

The Legacy of 9/11: Counterintelligence and Counterterrorism Spotlights and Blind Spots

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One of the recurring patterns of the U.S. intelligence community's response to emerging threats is that it is often reactionary. Being caught unaware of the urgency of a new danger results in a pendulum swing: creating new priorities, policies, and procedures to correct those gaps. This is to be expected. After all, intelligence agencies – while designed to respond rapidly to discrete events – are, policy-wise, bureaucracies that are like large, slow-moving ships. Turning them around can take some time and effort, but once they face a new direction, they can barrel full speed ahead. Our multi-decade response to 9/11 is a classic example of both the resilience of the intelligence community even after a massive failure, but also how this reactionary approach set us up to repeat the cycle of missing other emerging threats over the horizon – particularly with Russia and domestic terrorism.

In its [report](#), the 9/11 Commission concluded that the successful arrest and prosecution of the perpetrators of the first bombing of the World Trade Center in 1993 “had the side effect of obscuring the need to examine the character and extent of the new threat facing the United States.” In particular, the FBI's focus on its reactive, law enforcement function – which resulted in tangible and visible credit to the agency and specific field offices – took precedence over forward-looking counterintelligence and counterterrorism efforts, which had fewer immediate returns. For the CIA, the end of the Cold War led to significant budget cuts after 1992 – the report [notes](#) that in 1995, for example, the agency hired

only 25 new officers. Without the unifying focus of the Cold War, the CIA's mission seemed unclear and adrift; the Commission observed that the CIA found it difficult to adapt to a world without a clear adversary, and that its Cold War resources were either unable to be prudently reallocated or were diluted among too many different priorities.

John Sipher, a 25-year veteran CIA officer who served in Moscow, notes that the disconnect was also rooted in administration priorities. "Among the national security agencies, the CIA is immediately responsive to the needs and interests of the White House," Sipher emphasizes. "The lack of interest in foreign policy for much of the Clinton Administration left the Agency to make do as best it could. It tried to anticipate policymaker interest by reading tea leaves – not the best way to provide tailored intelligence."

The events of 9/11 changed all of this. The FBI, for its part, bore the brunt of the 9/11 Commission's criticisms but, thanks to the leadership of then-Director Robert S. Mueller III, avoided having its intelligence function severed from its law enforcement one. Along with legislative changes like the USA PATRIOT Act which made it easier to engage in foreign intelligence surveillance, increased funding for hiring new agents, and awarding "stats" for field offices pursuing terrorism related cases, the Bureau made immediate, if incremental, progress toward a comprehensive and consistent counterterrorism effort across its 56 field offices. (One particularly emblematic expression of this shift was in the ongoing case simulation at Quantico, which at the time was a bank robbery investigation – my new agent class was one of the first to work on a terrorism angle incorporated into the scenario.) Similarly, the CIA had clearer intelligence collection priorities following 9/11, and increased its intelligence sharing through coordination by the newly-created Director of National Intelligence.

To be sure, the intense focus on preventing another terror attack on American soil was effective in thwarting many plots in motion. From the 2002 arrest of Jose Padilla, who planned to build and detonate a dirty bomb, to the disruption in 2009 of an al-Qaeda plot to bomb the New York City subway, there is no doubt that the intelligence community learned many of the tragic lessons outlined in the 9/11 Commission Report and acted to ensure they never happened again. But this pendulum swing, while necessary, also went too far in several respects, legally and morally, including the warrantless surveillance of Americans (over the early objections of the Justice Department) under STELLAR WIND and the use of enhanced interrogation techniques (including torture) on prisoners at Guantanamo and Abu Ghraib.

These excesses were ultimately exposed and generally corrected, but the longer term consequence of the constant government and media focus on preventing another 9/11 is that it blinded us to two of the major threats which currently pose an existential threat to democracy.

The first is Russia. The end of the Cold War, and the belief that we had “won,” obscured the growing threat posed by Moscow and even made it easier for the Kremlin to operate inside the United States. Even after the arrest of 10 Russian “illegals” in 2010 – spies operating without diplomatic cover – the threat from Russia was treated as a punchline, rather than a serious threat. Case in point: After Mitt Romney identified Russia, not al-Qaeda, as the biggest geopolitical foe to the United States, then-President Barack Obama launched a zinger at the 2012 presidential debate: “The 1980s are now calling to ask for their foreign policy back.”

More importantly, this posture shaped the public’s perception of what constituted a foreign “threat” to the homeland. To wit: If it wasn’t connected to the Middle East, and involving explosions and dead bodies, it wasn’t really dangerous. This outlook came to haunt the United States in 2016, when evidence of Russia’s disinformation operation in the presidential election came to light. It became apparent that, at least for some people, Russia’s interference only mattered if it ended up affecting the final vote. The lack of evidence that it did so (something that would be difficult to prove, since Russia’s effort was ultimately a psychological operation) resulted in ambivalence and partisanship over the level of response required. Consider, by contrast, how even unsuccessful terrorist attempts which resulted in no casualties, like Richard Reid’s failed “shoe bomb,” led to onerous security measures in airports – ones that are still in place, over a decade later. What’s more, in the years that followed the Russian military intelligence’s 2016 attack on the United States, Americans identifying with President Donald Trump’s party increasingly warmed toward Putin and believed Russia was less of a critical threat. The basis for that outcome was laid before Trump stepped into office in part because the U.S. government had not oriented itself or the American public toward understanding the true nature of the danger posed by Russia.

This myopic focus on Islamic terrorism also eclipsed the growing threat of white nationalist terrorism and militia movements in the United States. If there was a missed through-line from the 1993 World Trade Center bombing to 9/11, there was another one between Oklahoma City and January 6. As Professor Kathleen Belew, a leading expert on white nationalism, has written, the declaration of war by the far

right on the U.S. government reached its pinnacle in 1995 with the bombing of the Alfred P. Murrah federal building, and presaged the goals of the movement today. For a brief moment, at least, the “face” of terrorism was represented by Timothy McVeigh, who at that point was the perpetrator of the worst mass casualty event on American soil since Pearl Harbor. But as Belew also carefully documents, it was not understood how McVeigh connected up with the white power movement at the time.

After 9/11, the popular imagination was transfixed by Osama bin Laden and his transnational network, as government resources shifted decisively toward foreign terrorism. We should question whether the intelligence failure preceding January 6 was caused, at least in part, by the fact that the people in attendance didn’t “look” like terrorists or what one counterterrorism expert referred to as the “invisible obvious” in which decision-makers and analysts failed to see the threat from people who looked like them. (This last point also mirrors another post 9/11 issue: The intelligence gaps created by a lack of diversity in our intelligence community.)

Fortunately, we have slowly come to terms with these new threats from Moscow and from within. In the previous Congress, the Senate Select Committee on Intelligence investigated and prepared a five-volume bipartisan report on Russian active measures and 2016 election interference, and the Office of the Director of National Intelligence provided a comprehensive intelligence assessment on foreign interference in the 2020 election to the President and Congress on January 7, 2020 and to the public on March 15, 2020. On the domestic terrorism front, last June the National Security Council issued its National Strategy for Countering Domestic Terrorism, which includes many of the measures taken in the post-9/11 context, including enhancing information sharing among agencies and increasing resources to investigate, prosecute, and track domestic terrorism. Also like after 9/11, Congress has now undertaken its own investigation through its bipartisan select committee looking into the events leading up to January 6, and the Justice Department is at least vigorously pursuing the foot soldiers.

Twenty years after 9/11, we can be sure that U.S. policies, priorities, and resources will rise to meet the new challenges we face on foreign and domestic fronts. But, it is worth noting that we are once again responding from a reactionary posture to two of those major threats, suggesting that there are still lessons to be learned from the way the United States bounced back 20 years ago. For one, we need to ensure that the pendulum swing does not overcorrect, as it did with countering Islamic terrorism, to justify illegitimate and unlawful means to an end. We must also remember that as large as these current threats loom now, they won’t last forever and may even evolve or be eclipsed by others. Hopefully the next time around, we won’t miss the warnings.