

Book review: *Spying: Assessing US
Domestic Intelligence Since 9/11*

By Darren E. Tromblay

Reviewed by Erik Dahl

SPYING

ASSESSING
US DOMESTIC
INTELLIGENCE
SINCE 9/11

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This book is a welcome addition to the rather small literature on domestic and homeland intelligence in the United States. It will interest more than just intelligence specialists, because Tromblay addresses broader homeland security issues, focusing especially on the FBI and DHS, and the book would serve as a useful introduction to those agencies.

Although Tromblay has a background as a federal government intelligence analyst, he is critical of just about every organization and agency involved in homeland security and domestic intelligence, arguing, for example, that the Department of Homeland Security suffers from “bureaucratic multiple personality disorder” (p. 5). But Tromblay directs his harshest criticism at the Federal Bureau of Investigation, which he argues has failed to move away from a reactive approach and continues to see intelligence as strictly supporting ongoing investigations and cases, rather than as a tool for anticipating and preventing future threats. He is especially hard on Robert Mueller, FBI Director from 2001-2013, whom he calls “the wrong man at the wrong time and the wrong place” (p. 35).

It appears that to Tromblay, the FBI can do no right, and occasionally his criticisms appear to contradict one another. For example, although he strongly criticizes the Bureau for being too centralized and for having a headquarters-focused mentality, he also criticizes the FBI for being atomized, with power and resources spread among its 56 field offices. But even though other authors have covered much of the same ground,¹ Tromblay provides worthwhile background on the FBI’s intelligence activities, such as its Field Intelligence Groups (FIGs). He also goes further in his criticism than is often found in the standard accounts of FBI intelligence efforts, arguing that intelligence analysts at the Bureau are not ineffective merely because they are treated like second class citizens; according to Tromblay they are also second-rate analysts, with what he calls “suspect aptitude” (p. 84).

Not that DHS with its many components comes across looking much better than the FBI. Tromblay is no fan of what is sometimes referred to as the DHS Intelligence Enterprise, arguing convincingly that it cannot truly be considered an organized entity, especially since no one—not even DHS—can identify exactly who is in that enterprise. He is also very critical of Homeland Security Investigations (HSI), the investigative arm of U.S. Immigrations and Customs Enforcement, describing it as “an agency desperate to prove its value” (p. 109).

The book provides a great deal of detail on specific policies and programs that is not available in other texts on homeland security intelligence,² especially concerning the FBI and DHS. Some readers will benefit from this detail, such as the granular discussion of the FBI’s Threat Review and Prioritization Process, and the National Targeting Center which falls under Customs and Border Protection (CPB). But occasionally the book seems a bit too focused on the minutia of

organizational details concerning the FBI and DHS, while other important domestic intelligence organizations, such as U.S. Coast Guard intelligence, are only briefly described.

It also might have been better if Tromblay had been able to step back and examine more closely the performance of some of these organizations, such as the role the National Targeting Center and Customs and Border Protection played in catching Faisal Shahzad, the man who tried to bomb Times Square in New York City. As another example of where additional analysis would have been helpful, Tromblay mentions in passing that CBP is seeking to join the formal U.S. Intelligence Community. This begs the question, what would the impact be of such a move? Many DHS components in addition to CBP, such as the Secret Service and TSA, have intelligence functions, but are not members of the Intelligence Community, and it would be interesting to know whether that matters when it comes to deciding budgets or determining analytical priorities, for example.

The book also would have benefited from closer examination of other, less well-known domestic intelligence organizations, especially those below the federal level. Although Tromblay provides some discussion of sub-federal level intelligence efforts, his focus is on the national level, which is where, he argues, the most effective action can take place. But much of the homeland security intelligence effort since 9/11 has been directed at the state and local level, and more discussion of organizations such as the El Paso Intelligence Center, or the 79 state and local intelligence fusion centers set up after 9/11, would have been useful.

Although Tromblay is critical of just about every aspect of U.S. domestic intelligence, there is one important set of issues about which he is not very worried: the possible impact of these domestic efforts on privacy or civil liberties. His lack of concern about this aspect of domestic intelligence activities may be a result of his background as an intelligence community insider. His discussion of the history of National Security Agency (NSA) collection efforts within the U.S., for example, is for the most part favorable, and he writes that “intelligence collection within the United States is not about spying on Americans but instead is pragmatic exploitation of a home-field advantage” (p. 165). That may be the view held by American intelligence agency leaders, but a book aiming to provide an assessment of domestic intelligence might be expected to at least present and discuss the arguments of those who worry that such programs are precisely about spying on Americans. Similarly, at one point Tromblay refers to “the civil liberties lobby’s histrionics” (p. 212), which sounds more like the assessment of a think tank or an op-ed article than of an objective scholarly analysis.

Tromblay argues that the domestic intelligence effort is too dominated by the FBI, and that it remains too focused on terrorism at the expense of attention toward other threats such as foreign meddling in elections. Some of his recommendations to fix these problems sound familiar. For example, he recommends that the FBI and DHS should reorient themselves to focus more closely on intelligence. But other recommendations are more surprising, such as that the FBI should be reorganized to include Homeland Security Investigations, which is currently under DHS, and the DEA and the Bureau of Alcohol, Tobacco, Firearms and Explosives, which are both separate organizations within the Department of Justice. He also argues that the FBI should assume shared control with the CIA over the National Resources Division, which

is the CIA's arm for collecting overt intelligence within the U.S. At the same time, DHS would assume control over some FBI functions such as the Criminal Justice Information Services Division, which includes the National Crime Information Center. In addition, DHS's Office of Intelligence and Analysis would replace the FBI as the lead for the Director of National Intelligence Domestic Representatives Program, under which certain senior intelligence officials work to coordinate intelligence activities in their region.

These are surprising recommendations, especially coming from an author so critical of the FBI. Recommendations for intelligence reform in recent years typically urge that the intelligence mission be split off from the FBI and given either to DHS, or to some new domestic intelligence organization. Tromblay appears to support this idea, but he believes it would not be politically feasible, particularly in the absence of another major attack or national crisis, and for that reason he proposes what he argues would be more realistic and achievable reforms. Whether his recommendations actually could be accomplished appears doubtful; they would likely result in a significantly larger FBI, and it is not clear that such a change would be accepted by the American public, which has usually been uncomfortable with domestic intelligence. But Tromblay's recommendations are provocative, and if they can help stimulate discussion about the important issue of domestic intelligence, the book will have served a valuable purpose.

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Notes

- 1 For example, Amy Zegart, *Spying Blind: The CIA, the FBI, and the Origins of 9/11* (Princeton: Princeton University Press, 2007); and Michael Allen, *Blinking Red: Crisis and Compromise in American Intelligence after 9/11* (Washington: Potomac Books, 2013).
- 2 Covering some of the same topics but written as a course textbook is James E. Steiner, *Homeland Security Intelligence* (Los Angeles: CQ Press, 2015). An edited volume that takes a broader approach is Keith Gregory Logan, ed., *Homeland Security and Intelligence* (Santa Barbara, CA: Praeger, 2018).

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