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“The NRC is basically a captive of the industry,” says Andrew Bieniawski, a veteran proliferation expert who is the vice president for material security and minimization at the Nuclear Threat Initiative. “They get 90 percent of their funding from licensing fees from the industry, and they’re always saying they’re worried that tougher requirements would put licensees out of business.”

### **“Just a Matter of Time”**

The NNSA has persuaded 796 of the 1,503 hospitals that use radiological material to implement security upgrades that extend well beyond the NRC’s vague requirements. That is a major improvement; in 2012, the GAO noted that only 321 hospitals had made these upgrades. Other hospitals and medical facilities have been persuaded to make the transition from high-risk material to newer, safer substitutes. But that still leaves hundreds of medical facilities with threadbare security, many in highly populated urban areas.

It is astonishing that so many hospitals have refused to spend what Bieniawski says is the \$300,000 to \$400,000 necessary per site to increase security, and the \$250,000 necessary to replace a cesium-chloride blood irradiator with an equivalent FDA-approved nonradiological device, especially because the hospitals that use this material for advanced treatments are typically large enterprises with tens of millions of dollars in annual operating profit.

“It’s just a matter of time until someone puts two and two together and sees that you don’t have to go to Syria or Iran for this material, that you can get it in New York,” Bieniawski says.

Nonmedical industrial users remain an even bigger threat. In 2014, the GAO issued a report that will be another proverbial smoking gun if something catastrophic happens. Independent auditors roundly criticized the NRC’s regulations as weak and inconsistently enforced. Some trucks carrying radiological devices used by oil-drilling companies, for example, were found to have cheap padlocks to secure the equipment. Background checks of drivers and warehouse employees were not standardized. GPS devices for the trucks, which could track them down if they were stolen, were not required. Storerooms containing material that could be used to turn Disney World into a ghost town had no entry alarms and were protected by simple padlocks—if they were locked at all. Even when storerooms and trucks did have alarms, many were found to be inoperable or shut off. After a truck went missing in Washington State, the governor’s request to get the NRC to require GPS devices was rejected.

“We choose not to be prescriptive in our regulations,” Scott Moore, the acting director of the NRC’s Office of Nuclear Material Safety and Safeguards, told me when I asked about the GPS requirement. “We take a more general approach, offering guidelines,” which he believes “are adequate to assure public health and safety.” As for the apparent disconnect between the security measures the NNSA believes are necessary and the NRC’s requirements, Moore said, the “NRC’s approach provides adequate security; NNSA’s suggestions are for additional security.”

### **Part VI: The End of “Never Again”**

The TSA spends about 98 percent of its budget on one transportation sector, aviation. Why does it make sense to screen airplane passengers and not the millions more people getting on trains and subways every day? And why place all those resources at our big freight ports when a pleasure boat carrying a dirty bomb can arrive in Florida from the Bahamas with no inspection? What about the ferries that each

haul thousands of people through the waters off New York City and Seattle? A well-placed explosive could kill many more people on a train or boat than on a jetliner.

In May, the inspector general of DHS sharply criticized the TSA for failing to implement legislation passed in 2007 requiring a variety of security measures for Amtrak, including checking to see if railroad employees were on terrorist watch lists. In response, the TSA promised that it had “assigned the highest of priorities” to implementing the nine-year-old law. However, the reality is that although we have stepped up police monitoring of trains (and ferries), we can’t treat trains like planes.

Why not? The math doesn’t allow it. The New York City subway system has about as many entrances as there are checkpoints at all the airports in the country. To secure the subways in New York, we would have to create a whole other TSA. Beyond the \$7-billion-a-year tab that would come with a New York TSA, the new security process would probably double travel times. (Imagine: shoes off before boarding the subway.) It’s such a ridiculous notion that even typing this paragraph is embarrassing.

The security measures that do make sense are those that local and federal officials implemented after 9/11 to make the subway tunnels more secure, helping to ensure that a potentially catastrophic September 11–level massacre following a huge explosion and subsequent flood is more likely to be limited to a routine semi-mass casualty.

Routine?

I use the word deliberately.

The morning after 9/11, President Bush famously directed then–Attorney General John Ashcroft to make sure “this can’t happen again.” It was an understandable sentiment. But it was a fantasy then—and it is even more of a fantasy now, despite everything we’ve done.

The reality we face 15 years after the September 11 attacks is that for all the people and money we have thrown at the cause of “never again”—much of it heroically and wisely, and much that in hindsight looks desperate, stupid, or corrupt—the threat of terror hasn’t been eliminated. In fact, despite our best efforts, terror is destined to become, yes, routine—a three- or four-times-a-year headline event, perhaps almost as routine in this country as people with mental-health problems buying a semiautomatic and going hunting at a school or movie theater. But if, as seems to be the case, Americans have come to accept mass killings carried out by those who are mentally unstable as horrifying but not apocalyptic, why do they perceive an attack linked—even if just rhetorically by the perpetrator—to Islamist terrorism differently?

President Obama described the difference to me this way: “If the perpetrator is a young white male, for instance—as in Tucson, Aurora, and Newtown—it’s widely seen as yet another tragic example of an angry or disturbed person who decided to lash out against his classmates, co-workers, or community. And even as the nation is shaken and mourns, these kinds of shootings don’t typically generate widespread fear. I’d point out that when the shooter or victims are African American, it is often dismissed with a shrug of indifference—as if such violence is somehow endemic to certain communities. In contrast, when the perpetrators are Muslim and seem influenced by terrorist ideologies—as at Fort Hood, the Boston Marathon bombing, San Bernardino, and Orlando—the outrage and fear is much more palpable. And yet, the fact is that Americans are far more likely to be injured or killed by gun violence than a terrorist attack.”

The FBI's Comey agrees. "That the shooter in San Bernardino said he was doing it in the name of ISIL changed everything," he told me. "It generates anxiety that another shooting incident, where the shooter isn't a terrorist, doesn't. That may be irrational, but it's real."

In that instance, the sheer ordinariness of the venue—a meeting room at a family-services center—exacerbated the anxiety. "For me, San Bernardino was the game changer," Ray Kelly, the former New York City police commissioner, told me. "It put the whole country in the target zone."

"Engineering Security," the manual that Kelly's department published in 2009, urged building owners to consider the status of their venue in assessing how much protection it needed. Iconic structures or those housing high-profile businesses should be the most fortified, as should those where an attack could cause inordinate damage.

That ranking system still makes sense, "but the kind of place attacked in San Bernardino means that everything is a target," Kelly explained. "The FBI and the NYPD can do a great job finding and rolling up some people who are even thinking about doing something bad, but they can't find everyone, and they can't be everywhere. Imagine if just a few of these people got together and shot up a few malls the same day around the country. Then no one would feel safe."

Yes, we can take steps to harden those softer targets a bit. We can improve surveillance technology and add guards. We can keep doing our best to identify those among us who are susceptible to online jihadist recruitment pitches, by persuading neighbors and family members who "see something" to "say something." We can keep improving how we connect the intelligence dots around the world.

But there is a limit. We can't turn every Macy's or high-school basketball game into a TSA operation.

And even if we did, those terrorists who don't care about dying—for whom there is no such thing as deterrence—will still shoot people on the street.

Or bomb them. Or use a truck to mow them down.

We have to accept that that is going to happen.

A favorite September 12 mantra in the anti-terror community is: "The terrorists have to be right only once—but we have to be right 100 percent of the time."

We can't be right 100 percent of the time. The FBI and the Joint Terrorism Task Forces have stopped between three and five dozen plots since 9/11, depending on one's definition of a plot. Comey's "well-oiled anti-terror machine" has indeed improved our defenses. And the TSA, Customs, the air marshals, and other DHS units have undoubtedly deterred attacks. But we can't catch everything.

## **Layers**

That's why those in the anti-terrorism business focus on another post-9/11 buzz phrase: layers of security.

When it comes to flying, that means first checking prospective passengers' watch-list status. Then, when passengers arrive at the airport, undercover security agents look for suspicious people in the departure lobby. That's a layer now being fortified following the Brussels and Istanbul airport bombings, although it is difficult to see why airport lobbies should get more security attention than other similarly crowded venues.

The third layer is at the security checkpoint, where passengers are screened for valid identity credentials and to make sure they are not carrying anything dangerous. Fourth, an air marshal might be on board the plane to interrupt a possible attack. The fortified cockpit door offers a final security layer. The fact that we have all these layers is our tacit admission that no single layer of defense is perfect—but the odds of getting through all of them, while not zero, are pretty steep.

Think of the process as a funnel, in which we start with a large population and whittle it down, layer by layer, to those allowed to board a plane. "Sometimes I think that the lid has come off the world," Comey told me. "People are unsettled, unmoored. I worry that as we squeeze ISIL in Syria—and we are—their troops will go to Libya or Europe," he continued. "There will be a terrorist diaspora. Trained fighters will go there and then be more easily able to come here, or if they can't get here directly they'll get to Canada and try to drive over the northern border."

That so many could pour into the top of the funnel—including those recruited online, at home in America, without having to cross any border—is as important in calculating our odds of avoiding an attack as assessing the remaining gaps in even our most porous layers.

### **The New Reality**

Those who have enlisted since 9/11 to maintain those security layers—the infrastructure-security coaches at DHS advising and cajoling stadiums, utilities, water plants, and other private-sector venues; the TSA airport screeners; the cyberdetectives; the FBI dot-connectors—have no control over how many would-be killers pour into the top of that funnel. And they get little attention from the rest of us until something goes wrong. We go about our lives oblivious to the threats that are their obsession—until the next catastrophe produces headlines. Meantime, we often dismiss their work that is visible to us, such as at the airports, as excessive. Yet we remain so ready to be retroactively indignant if something goes wrong that political leaders, encouraged by a Beltway culture that tries to keep the spigot always turned on, are afraid to make any choices other than to declare everything a priority.

Sooner or later we have to realize that "never again" is a fantasy, and that it is not an excuse to make everything a priority. A democracy must make rational decisions, even when that's not easy, and especially when security is involved.

Can the tens of billions for FirstNet or for "homeland security" grants for toys like that monster fire truck in rural Virginia be justified as smarter investments than replacing the lead pipes in a significant portion of the nation's water systems? Wouldn't the \$800 million a year for air marshals be better spent on more TSA staffing to cut wait times? Can't we have tougher procurement contracts, so that Boeing and Lockheed Martin would have to give the money back when their products don't work, so the country could direct those billions to hiring more FBI agents or perhaps to expanding early-childhood education?

Conversely, does it make sense that Congress has decided that giving everyone, including deranged people and terrorists, free rein to buy assault weapons at gun shows is the one situation where “never again” is not the highest priority?

Getting past “never again” doesn’t just mean making tough choices about priorities; it also means preparing for the inevitable.

In theory, a realistic approach should be uncontroversial. For example, conceding the usefulness of drills because some attacks will inevitably succeed is not an admission that we don’t care about prevention, any more than having ambulances on call is a sign that we don’t care about preventing traffic accidents or violent crime.

But when it comes to terrorism, the balance between prevention and accepting the reality that prevention will not always work is trickier.

President Obama is the first post-9/11 president, and he and his administration have made significant, if often muted, progress in adding two dimensions to the homeland-security mission beyond the first goal of prevention: mitigation (lessening damage from a successful attack) and recovery.

In his 2015 report on DHS, Senator Coburn demonstrated how officials who make mitigation and recovery a priority can be political targets. He acknowledged that the terrorism drill conducted in Boston before the marathon bombing might have played a “constructive” role, but he criticized a DHS report about the drill because it suggested that the Obama administration was more focused on “preparing state and local first responders for the emergency and swift response” than on “what additional roles DHS could play in preventing future terrorist attacks.” That “raises questions,” Coburn concluded, about whether “terrorism prevention truly is the Department’s first mission and whether that mission has been transformed into preparing to recover from terrorist attacks.”

I asked President Obama about Coburn’s critique. “Part of keeping the American people safe is making sure we’re ready for all contingencies,” he told me. “So it’s not ‘either/or’—preventing attacks or being able to respond to and recover from attacks. We have to do both. In fact, to focus solely on prevention while ignoring response and recovery—or vice versa—would be irresponsible.”

“After all,” President Obama continued, “from Boston to San Bernardino to Orlando, we’ve seen how important it is for communities and first responders to be ready if and when tragedy strikes. That’s a critical part of preventing attacks from causing even greater loss of life. It’s a key part of our resilience. It’s one of the ways we can show terrorists that they will not succeed—that Americans get back up and we carry on, no matter what.”

Mitigation and recovery need to be about more than repairing physical damage. After all, terrorism’s first goal is inflicting psychic damage—scaring us into changing our way of life and even turning against one another.

President Bush’s strategy was simply to tell us not to worry—that we should fearlessly keep on shopping. As a short-term measure, it was a sensible effort to calm a shocked nation. But the longer term requires a more nuanced, and politically perilous, message, because there is no such thing as “never again.” Attacks will happen, and, as San Bernardino and Orlando portend, they will happen in

random venues—where part of what’s so frightening is the randomness, suggesting that anyone, anywhere, anytime could be vulnerable.

In the April issue of this magazine, Jeffrey Goldberg reported that President Obama “frequently reminds his staff that terrorism takes far fewer lives in America than handguns, car accidents, and falls in bathtubs do.” Goldberg also wrote that the president had frequently expressed to him “his admiration for Israelis’ ‘resilience’ in the face of constant terrorism, and it is clear that he would like to see resilience replace panic in American society.”

When *The Atlantic* published this account, Obama was immediately attacked by Republicans in Congress and on the presidential campaign trail for not taking terrorism seriously and for admitting defeat.

“President Obama’s job is to keep us safe,” Tom Cotton, a Republican senator from Arkansas, said on *Morning Joe*. “It’s not to minimize the fear Americans justly fear about terrorism ... President Obama goes around telling people that more Americans die in bathtub falls than are killed by terrorists. It’s that mentality that we have to change and get on offense against the Islamic State if we don’t want to see a Brussels-style attack here.”

One of Obama’s senior security advisers countered in a conversation with me: “If we overreact to these relatively small attacks, it creates more incentive for someone else to try one, but that’s what the media does and what most politicians do.

“What if those militiamen who took over that park in Oregon had been Muslims? We’d have had wall-to-wall coverage,” the adviser added. “The president sees trying to get Americans to take a more nuanced view of terror as part of his job.”

### **Dirty Bombs**

Obama’s ambition to give Americans a realistic understanding of terror threats is certainly more advanced than his predecessor’s “never again” posture. But when it comes to the weapon in the terrorist arsenal that is most about perception versus reality—the dirty bomb—he has recognized the problem yet fallen short of the challenge.

Beyond forcing his Nuclear Regulatory Commission to promulgate security regulations at least as strict as the measures his National Nuclear Security Administration is stuck trying to persuade custodians of radiological material to adopt, the president ought to launch an education campaign about dirty bombs from his own bully pulpit. Removing the public’s untoward fear of the bomb can defuse its power to terrorize.

The Bush administration’s sole contribution to public understanding of dirty bombs went in the opposite direction. In 2002, when John Ashcroft announced the detention, with no hearing or charges brought, of José Padilla, an American citizen, for allegedly being part of “an unfolding terrorist plot” to detonate a dirty bomb (an allegation later dropped for lack of evidence), he sought to justify depriving Padilla of due-process rights by warning that a dirty bomb could cause “mass death and injury.” Tom Ridge, as well as two senior members of Bush’s White House staff, told me at the time that they were appalled by Ashcroft’s hyping of the danger, though they did nothing publicly to correct his message.

President Obama and his administration obviously understand the perception problem. In 2013, the Environmental Protection Agency, in a move coordinated by the National Security Council, softened its Protective Action Guides related to radiation incidents. These are the radiation metrics, originally published by the EPA in 1992, that first responders would use to determine what area, if any, had to be evacuated in the event of a radiological-contamination event. With the change in these guidelines, the bomb hypothesized in the 2002 Senate testimony of the Federation of American Scientists president—which would have forced the abandonment of a 40-block area around Capitol Hill—might now dictate the clearing of a smaller area or no area at all, depending on the type of bomb.

The guideline revisions, which were published in the Federal Register, cited advances in understanding the science of radiation and also a new focus on a “broader range of radiological emergencies, including terrorist acts.”

What that means, according to a senior White House security official, is that the Obama administration decided that the original guidelines for handling the aftermath of a dirty bomb’s detonation were unreasonably extreme—that evacuating downtown Washington to avert the possibility of 50 cancer deaths would be an absurd overreaction.

All of which makes sense—except that the Obama administration squandered an opportunity by flinching when it came to announcing the change. There was no press release. No public explanation at all. Just changes described mostly with physics jargon and numbers dropped into the Federal Register. As a result, what could have been an ambitious, gutsy exercise in public education—a “teachable moment”—now risks being discredited as an anticipatory cover-up if a dirty-bomb attack occurs. Breathless press reports will “reveal” that the guidelines were changed *sub rosa*, and that—based on the guidelines in place before President Obama’s staff quietly tinkered with them—much of Washington is being asked to live and work atop land as dangerous as a Superfund site. In the aftermath of a dirty-bomb explosion, explaining the guideline changes in a way that calms anyone would likely be impossible.

Following Donald Trump’s criticism of President Obama and Hillary Clinton in the wake of the Orlando massacre for not being “tough,” political commentators called the attack a “June surprise” that could affect the presidential election. Imagine the eruption from the Trump campaign that could come from an administration attempt to explain the loosened guidelines the day after an ISIL-inspired group used a dirty bomb as the ultimate October surprise aimed at disrupting the coming election.

“People inside and outside the government who worked on these guidelines went back and forth over whether to announce it or bury it, and they decided to bury it,” says Charles Ferguson, who, as the president of the Federation of American Scientists, now occupies the post previously held by Henry Kelly, who laid out the Washington evacuation scenario during the 2002 Biden Senate hearing. “On the merits, they did everything right—but then they went into duck-and-cover mode.”

When I asked President Obama why his administration didn’t announce the change in guidelines and use it as an opportunity to begin a public discussion about dirty bombs, he referred me to Laura Holgate, a senior National Security Council official. Holgate provided a statement saying that publishing the revisions in the Federal Register had attracted “public comment” from interested parties and was a “normal process” that was “not, in any way, secret.”



How Washington has coped with the threat of dirty bombs is a microcosm of how the country has dealt with terror overall in the past 15 years.

First, by bringing proliferation to the international stage through the summits he has hosted, Obama improved on his predecessor's prevention efforts—much as he has done by hunting down terrorist leaders abroad while hardening targets and tightening homeland-security management at home.

However, the president has failed to finish the job of securing radiological material in hospitals and industrial facilities, or to crack down on the threats from bioweapons and toxic chemicals. Second, with his revised EPA guidelines on dirty-bomb damage, Obama has taken a tentative but insufficient step toward leveling with the public in a way that deprives terrorists of their ability to spread hysteria. That mirrors what he has tried to do more generally: tentatively steer Americans toward the realistic view that while terrorism is inevitable, it is not an existential or apocalyptic threat—unless we treat it like the apocalypse.

This is a politically perilous path—which may explain why the administration proceeded so quietly when announcing the revised radiological-contamination guidelines.

In fact, this may be a path only a lame duck could risk. The politically easier path is to promise “never again.” As Trump's hard-line rhetoric about the president being weak on terrorism demonstrates, Obama and anyone who follows him and tries to continue on that path will be an easy target for opponents who will claim that transforming homeland security from the fantasy of never-again prevention to a combination of prevention and mitigation and recovery is throwing in the towel.

That this is still a debate in an election season 15 years after the 9/11 attacks is evidence that although we've made progress, we're still a long way from adjusting—politically and psychically—to this new normal, where, unlike during the Cold War, there is no relying on deterrence for protection.

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