

# Homeland Security Inc.: public order, private profit

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*Abstract:* The 'war on terror' has ushered in a domestic Homeland Security State – one of the fastest growing and privatised areas in US government. The author reveals the way that individuals from government are free to link to private businesses and go back to government. She argues that a decade of information collection and internal surveillance have not so much prevented terror attacks at home as alienated whole Muslim and Arab communities that are under scrutiny. And the involvement of the private sector in federal programmes now puts their human rights at risk.

*Keywords:* 9/11, Arab communities, CIA, Department of Homeland Security, FBI, fusion center, InfraGard, Muslim, National Security Agency, private corporations, 'war on terror'

When John Brennan, a second-generation Irish American, was appointed as the new Director of the CIA by President Obama in 2013, many questions arose regarding his background and service record spanning his twenty-five-year career with the CIA. During his Senate confirmation hearing, Brennan fielded

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hot topic questions on the Drone programme and whether or not he considered waterboarding a form of torture. However, a less-known part of Brennan's background received much less scrutiny. Brennan had left his position as the Director of the National Counterterrorism Center in 2005 to become CEO of The Analysis Corporation (TAC) where he earned \$760,000 a year while boosting TAC's revenue to \$26 million, a 400 per cent increase since 9/11. Within two months of leaving his post at the National Counterterrorism Center, Brennan, in his position at TAC and with a newly awarded and tremendously lucrative \$60 million contract with the FBI, began work on improving the National Counterterrorism Center's terrorist watch list.<sup>1</sup> After serving four years in the private sector, Brennan returned to serve under Obama's presidency as his homeland security adviser. Ironically, President Obama, who had pledged to halt the revolving door between big business and government, as outlined in Executive Order 13490, issued an ethics waiver for Brennan to investigate the failure of the National Counterterrorism Center's terrorist watch list in apprehending the 'Christmas Day Bomber'.<sup>2</sup> In sum, Brennan was selected to perform an evaluation of the very failed system that he had both managed while in his previous governmental post and *profited* from while in the private sector. Brennan's security firm, now known as Sotera Defense, continues to win multi-million dollar contracts, earning its reputation as the 2012 GovCon Contractor of the Year, and generating more than \$300 million in contracts in that year alone.<sup>3</sup> Brennan's relationship with the private sector did not stop there. He also received \$30,000 yearly to spend an hour a week chairing the Intelligence and National Security Alliance, a lobbying conglomerate representing 150 security corporations.<sup>4</sup> While personal networks between government and the private sector have always existed, the increased demand and priority to hire private contractors in homeland security after the attacks on 9/11 in the US institutionalised this practice as the norm. Brennan's revolving door position between public servant and corporate profiteer is no deviation but reflects a broader pattern within the Homeland Security State.

The uninhibited growth and investment of private capital in the massive build-up of the domestic Homeland Security State has created scant public outcry, in part because of the normalising of the Muslim terror threat. In a severely depressed economic climate that has fostered criticism directed at a variety of other public funding priorities including education, labour, environment and healthcare, spending on homeland security remains a top priority.<sup>5</sup> Spending by both federal and state governments on homeland security has reached approximately \$75 billion annually, making the United States the largest civil security market in the world.<sup>6</sup> The systemic targeting and surveillance of US Muslims has been a significant feature of the burgeoning Homeland Security State from which key political officials and corporations have derived abundant profit. When confronting this unprecedented nexus of power at the core of the Homeland Security State, it is imperative to understand the rise of homeland security as a national priority of the 'war on terror'.

### The development and funding of the Department of Homeland Security

Contrary to popular opinion, the 'war on terror' has not solely been waged abroad. Rather, it has relied heavily upon an important shift in the US domestic state apparatus. The Homeland Security Act of 2002 was to close the intelligence gap between a plethora of separate governmental agencies by creating the Department of Homeland Security. This merged over twenty-two agencies of the government and boasted a \$62 billion budget to 'secure the borders' of the United States, along with preventing any future terrorist attacks on American soil. It is no surprise that over 79 per cent of growth in recent government employment has occurred in departments related to the 'war on terror'.<sup>7</sup> The Homeland Security Department houses a record number of 230,000 employees, the second largest government employer after the Department of Defense. However, employees of private contractors working under the Department of Homeland Security are equal to the number of direct government employees. Even more telling is that within intelligence operations, private contractors make up approximately six out of every ten employees.<sup>8</sup>

The establishment of the Department of Homeland Security as an outgrowth of the events of 9/11 has also led to economic growth in a variety of other 'risk' arenas, i.e. new 'security based markets', such as bio-terrorism, cyber-terrorism, transportation and border security. An outcome of the funnelling of large sums of investment into the economic growth of security-related industries is the diversion of resources away from social programmes.<sup>9</sup> The opportunity cost of this burgeoning Homeland Security State has the effect of draining jobs that could potentially focus on social problems associated with healthcare, environmental degradation, employment and education. The procurement of security-related technologies, coupled with the Department of Homeland Security's reliance on the outsourcing of a highly-skilled, white-collar labour force, does not offer much in terms of immediate benefits to those most impacted by the recent recession. The government's decision to direct financial resources for subsidising employment in security-related industries has had a relatively minimal impact on unemployment rates among less skilled workers. In addition to the uneven impact of this job growth on different workers, growth in this sector has also caused an exacerbation of the economic crisis in communities of colour in the United States. Immigrants have suffered major obstacles during the recession, and the additional resources invested in policing immigrants have resulted in a two-fold attack on marginalised immigrant communities.

President Obama's funding priorities tend to reflect this ongoing commitment to homeland security. During the peak of the economic crisis, he made it clear that all discretionary spending would be halted for three years with the exception of any governmental spending on national security.<sup>10</sup> The cuts to social programmes have inevitably resulted in a loss of investment in human capital. Interestingly, the mainstream media has focused on whether or not President Obama's halt on discretionary spending was an effective remedy for the

mounting debt. However, popular discussion failed to interrogate the continued investment in the category of security spending, which was the only governmental sector to actually increase during the recession. Thus, security spending has become an unquestioned feature of the US economy, while funding directed towards social programmes has been relegated to the realm of popular debate. Moreover, it is taken for granted that security spending actually results in 'more security'. Homeland security spending has risen from \$16 billion in 2001 to \$69.1 billion in 2011, constituting a 300 per cent increase. Additionally, the Department of Homeland Security contract spending on security devices and technology nearly doubled from \$5.4 billion in 2004 to \$10 billion in 2010.<sup>11</sup> The investment in the Homeland Security State has acted as an economic stimulus to state governments in a time of severe cutbacks. This ever-increasing financial commitment and public-backed consensus became unlimited following 9/11. In a *Washington Post* interview, CIA Director Leon Panetta pointed to this unchecked spending growth. He would, he remarked, begin 'mapping out a five year plan for his agency because the levels of spending since 9/11 are not sustainable'.<sup>12</sup>

### **The Homeland Security State: coinciding domestic and imperial interests of private capital**

The Homeland Security State purports to serve the public good by protecting the citizenry from terrorism. It falsely conveys domestic security as a separate and distinct priority from the global 'war on terror'. However, there is an extensive overlap between the political and corporate sectors involved in both the 'war on terror' and the Homeland Security State.

The 'war on terror' is the single most privatised war in the history of the United States, making it an important site for exploring the burgeoning industry created and sustained by fear of terrorism. Private capital has monopolised government contracting in the United States as well as in Iraq and Afghanistan. Within the Department of Homeland Security, as well as in the wars waged abroad, private contractors actually outnumber government and military personnel. Private contractors are involved at every level of the war effort abroad, including the provision of defence weaponry, water, food, logistics, security, prisoner interrogations, and even health services for returning veterans.<sup>13</sup> At home, private contractors also play an essential role throughout multiple components of the Homeland Security State; including a substantial proportion of intelligence-gathering and operations for the FBI and CIA.<sup>14</sup>

Historically, war has often served as an outlet for private capital investment and profit. However, after the end of the cold war, there was a substantial decrease in money funnelled to military defence industries. In a move to avoid another such military slump, defence industries expanded their expertise into the realm of homeland security. 'Defense contractors, faced with a shrinking military market, are lobbying hard to provide "counterinsurgency applications" to local police

in order to keep sales up'.<sup>15</sup> This expansion allows for military technologies and information-gathering systems to be translated for use in state security. The drone lobby has been very effective at this strategy by now focusing on the untapped potential of the domestic security market. According to the Association for Unmanned Vehicle Systems International, 'once drones are allowed to fly in U.S. airspace, the civil market has the potential to eclipse the defense market'.<sup>16</sup> Even throughout a major recession in the United States, on a par with the Great Depression, investment in homeland security has proved to be lucrative. The increased funding of homeland security also signals an ideological shift that prioritises the militarisation of the domestic landscape. It is simply not enough to develop military technology for the sake of war – now 'anytime the government can find broader applications for a technology developed primarily for military purposes, it's saving taxpayers money and it's being more efficient in the broader economy'.<sup>17</sup> Consequently, the homeland security market has been one of the fastest growing sectors in the United States over the past decade.

### **Political officials as profiteers**

Many of the same corporations that were successful in the defence industry in the past have expanded their scope to become the top contractors in the homeland security business sector. Lockheed Martin, Northrup Grumman, Boeing, and L-3 Communications are among the top-awarded contractors in both the Departments of Defense and the Department of Homeland Security. Additionally, they are among the top government contractors overall when taking into account all the agencies under the federal government.<sup>18</sup> Since the 1980s defence contractors Boeing and Lockheed Martin have dedicated a substantial portion of their budget to lobby Congress in order to secure their lucrative status.<sup>19</sup> The CEOs of the leading defence companies have profited more than any other industry executives since the 'war on terror' commenced following the attacks on the World Trade Center and the Pentagon. CEO salaries of the top thirty-four defence contractors in the nation received a 108 per cent pay increase from 2001 to 2005, while salaries for their CEO counterparts in other industries only rose 6 per cent during the same period.<sup>20</sup>

Several key political officials, who were integral designers of the 'war on terror' have also transitioned into the private sector: the Chertoff Group was founded by Michael Chertoff, the former Secretary of the Department of Homeland Security; the Ashcroft Group, founded by former Attorney General Tom Ashcroft; Ridge Global, founded by the first Secretary of the Department of Homeland Security, Tom Ridge; the Giuliani Group, led by former Mayor of New York City, Rudolph Giuliani; and the Rice-Hadley Group, headed by former Secretary of State, Condoleezza Rice.

While in political office, these key leaders supported the 'war on terror', including prioritising these efforts and enhancing governmental subsidies for

security-related tasks and technologies. In effect, ex-political officials participate in the demand for security procurement while in office and routinely leave their posts to lead companies that fulfil this demand. The revolving door between political officials and private corporations streamlines the process of bidding and securing government contracts. Former political officials hold intimate knowledge of how to navigate the institutional processes that govern contract negotiation and oversight, thereby placing them at a distinct advantage for companies wanting to invest in and create products and services that will be purchased by the government. They are also able to effectively draw upon governmental networks with current political officials. The expanding niche that ex-political officials have carved out within the homeland security infrastructure essentially enables them to fulfil a middleman role as brokers between private capital and government. Many of these security and risk assessment firms regularly employ previous political colleagues from government, and can boast of their 'all star lineups' of former top intelligence, military and political officials who now are employed as consultants, staff and members of the Board of Directors. Since 9/11, according to Ian Allen, 'three CIA Directors, four Deputy Directors for Operations, three Counterterrorism Center Directors, as well as all five of the CIA's Division Heads' have transitioned to the private sector.<sup>21</sup>

Within months of leaving office as the Secretary of the Department of Homeland Security from 2005–2009, Michael Chertoff founded his new company, the Chertoff Group, which provides security and risk management services to both private firms and governmental agencies. Chertoff calls their principal employees a 'new team, [with] long-term colleagues' – evidenced by the hiring of Michael Hayden, the former director of the CIA, 2006–2009, and Charles Allen, the creator of the Department of Homeland Security Unit.<sup>22</sup> Chertoff was publicly criticised in 2010 for advocating the need for increased acquisition of body scanners at airports to safeguard against terrorism without disclosing that his company represented the leading manufacturer of such technology. It sold the Department of Homeland Security the first batch of body scanners while Chertoff was in office in 2005 and was the sole company that secured a \$25 million contract paid through the American Recovery and Reinvestment Act to provide another large order of body scanners to the Transportation Security Administration of the Department.<sup>23</sup> Since the arrest of the 'Christmas Day Bomber', another \$118 million in stimulus funds have been used to buy more Rapiscan technology, including 300 more scanners. (The Government Accountability Office has reported that it is unclear whether the scanners would have been able to detect the weapon in the foiled Christmas day plot.<sup>24</sup>) Upon leaving office, Chertoff authored an article on 'How to reinvigorate the war on terrorism here at home', which emphasised the persistent threat of Al-Qaida and the need to implement technology that could detect terrorist threats.<sup>25</sup> Presumably, drawing on their political and expert status as former government officials creates more trust with the general public and bolsters popular support for sustaining funding for the 'war on terror'. In a similar

fashion, Tom Ridge, the first Secretary of the US Department of Homeland Security, founded his own private security firm Ridge Global immediately after leaving his government post. Ridge's company claims to advance the security and economic interests of businesses globally, with particular emphasis on minimising risk and challenges to capital. Security companies provide emphasis on protecting private business interests to ensure risk-free movement of capital's goods across nation states and through international borders. In particular, Ridge Global boasts expertise in analysing and protecting companies' supply chains.

### **Laying the groundwork for targeting Arabs and Muslims**

The US nation state acts to 'defend' itself against any perceived Muslim threat in the domestic realm, while simultaneously taking 'offensive' moves against any Muslim threat abroad in the Middle East through war and occupation. The repression of US Muslims within the Homeland Security State is intrinsic to the 'war on terror' in which Muslims in the US are rendered suspect by the very nature of their supposed association with the 'enemy' abroad. The conflation of domestic Muslims with 'foreign' Muslims in the Middle East serves to strengthen the function of the Homeland Security State. The targeting of Arabs and Muslims as potential security threats to the US nation state is clearly not new. The selective measures imposed by the Homeland Security State on US Muslims post 9/11 draw upon past practices and policies. Many of the agencies that presently constitute the Department of Homeland Security (FBI, CIA, ICE) have historically implemented such actions.

Since the 1970s the private capital and political elites have been increasingly entwined as the growing importance of securing control over oil resources in the Middle East became vital to the status of the US as a global superpower.<sup>26</sup> And government policies aimed at Arabs and Muslims were accompanied by media representations that portrayed them as possible terrorist threats. Beginning with Nixon's Operation Boulder in 1972, the FBI investigated people of 'Arabic origin' to 'determine their relationship with potential 'terrorist' activities related to the Arab-Israeli conflict'.<sup>27</sup> The White House also authorised widespread wiretapping and surveillance of Arabs under the guise of 'uncovering the activities of persons potentially involved in sabotage'.<sup>28</sup> The rendering of Arabs and Muslims as a political threat to the foreign interests of the US became further entrenched under the FBI's 1978 Operation Abscam, which coincided with media depictions of Arabs as blood-thirsty oil Sheikhs antithetical to US cultural, political and financial interests.

Under President Reagan, the National Security Decision Directive instituted the Alien Border Control Committee, which was charged with preventing terrorists from entering and staying in the United States. This committee, which included members from the FBI, CIA and the Department of State, published a document, 'Alien terrorists and undesirables: a contingency plan', which planned

for the mass arrest and detention of Arab and Iranian immigrants, even further positing the use of ideological exclusion grounds in the Immigration Act to justify the deportation of noncitizens from these ethnic backgrounds.<sup>29</sup> Government officials also fingerprinted and photographed all entrants of Iraqi and Kuwaiti origin to the United States during the 1990s Gulf War. Inevitably, these historical antecedents were prevalent in many of the institutional measures implemented after 9/11, relating to the profiling of Arabs and Muslims.

Institutionalised racism directed at Arabs and Muslims has long been shaped by US foreign policy, as was clear in the twenty-year long case, which ended in 2007, brought against the LA-8, when the federal government tried to deport US residents of Palestinian origin who had supported a Palestinian party, at the same time as the government was also attempting to close down the PLO-representative offices in the US.<sup>30</sup>

The linking of Arabs and Muslims to terrorism is now pervasive, including in media representations and news reporting.<sup>31</sup> Prior to the apprehension of white right-winger Timothy McVeigh following the Oklahoma Federal Building bombing in 1995, CNN newscasters initially reported that Arab and Muslim suspects were being pursued. Steven Emerson, a 'terrorist expert', mentioned on CBS that there was a 'Middle Eastern trait' that could be identified in the attack.<sup>32</sup> Such allegations were echoed in media coverage immediately following the Boston Marathon bombing of 2013, when CNN's John King reported that a 'dark-skinned' suspect had been arrested in connection with the bombing, which later turned out to be a false report.<sup>33</sup> The media play an active role in the reification of the terrorist as a racialised category, with experts and erroneous reports consolidating the link between terrorism and Arabs and Muslims in the public perception. The fear and suspicion thus created, reinforced by government practices and policies towards Arab Americans and US Muslims, also serve to silence any criticism of the consequences of the expansion of private capital in security and defence.

### **The Homeland Security State's intelligence-gathering in Arab and Muslim communities**

The unchecked spending and investment on security and counterterrorism programmes draw on a complex relationship between government, private capital and bi-partisan political support. Although, in actuality, terrorism ranks low as a potential threat to the everyday life of an American, in recent years it has consistently remained a top priority for American citizens and in the deployment of financial and governmental resources – leading to surveillance of a most comprehensive nature. One of the largest government contracting firms, Booz Allen Hamilton, known for specialising in cybersecurity, has recently made headlines due to allegations by Edward Snowden, a former private contractor employee who leaked classified information on the National Security Agency's secret domestic surveillance programmes. Snowden's leaked documents reveal that the

National Security Agency has been running the 'PRISM' programme, a massive electronic surveillance operation since 2007. PRISM mined and intercepted electronic communications such as video, live chat, user data, and email from many of the leading corporate technology providers, including Google, Yahoo, YouTube, Skype, Microsoft, Facebook and Apple. Intelligence contractors were able to access electronic communications without a warrant if they were 51 per cent confident that the person was reasonably believed to be outside the US. However, there was scarce oversight of these parameters in gathering information on US individuals. In addition, reports also allege that agencies outside the US shared access to this information as well, including the British agency, GCHQ.<sup>34</sup> The National Security Agency's suspicionless surveillance extended to collecting metadata of Verizon customer's telephone calls made domestically and also among other countries outside of the US.<sup>35</sup>

The increased surveillance of Arab and Muslim communities has not actually revealed terrorists, but produced a type of pre-emptive policing to demonstrate that tax dollars are hard at work to prevent terrorism. The ramped-up blanket monitoring of Arabs and Muslims has led to the deportation of immigrants for minor visa violations and a substantial investment in the mapping of Arab and Muslim communities. This pre-emptive policing strategy demands significant investments in security and information related technology-gathering strategies.<sup>36</sup> The FBI, ICE and local law enforcement agencies all work in concert with private contractors to continuously gather information related to 'suspect populations' with Muslims disproportionately impacted. Private capital is one factor among many driving the surveillance of Muslims. Enabled by the advances in the technological revolution that made mass data analysis and data-mining possible, private interests work in tandem with processes of state racism that drive information collection. All of which is, in turn, facilitated by the passive acceptance of majority populations, primed by the media, of the need to police an 'enemy within', and the recent rehabilitation of racial profiling.<sup>37</sup> While Muslims in general continue to be widely perceived and treated as 'legitimate' security threats, there has been a lack of evidence in support of such claims.<sup>38</sup>

There has been a definitive shift in counterterrorism priorities and policing strategies domestically, with the FBI increasingly focusing on investigating US Muslims without any factual predicate. Prior to 2006, most counterterrorism efforts were primarily focused on safeguarding the US from *foreign* terrorists. However, the bombing of the London Underground on 7 July 2005 by 'homegrown Muslim radicals' had an international ripple effect. During the period 2006 to 2007, US public discourse on the threat of radical homegrown terrorism became an increasing media fixation and public priority. This increasing scrutiny of US Arabs and Muslims in public discourse was mirrored in the activity of the security state.

In May 2006 the first significant report on 'homegrown radicalisation', produced by the FBI counterterrorism unit, 'The radicalization process: from conversion to jihad' purported to outline the indicators of the pre-radicalisation

stage. These 'identification factors' included wearing traditional Muslim attire, growing facial hair, frequent attendance at a mosque or prayer group, and travelling to a Muslim country. These presumed identification factors are, of course, nothing more than a set of generalised characteristics that could be applied to the vast majority of US Muslims, and fail to actually provide clear linkages between individual criminal activities of potential terrorists. The 2013 media coverage of the Boston Marathon bombings revisited this report highlighting in a rhetorically banal insight that jihadists are often 'unremarkable men' living 'unremarkable lives'.<sup>39</sup>

Leading corporations in the area of counterterrorism training have helped in the perpetuation of the Muslim terrorist stereotype. Under the direction of the Department of Homeland Security, \$1.67 billion has been made available to states under two grant programmes, the State Homeland Security Program and the Urban Areas Security Initiative to provide counterterrorism training. A Political Research Associates investigation found that there had been scant Department of Homeland Security oversight of top counterterrorism firms that have received contracts to carry out such training.<sup>40</sup> Furthermore, many of these self-proclaimed counterterrorism experts have espoused Islamophobic messages during training programmes without factual evidence for their claims.

Since one of the aims of the Department of Homeland Security's counterterrorism programmes has been to fill an information void on potential terrorist threats, government initiatives have focused on tracking generalised populations of immigrant Muslims.<sup>41</sup> During 2002–2003, the new National Security Entry-Exit Registration System (NSEERS) focused on the registering, fingerprinting and photographing of male foreign nationals from countries that had been known to support or harbour terrorists. The domestic component solicited registrations from more than 80,000 males who were living inside the United States on temporary visas from Muslim-majority countries. In September 2003, of the more than 80,000 individuals who complied with call-in registration, 13,799 were referred to investigations and received notices to appear in court, and 2,870 were detained.<sup>42</sup> Of those visitors who were detained, not one single individual was ever brought up on terrorism related charges. However, most were deported for simple visa violations, such as failing to report a change of address within ten days of moving.

NSEERS, widely criticised by migrants' rights and civil liberties groups, not only failed to produce any suspected terrorists or foil any potential terrorist activities but was later mined for new and continued investigations into the Muslim community. From May 2004 to February 2005, Immigration and Customs Enforcement (ICE) agents developed 'Operation Frontline', a programme that systematically mined the NSEERS database, the Student and Exchange Information System (SEVIS), and the US Visitor and Immigrant Status Indicator Technology Program (US VISIT) in order to conduct surveillance of foreign nationals who posed a national security threat.<sup>43</sup> Of the 2,400 individuals who

were under surveillance and investigation, 2,000 (83 per cent) were from predominantly Muslim countries. Once again, Operation Frontline also failed to make a single arrest of anyone on terrorist-related charges, nor did it even determine that there were any suspected terrorists among the population that was investigated. With the majority of NSEERS' 'suspects' facing the denial of immigration welfare, or deportation, the programme became in effect a method of pauperising or depopulating Arab and Muslim communities within the US.

In 2003, FBI Director Robert Mueller authorised an initiative aimed at mosques. The fifty-six FBI field offices nationwide were instructed to develop demographic profiles of their respective localities. In February 2003, FBI field offices were sent a six-page questionnaire, including a section titled, 'Vulnerabilities' which asked for the number of mosques in their communities.<sup>44</sup> This information would then be used to assist in setting quotas for wiretaps and counterterrorism investigations.<sup>45</sup> FBI officials claim that the mosque tallies are only one of several indicators that are used to assess the potential terrorist threat in a specific area. Of interest to the FBI were the number of other 'vulnerable assets' in a region, including bridges, dams, nuclear plants, flight schools and Islamic charities that have been linked to terrorism. A senior FBI official stated, 'We're trying to set performance goals and objectives for a particular field office. We're not targeting mosques.'<sup>46</sup> The FBI's focus on counting mosques as a strategy to evaluate the performance of field offices steers intelligence operations to focus on the generalised mapping of Muslim communities, as opposed to developing quality intelligence that hones in on specific, evidence-based, terrorist-related activities.

In 2007, the Los Angeles Police Department (LAPD) announced that it would map all of the Muslim neighbourhoods in Los Angeles in an attempt to identify populations susceptible to radicalisation.<sup>47</sup> Michael Downing, the Deputy Police Chief and head of the Counter-Terrorism Bureau in LA, told a congressional hearing that, as well as geographically mapping Muslim communities, 'we also intend to take a deeper look at their history, demographics, language, culture, ethnic breakdown, socioeconomic status and social interactions'.<sup>48</sup> However, civil rights organisations pointed out that the singling out of a population based upon first-amendment protected religious beliefs and activities, rather than on any suspicion of criminal activity, is a clear act of profiling and the project was scrapped.<sup>49</sup>

The kind of inter-agency collaboration these proposals demonstrated is an outgrowth of a growing trend by which local police departments become more integrated with federal agencies such as the CIA, FBI and ICE, in order to enhance counterterrorism strategies. The integration of various government agencies and the confluence between US foreign political interests and domestic agency priorities is showcased in the NYPD spying programme. Under Brennan's appointment as its Deputy Chief, the CIA collaborated with the NYPD in its multi-year long surveillance programme that sent 'rakers' into Muslim communities to map ethnic and cultural hubs, despite the fact that the CIA is prohibited from gathering information on Americans. The CIA-NYPD collaboration, known as the

Demographics Unit (recently renamed the Area Survey Unit), conducted widespread surveillance including the mapping, photographing, or infiltration of 250 mosques and sixteen universities where Muslim Student Associations were active in the Northeast, gathering information without any criminal predicate.<sup>50</sup> Not a single lead was produced from the Demographic Unit reports.<sup>51</sup>

More importantly, authorities responding to the 2013 Boston Marathon bombings have already begun to cite the surveillance programme as an important justification for replicating such programmes elsewhere and legitimising illegal intrusions in US Muslim communities.<sup>52</sup> In an interview on the Boston Marathon bombings with Fareed Zakaria of CNN, NYPD Commissioner Raymond Kelly claimed that the Area Survey Unit 'was never put in place to generate leads. It was put in place for us to have contextual information about what's going on in the city ... Believe me, we generate leads in a lot of other ways, but not from that particular unit'.<sup>53</sup>

### **The 'Information Factory': public and private partnerships in intelligence sharing**

'Intelligence is not only about spies and satellites. It is about the thousands and thousands of routine, everyday observations and activities', said DHS Under Secretary Charles Allen in a 2008 speech. He went on:

Surveillance, interactions – each of which may be taken in isolation as not a particularly meaningful piece of information – but when fused together, gives us a sense of the patterns and the flow that really is at the core of what intelligence analysis is all about. What you may not know is that we, at DHS, actually generate a great deal of intelligence. We are virtually an 'information factory' producing data based on thousands of interactions every hour.<sup>54</sup>

The fact that the majority of workers employed in the DHS's intelligence efforts are private contractors, and that the *quantity* of observations in intelligence gathering is the goal of such efforts, poses significant problems. Despite no evidence of the efficacy of such intelligence programmes, the drive of the 'information factory' has become self-perpetuating. Since Muslims have become a population to fear in the public eye, increased scrutiny has been supported by popular opinion.

An important development in the landscape of homeland security has been the growth of 'fusion centers' to share intelligence among federal, state and local law enforcement authorities. According to the US Department of Justice, the purpose of the fusion center is to 'provide a mechanism where law enforcement, public safety, and private partners can come together with a common purpose and improve the ability to safeguard our homeland and prevent criminal activity.' Federal spending since 2003 has amounted to upwards of \$1.6 billion dollars allocated to seventy-seven fusion centers located across the country.<sup>55</sup> A critical investigation by the Senate Subcommittee in 2012 found that 'DHS-assigned

detailées to the fusion centers forwarded “intelligence” of uneven quality – often-times shoddy, rarely timely, sometimes endangering citizens’ civil liberties and Privacy Act protections, occasionally taken from already-published public sources, and more often than not unrelated to terrorism’.<sup>56</sup> Moreover, it concluded that fusion centers have not contributed any information leading to disrupting an active terrorist plot. While the Department of Homeland Security sought the expansion of fusion centers as a possible solution to the 9/11 Commission Report’s critique that information sharing needed to be improved upon, especially in relation to the inability of government officials to ‘connect the dots’, it does not appear to have worked. Just as the National Counterterrorism Center failed to apprehend the ‘Christmas Day Bomber’, even though intelligence existed about the bombing suspect, questions have arisen as to why the suspects in the Boston Marathon bombings of 2013 slipped through the cracks as well.<sup>57</sup>

Yet despite the failings of fusion centers to live up to their stated purpose, the DHS has decided to roll them out further, taking the same tactic of information-sharing partnerships and applying it on new fronts. In order to expand, the security services have grown reliant on partnerships with private corporations. One such programme is InfraGard, which teams the FBI with the private sector, allowing members from the corporate sector to ‘gain access to information that enables them to protect their assets and in turn give information to government that facilitates its responsibilities to prevent and address terrorism and other crimes’.<sup>58</sup> In 2003 InfraGard, under the direction of the FBI, was transferred to the DHS’s Department of Critical Infrastructure Protection. Most of these ‘critical infrastructures’ are privately owned and operated. Each of the FBI’s fifty-six field offices designates at least one special agent coordinator to work with each respective local InfraGard chapter, underscoring the extent to which the FBI and the DHS have rendered the responsibility of shaping counterterrorism efforts to stakeholders in private corporations.<sup>59</sup>

InfraGard members have access to sensitive but unclassified information. One of the primary purposes of InfraGard is, in its own words, to ‘increase the quantity and quality of infrastructure intrusion/threat reports provided to local FBI field offices for investigation and follow-up and the NIPC for national-level analysis’.<sup>60</sup> As the ‘war on terror’ demanded national vigilance and opened the door for vast information collection on Arabs and Muslims, InfraGard’s members, dressed in the cloak of patriotic duty, were able to present themselves as key players in the fight for homeland security. But this meant that their role in shaping the priorities of the security services to meet their own needs was under-challenged, paving the way for unwarranted and illegal intrusions into the lives of other Americans. Through InfraGard, the security services and private corporations were able to circumvent the critical safeguards (however limited) built in to government agencies’ conduct. Given that private corporations are not trained in intelligence-gathering nor versed in the protection of civil liberties as entrusted to government, the focus on generating new and more abundant reports on possible terrorist and criminal threats, in effect authorises private corporations to

police the public, as well as their own employees. As one InfraGard member boasted, corporations 'could sick the FBI on "disgruntled employees"'.<sup>61</sup> It did not take long for the raft of emergency security programmes, designed to be meted out against Arab and Muslim communities, to develop wider ramifications for US civil liberties.

## Conclusion

In discussing the growth of the enormous domestic intelligence infrastructure, retired Army Lt. General John R. Vines, who oversees the review of the Defense Programme's most sensitive programmes, stated that 'it's impossible to tell whether the country is safer because of all this spending and all these activities'.<sup>62</sup> The intelligence bureaucracy, created disproportionately at the expense of the civil liberties of US Muslims, has not been evaluated for its efficiency precisely because government spending and, by default, security firm contractors have been given unprecedented resource allocation and authority in this realm. Even Defense Secretary Robert Gates admitted in a *Washington Post* interview that 'getting precise data is sometimes difficult.' He intends to review the intelligence units for waste, adding that 'nine years after 9/11, it makes a lot of sense to sort of take a look at this and say, "Okay we've built tremendous capability, but do we have more than we need?"'<sup>63</sup> Due to the unprecedented investment in private intelligence contracting, government officials have not been able to keep accurate oversight of the effectiveness of such counterterrorism measures, thereby allowing the unwarranted surveillance of Muslims.

Behind all of this, the role of private capital in the development, expansion, and continued sustenance of the Homeland Security State, in the wake of the 'war on terror', is an extremely significant, fast-growing element. The direction and rise of this phenomenon has blurred the lines between the state and the corporation. Moreover, the revolving door of political officials occupying governmental posts and then later becoming the newest corporate leaders in the privatised homeland security industry demands further public scrutiny and oversight. The focus on collecting information on domestic Muslim communities will have an enduring negative impact on Arabs and Muslims in the US. The fear of terrorism only further engenders a climate in which the public consents to ramped-up surveillance and policing practices targeting and demonising Arab and Muslim communities. Beyond many immediate and devastating effects, this has a number of long-term perilous consequences for these communities, including stifling political dissent. Already, in just one tiny, minor and local instance, and following the revelation of spying on Muslims students, the Muslim Student Association at Hunter College in New York has requested its members to 'refrain from political convos' on the premises.

Is this what the freedom of thought and expression promised in the Constitution to all is, in the end, allowed to amount to?

## References

- 1 John Swain, 'New CIA chief John Brennan accused of "cashing in" on connections', *Telegraph* (13 February 2013). Available at: <http://www.telegraph.co.uk/news/worldnews/northamerica/usa/9854124/New-CIA-chief-John-Brennan-accused-of-cashing-in-on-connections.html>
- 2 Quinn Bowman, 'Obama picks adviser to review watch list system he helped create', on *PBS Newshour - The Rundown: A Blog of News and Insight* (31 December 2009). Available at: <http://www.pbs.org/newshour/rundown/2009/12/obama-chooses-spy-chief-to-review-his-old-agency.html>
- 3 Brynn Koeppen, '10th annual GovCon awards: Sotera Defense wins contractor of the year, John Hillen comments', *Washington Exec* (6 November 2012). Available at: <http://www.washingtonexec.com/2012/11/10th-annual-govcon-awards-sotera-defense-wins-contractor-of-the-year-john-hillen-comments/>
- 4 John Swain, op. cit.
- 5 Office of the Secretary, 'Creating jobs while keeping America safer: US Department of Homeland Security Recovery Act Plan', *Homeland Security Department* (15 May 2009). Available at: [http://www.dhs.gov/xlibrary/assets/recovery/DHS\\_Recovery\\_Plan\\_Final\\_2009-05-15.pdf](http://www.dhs.gov/xlibrary/assets/recovery/DHS_Recovery_Plan_Final_2009-05-15.pdf)
- 6 Kim Murphy, 'Is Homeland Security spending paying off?', *Los Angeles Times* (28 August 2011). Available at: <http://articles.latimes.com/2011/aug/28/nation/la-na-911-homeland-money-20110828/2>; Donna Jeremiah, 'Homeland Security Industry shows impressive growth, says Frost and Sullivan', *PR Newswire* (4 February 2010). Available at: <http://www.prnewswire.com/news-releases/homeland-security-industry-shows-impressive-growth-says-frost-sullivan-83610367.html>
- 7 Stephen Dinan, 'Largest ever Federal payroll to hit 2.15 million', *Washington Times* (2 February 2010). Available at: <http://www.washingtontimes.com/news/2010/feb/02/burgeoning-federal-payroll-signals-return-of-big-g/print/>
- 8 Julie Tate, 'Top Secret America: a *Washington Post* investigation', *Washington Post* (20 July 2010). Available at: <http://projects.washingtonpost.com/top-secret-america/articles/national-security-inc/print/>
- 9 Historically, both the military industrial complex and prison industrial complex tended to 'generate huge profits from processes of social destruction. Precisely that which is advantageous to those corporations, elected officials, and government agents who have obvious stakes in the expansion of these systems begets grief and devastation for poor and racially dominated communities in the US and throughout the world'. See Angela Davis and Eduardo Mendietta, *Abolition Democracy: beyond empire, prisons, and torture* (New York, Seven Stories Press, 2005).
- 10 Jackie Calmes, 'Obama to seek spending freeze to trim deficits', *New York Times* (25 January 2010). Available at: <http://www.nytimes.com/2010/01/26/us/politics/26budget.html>
- 11 Elaine Povich, '9/11: a windfall for Homeland Security companies', *Fiscal Times* (8 September 2011). Available at: <http://www.thefiscaltimes.com/Articles/2011/09/08/9-11-A-Windfall-for-Homeland-Security-Companies>
- 12 Dana Priest and William M. Arkin, 'A hidden world, growing beyond control', *Washington Post* (19 July 2010). Available at: <http://projects.washingtonpost.com/top-secret-america/articles/a-hidden-world-growing-beyond-control/>
- 13 Jeremy Scahill, *Blackwater: the rise of the world's most powerful army* (New York, Nation Books, 2007).
- 14 Tim Shorrock, *Spies for Hire: the secret world of intelligence outsourcing* (New York, Simon & Shuster, 2008).
- 15 Comments made by Patrick Egan, chief consultant for the Silicon Valley chapter of the Association for Unmanned Vehicle Systems International, an industry trade group. Andrea Stone, 'Drone program aims to "accelerate" use of unmanned aircraft by police', *Huffington*

- Post (22 May 2012). Available at: [http://www.huffingtonpost.com/2012/05/22/drones-dhs-program-unmanned-aircraft-police\\_n\\_1537074.html](http://www.huffingtonpost.com/2012/05/22/drones-dhs-program-unmanned-aircraft-police_n_1537074.html)
- 16 Ibid.
- 17 Comments by defence analyst Loren Thompson. Tom Robbins, 'Defense contractors see hope in Homeland Security', *WGBH News* (16 March 2012). Available at: <http://www.wgbhnews.org/post/defense-contractors-see-hope-homeland-security>
- 18 US Government, 'Prime contractor awardees', 2010. Available at: <http://www.usaspending.gov>
- 19 Nick Turse, *The Complex: how the military invades our everyday lives* (New York, Holt, 2009).
- 20 Sam Pizzigati, Sarah Anderson, John Cavanaugh, Chuck Collins and Eric Benjamin, *Executive Excess 2006: defense and oil executives cash in on conflict*, (Washington DC and Boston, MA, Institute for Policy Studies and United for a Fair Economy, 2006). Available at: <http://www.faireconomy.org/files/ExecutiveExcess2006.pdf>
- 21 Ian Allen, 'CIA losing scores of officers to private sector, report finds', *Intel News* (15 April 2011). Available at: <http://intelnews.org/2011/04/15/01-700/>
- 22 Chertoff Group, 'Team', 2010. Available at: <http://chertoffgroup.com/cgroup/>
- 23 Kimberley Kind, 'Ex-Homeland Security chief head said to abuse public trust by touting body scanners', *Washington Post* (1 January 2010). Available at: <http://www.washingtonpost.com/wpdyn/content/article/2009/12/31/AR2009123102821.html>
- 24 Marcus Baram, 'Fear Pays: Chertoff, ex-security officials slammed for cashing in on government experience', *Huffington Post* (23 November 2010). Available at: [http://www.huffingtonpost.com/2010/11/23/fear\\_pays\\_chertoff\\_n\\_787711.html](http://www.huffingtonpost.com/2010/11/23/fear_pays_chertoff_n_787711.html)
- 25 Michael Chertoff, 'How to reinvigorate the War on Terrorism here at home', *New York Daily News* (28 July 2009). Available at: [http://www.nydailynews.com/opinions/2009/07/29/2009-07-29-how\\_to\\_reinvigorate\\_the\\_war\\_on\\_terrorism\\_here\\_at\\_home.html](http://www.nydailynews.com/opinions/2009/07/29/2009-07-29-how_to_reinvigorate_the_war_on_terrorism_here_at_home.html)
- 26 Nadine Naber, 'Arab Americans US Racial Formations', in Amaney Jamal and Nadine Naber, eds, *Race and Arab Americans Before and After 9/11: from invisible citizens to visible subjects* (Syracuse, Syracuse University Press, 2008), pp. 1-45.
- 27 Susan Akram and Kevin Johnson, 'Race and Civil Liberties Pre-September 11, 2001: the targeting of Arabs and Muslims', in Elaine C. Hagopian, ed., *Civil Rights in Peril: the targeting of Arabs and Muslims* (Chicago, Haymarket Press, 2004), pp. 9-25.
- 28 Naber, op. cit., p. 34.
- 29 Akram and Johnson, op. cit., p. 19.
- 30 Susan Akram, 'The aftermath of September 11, 2001: the targeting of Arabs and Muslims in America', *Arab Studies Quarterly* (Vol. 24, no. 3, Spring 2002), pp. 61-118.
- 31 Suad Joseph and Benjamin D'Harlingue, 'Arab Americans and Muslim Americans in the *New York Times*, before and after 9/11', in Amaney Jamal and Nadine Naber, eds, *Race and Arab Americans Before and after 9/11* (Syracuse, Syracuse University Press, 2008), pp. 229-75.
- 32 Louise Cainkar, 'Homeland Insecurity: the Arab American and Muslim American experience after 9/11' (New York, Russell Sage Foundation, 2009); Will Youmans, 'The New Cold Warriors', in Elaine C. Hagopian, ed., *Civil Rights in Peril: the targeting of Arabs and Muslims* (Haymarket Press, Chicago, 2004), pp. 105-30.
- 33 Greg Braxton, 'NAACP slams CNN report of "dark-skinned" Boston bombing suspect', *Los Angeles Times* (18 April 2013). Available at: <http://www.latimes.com/entertainment/tv/showtracker/la-et-st-naacp-cnn-boston-dark-skinned-20130418,0,1165293.story>
- 34 Jakob Augstein, 'Who authorised the NSA and GCHQ to spy on Germans?', *Guardian* (25 June 2013). Available at: <http://www.guardian.co.uk/commentisfree/2013/jun/25/nsa-gchq-spy-germans>
- 35 Snowden's employer, Booz Allen Hamilton has come under scrutiny since the reports of the NSA's spying programmes. The cybersecurity firm reportedly earns profits of nearly \$6 billion annually, with over 95 per cent of that revenue representing contracts with the US government.

Booz Allen Hamilton's reputation for the revolving door includes 'the Obama administration's chief intelligence official, James R. Clapper Jr., a former Booz Allen executive' and 'the official who held that post in the Bush administration, John M. McConnell [who] now works for Booz Allen'. See Binyamin Applebaum and Eric Lipton, 'Booze Allen grew rich on government contracts', *New York Times* (9 June 2013). Available at: <http://www.nytimes.com/2013/06/10/us/booz-allen-grew-rich-on-government-contracts.html>. Both in 2006 and 2012, Booz Allen Hamilton were accused of unethical contracting violations, including hiring a prior Pentagon official who shared 'non-public information' on his first day of work, which resulted in assisting the company to win an information technology contract. See Tom Hamburger and Robert O'Harrow, 'Snowden case not the first embarrassment for Booz Allen, or D.C. contracting industry', *Washington Post* (8 July 2013). Available at: [http://articles.washingtonpost.com/2013-07-08/politics/40433972\\_1\\_national-intelligence-u-s-intelligence-budget-national-security-agency](http://articles.washingtonpost.com/2013-07-08/politics/40433972_1_national-intelligence-u-s-intelligence-budget-national-security-agency)

- 36 Nancy Murray, 'Profiling in the age of total information awareness', *Race & Class* (Vol. 52, no. 2, 2010), pp. 3-24.
- 37 Tony Bunyan, 'Just over the horizon - the surveillance society and the state in the EU', *Race & Class* (Vol. 51, no. 3, 2010), pp. 1-13; Murray, *ibid*.
- 38 See Jerome Bjelopera and Mark Randol, 'American Jihadist Terrorism: combating a complex threat', in *Congressional Research Service* (7 December 2010). Available at: <http://www.fas.org/sgp/crs/terror/R41416.pdf>; and Alejandro Beutel, 'Data Set on Post-9/11 Terrorism in the United States: policy report', Muslim Public Affairs Council (2011).
- 39 See transcript of CNN's *Global Public Square* programme, featuring Fareed Zakaria's interview with NYPD Commissioner Raymond Kelly (21 April 2013).
- 40 Thomas Cincotta, 'Manufacturing the Muslim menace: private firms, public servants, and the threat to rights and security', in *Political Research Associates* (Boston, MA, 2011).
- 41 Shubh Mathur, 'Surviving the Dragnet: special interest detainees in the US after 9/11', in *Race & Class* (Vol. 47, no. 3, 2006), pp. 31-46.
- 42 Arab Discrimination Committee, 'NSEERS: the consequences of America's efforts to secure its borders' (2009).
- 43 Freedom of Information Act documents clearly reveal that Operation Frontline disproportionately focused on individuals who were from Muslim majority countries.
- 44 American Civil Liberties Union, 'ACLU calls FBI mosque counting scheme blatant ethnic and religious profiling' (27 January 2003) Available at: <http://www.aclu.org/national-security/aclu-calls-fbi-mosque-counting-scheme-blatant-ethnic-and-religious-profiling>
- 45 Michael Isikoff, 'Investigators, the FBI says, count the Mosques', *Newsweek* (3 February 2003). Available at: <http://www.newsweek.com/2003/02/02/investigators-the-fbi-says-count-the-mosques.html>
- 46 *Ibid*.
- 47 Richard Winton, Teresa Watanabe and Greg Krikorian, 'Outcry over Muslim mapping', *Los Angeles Times* (10 November 2007). Available at: <http://articles.latimes.com/2007/nov/10/local/me-lapd10>
- 48 Mimi Hall, 'LAPD plan draws ire from Muslims', *USA Today* (8 November 2007). Available at: [http://www.usatoday.com/news/nation/2007-11-08-muslims\\_N.htm](http://www.usatoday.com/news/nation/2007-11-08-muslims_N.htm)
- 49 *Ibid*.
- 50 Diala Shamas and Nermeen Arastu, *Mapping Muslims: NYPD Spying and its Impact on American Muslims* (MACLC, CLEAR and AALDEF, 2013). Available at: <http://www.law.cuny.edu/academics/clinics/immigration/clear/Mapping-Muslims.pdf>
- 51 Adam Goldman and Matt Apuzzo, 'NYPD spying led to no leads, terror cases', *Associated Press* (21 August 2012). Available at: <http://www.ap.org/Content/AP-In-The-News/2012/NYPD-Muslim-spying-led-to-no-leads-terror-cases>. Despite Attorney General Eric Holder's promise of an investigation in early 2011, who remarked that the reports on the NYPD surveillance

- programme were 'disturbing', there has yet to be a concluding review to date; see also Adam Serwer, 'Whatever happened to Obama Administration's review of NYPD spying?', *Mother Jones* (4 April 2013). Available at: <http://www.motherjones.com/politics/2013/04/nypd-muslim-surveillance-justice-department-eric-holder>
- 52 See the remarks of the Chair of House Subcommittee on Counterterrorism and Intelligence, Peter King, quoted by Katrina Trinko, 'GOP Congressman: "Increase Surveillance" of Muslim community', *National Review* (19 April 2013). Available at: <http://www.nationalreview.com/node/346125>; see also Judith Miller, 'How to stop terrorists before they kill', *Wall Street Journal* (25 April 2013). Available at: <http://online.wsj.com/article/SB10001424127887324874204578440992247444754.html>
- 53 CNN, 'Fareed Zakaria, GPS: interview with NYPD Commissioner Raymond Kelly; impact of Boston bombings' (21 April 2013). Available at: <http://transcripts.cnn.com/TRANSCRIPTS/1304/21/fzgps.01.html>
- 54 Charles Allen, 'DHS Under Secretary for Intelligence and Analysis Charles E. Allen address to the Washington Institute for Near East Policy' (6 May 2008). Available at: [http://www.dhs.gov/xnews/speeches/sp\\_1210107524856.shtm](http://www.dhs.gov/xnews/speeches/sp_1210107524856.shtm)
- 55 Robert O'Harrow, 'DHS "fusion centers" portrayed as pools of ineptitude, civil liberties intrusions', *Washington Post* (2 October 2012). Available at: [http://articles.washingtonpost.com/2012-10-02/news/35500769\\_1\\_fusion-centers-investigators-report](http://articles.washingtonpost.com/2012-10-02/news/35500769_1_fusion-centers-investigators-report)
- 56 US Senate Homeland Security and Governmental Affairs Subcommittee, 'Federal support for and involvement in state and local fusion centers' (3 October 2012). Available at: <http://www.hsgac.senate.gov/subcommittees/investigations/media/investigative-report-criticizes-counterterrorism-reporting-waste-at-state-and-local-intelligence-fusion-centers>
- 57 David Kearn, 'Was something missed before the Boston Marathon bombings?', *Huffington Post* (3 May 2013). Available at: [http://www.huffingtonpost.com/david-w-kearn/was-something-missed-before\\_b\\_3211182.html](http://www.huffingtonpost.com/david-w-kearn/was-something-missed-before_b_3211182.html)
- 58 InfraGard, 'About InfraGard' (2010). Since removed from website.
- 59 As of May 2013, InfraGard boasted a membership base of 55,677 members with eighty-six chapters nationwide.
- 60 InfraGard Members Alliance, Middle Tennessee, 'Objectives' (2010). Available at: <http://www.infragard-midtn.org/>
- 61 Matthew Rothschild, 'The FBI Deputizes Business', *The Progressive* (2008).
- 62 Dana Priest and William M. Arkin, 'A hidden world, growing beyond control', *Washington Post* (19 July 2010). Available at: <http://projects.washingtonpost.com/top-secret-america/articles/a-hidden-world-growing-beyond-control/>
- 63 Ibid.