

Lesson 32:
Domestic Counterterrorism IV:
Domestic Intelligence and Civil Liberties

Readings:

1. National Commission on Terrorist Attacks upon the United States. [*The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States*](#). (New York, NY: W.W. Norton & Company, Inc., 2004): 423-427.
2. Philip B. Heyman, *Terrorism, Freedom and Security* (Cambridge, MA: The MIT Press, 2003): 87-90, 133-157.
3. Richard A. Posner, *Preventing Surprise Attacks: Intelligence Reform in the Wake of 9/11* (New York, NY: Rowman and Littlefield, 2005): 163-186; 196-197.
4. US Department of Justice, [*The NSA Program to Detect and Prevent Terrorist Attacks: Myth v. Reality*](#), 27 Jan 06
5. American Civil Liberties Union, [*Top Ten Myths About the Illegal NSA Spying on Americans*](#), Jan 06.

Study Questions:

1. Using the chart on page 88 of the Heyman reading, consider to which regions of the chart you would assign the various domestic counterterrorism measures and policies we've discussed in the border and domestic counterterrorism lessons. Where are the difficult tradeoffs?
2. What are the feasible options for how the United States organizes for domestic intelligence?
3. How did the 9/11 Commission recommend we accomplish the domestic intelligence mission. Why did the Commission reject the MI-5 model?
4. Fill out the [*chart of government information-gathering authorities*](#) on page 144 of the Heyman reading. Be prepared to turn-in your chart.
5. How does Heyman propose to limit the dangers inherent in domestic intelligence gathering?
6. What are the key elements of Posner's argument that the 9/11 Commission should have more closely examined and seriously considered a domestic intelligence agency?
7. In your opinion, is the President's authorization to allow the interception of communications between American citizens at home and terrorist suspects abroad justifiable and necessary?