Name  
May 12, 2006

You may divide your paper into sections with section headings, but do not break down your sections into subsections, etc. Stay consistent with general guidance I have previously provided on structure, titles of headings, etc.

Turn-in a hard-copy of your paper at the beginning of our final class, and email me a copy of your paper prior to class.