Future Challenges in Intelligence Support to the Homeland Security Enterprise

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Need to Protect Civil Liberties

**Introduction**

Since September 11, 2001, the intelligence, law enforcement, and counterintelligence agencies have been urged by the Congress, media, and general public to enhance their performance. Terrorist attacks on the World Trade Center raise serious questions on the performance and capabilities of these agencies. The United States Department of Homeland Security has compelled to increase their capabilities in order to discover and anticipate the conspiracies of terrorists. It is highly important for Homeland Security to anticipate terrorist plots in order to avoid the occurrence of any attack. Failure and incompetence of government agencies in this regard have given rise to criticism. At that time, there was an immense need for government agencies to connect the dots in order to preempt terrorist plots. The government began to establish various intelligence programs in order to get specific information about the conspiracies of terrorists. However, Americans still worry that the establishment of such programs provides the government with an opportunity to accumulate unwarranted power. Abuse of power and unilateral disarmament have been experienced by the United States in times of war. It is noteworthy to mention that the stakes regarding the war on terrorism are continuously changing in fundamental ways. The degradation of civil liberties is not tolerable by American citizens regardless of the fact that the war has arrived on the American continent. Americans are not willing to endure the degradation of their civil rights as the price for public safety.

**Discussion**

It is highly necessary to understand the association between national security and civil liberty. People often argue that the conundrum of security and civil liberty is irresolvable. According to various scholars, national security must be balanced against civil liberties in order to improve security in the entire country. There is a strong association between these identities as any improvement in one is more likely to decrease the preference of the other. However, people often forget that America has a tendency to overcome a zero-sum game (Rosenweig & Scardaville, 2003). The United States has a number of intelligence and law enforcement agencies that can resolve this conundrum. A number of effective ways are available that can keep track of government activities. Security can be increased even by limiting government capabilities to intrude into the lives of Americans (Rosenweig & Scardaville, 2003). There are a number of countries in the world that are adhering to firm principles of limited government. It will be beneficial for the US government to adhere to these principles while increasing securities. The US government can answer the terrorist threat by limiting their intrusion into Americans’ lives.

To overcome this issue, an instructive case study was formulated by the US Department of Defense. Total Information Awareness (TIA) research program has been started to figure out a way to meet these challenges. The primary purpose of this program is to connect the dots through the development of technological means. Technological means are being used by allowing pattern-based and subject-based queries into a database. It is notable to consider the fact that government information systems were not linked together in the past due to which intelligence agencies face serious issues to access that information (Rosenweig & Scardaville, 2003). For this particular purpose, the TIA program is working to provide this information to all law enforcement and intelligence agencies. TIA program could help federal agencies with this program in order to deliver the national intelligence fusion capability to all agencies (Best Jr, 2004). It has been observed that government agencies are bearing a lot of cost for transferring and accessing government information systems. This program will be a less costly way to access information. Regardless of having potential advantages and foreseeable solution to the challenges of national security, the TIA program is strictly criticized in the entire US. A columnist of the New York Times, William Safire criticized this program by stating that, “Privacy advocates have voiced determined opposition to the program” (Rosenweig & Scardaville, 2003). This program has been described as a computerized dossier on the personal lives of Americans. It is noteworthy to consider that government will forgo any resource in an effort to develop this program. Civil liberty is hanging in a crucial situation as the successful development of this program is more likely to interfere in the private life of individuals as well. Due to the severity of these civil liberty issues, some lawmakers have offered amendments in order to stop the prevalence of this program.

There are two potential criticism themes regarding the development of the TIA program. First, the TIA program will enhance the power of the government by providing easy access to information. Secondly, the TIA will allow the government to have access to inaccessible data by lowering existing legal barriers (Chen & Wang, 2005). It is necessary to have a more accurate picture of the TIA program before concluding its potential benefit. Government is trying to persuade lawmakers and other officials by illustrating the possibilities of this program. However, it is unwise to accept these possibilities before witnessing its capacities (Rosenweig & Scardaville, 2003). There are a number of foundations on which the development of TIA program should continue. These foundations include:

* Criminal and civil penalties for abuse
* Resilient congressional oversight
* Limited access to the use of technology and its product
* Absolute protection and fortification of legitimate liberties
* Termination of this program after a trial period, if not effective

Government officials are continuously persuading people about the effectiveness of this program. People are encouraged to support this program without suspicion. People argue that discussion regarding the effectiveness of the TIA program is premature. It is highly beneficial for both the government and the general public that the TIA program should be constructed to increase public safety (Rosenweig & Scardaville, 2003). In addition to public safety, TIA should also be constructed and implemented in a manner to foster civil liberty. The architecture of TIA should be animated by various overarching principles so it can be successfully applied in the domestic environment. Here, the focus is to evaluate the effectiveness of the TIA program by the government to maintain public safety along with civil liberties (Wilmeth IV, 2004). Constitutional liberty must be defended and respected by government and intelligence agencies, however, it must be noted they will not risk the security of their nation at any cost.

One needs to understand that the United States government was established in order to provide defense and freedom to its general population. Congress has been granted the power to mitigate and rebuke any offense to the nation. The President of the United States is also given power to “ensure that the laws are faithfully executed” (Rosenweig & Scardaville, 2003). Therefore, it is evident that both Congress and the President of the US have a responsibility to defend their country from any internal and external threat (Rosenweig & Scardaville, 2003). However, they need to find a way to protect the general population without interfering with their personal lives. There are a number of core American principles that must be applied to successfully establish and implement the TIA program throughout the nation. The TIA program should be developed with these boundaries:

* Constitutional liberty should not be infringed upon or breached by intelligence agencies
* Any intrusion in the personal lives of Americans must be appropriately justified by these agencies. Intrusions should be highly justified if the threat is more significant.
* Intrusions must be appropriately limited in accordance with their nature. It is notable to consider that all intrusions are not fully justified just because they are efficient for safety.
* Establishment and implementation of a new system must be designed adequately so it can be tolerable in the long term.

The government needs to use their suggestions in order to successfully establish and implement the TIA program. A number of possible technological approaches have been examined by the department of defense in order to solve the problem at hand. TIA is continuously designing and establishing new hardware tools and software in order to enhance the performance of law enforcement, intelligence, and counterintelligence agencies. By following the above mention suggestions, these departments can easily share information regarding suspected terrorist plans (Rosenweig & Scardaville, 2003). It will be highly beneficial to control the occurrence of any future attacks in the US. Counterterrorism mission of the TIA program can effectively provide a platform for all agencies to collaborate (Kelly, 2002).

It is necessary to consider that the TIA research program has two intended uses. First of all, it will gather and analyze foreign intelligence information. Secondly, it will collect and analyze national information that would be used by enforcement and intelligence agencies. It has been observed that this research has a potential government application in terms of permitting data integration for all intelligence and law enforcement agencies. Government-owned database will be provided to these agencies in order to improve their capabilities to access security information. It will be effective to detect and combat any foreseeable threat to the country. The government needs to ensure that no new system is developed without providing oversight of the operation as it can materially affect the privacy of Americans. It is highly beneficial for government officials to safeguard civil liberties while combating terrorism. Furthermore, the TIA program should not contravene or alter the limitations of any existing operating systems as it might affect civil liberty. There is a need for a proper code of conduct when it comes to the privacy or personal space of all citizens. The growing concerns of civil liberty need to be addressed appropriately.

**Conclusion**

To conclude the above discussion, the TIA program is an effective solution to detect and mitigate any threat to the country. Researchers and designers are effectively establishing a unique system in order to provide an information database to various intelligence and law enforcement agencies in the US. However, this program has the potential to jeopardize the privacy of public and private information. This project is a radical and frightening thing as it can easily provide the government with access to intrude the lives of Americans. If Homeland security wants to successfully establish and implement this program, then it needs to provide absolute protection to fundamental constitutional liberties. High-level of authorization should be granted for using such advance technologies by the TIA program. It is highly important to establish this program with an idea of giving civil and criminal penalties to those who misuse this program. Public privacy should not be violated in the name of national security. It has been observed that the TIA program has the potential to misuse private information. In order to avoid this, this program should be established without breaching fundamental liberty that has been guaranteed by the Constitution of America. Any intrusion in the personal lives of Americans must be appropriately justified by intelligence and law enforcement agencies. Designing and executing any new system must be adequately evaluated so it can be tolerable in the long term.

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