

NATIONAL SECURITY TOOLS AND GUN VIOLENCE

Within days after Nidal Hasan killed 13 people in Fort Hood, TX, Crazy Pete Hoekstra leaked FBI intercepts to the press to suggest Anwar al-Awlaki had pushed Hasan to attack, with the underlying implication that the Obama Administration had failed to prevent terrorism.

And while a number of Democrats have come forward to say that this time we have to do something to prevent massacres like the one in Sandy Hook, no one has yet suggested that it was a failure not to.

It may not have been a failure; thus far, the evidence suggests Adam Lanza's attack might have been a failure of our mental health system, but there's no indication he came on the law enforcement radar outside a failed attempt to buy a gun.

All that said, there's a shocking underlying assumption there, that the President and the National Security bureaucracy has more responsibility to protect the soldiers in Fort Hood than the 6-year olds in Newtown's elementary schools from crazed gunmen.

Which is where this Charlie Savage story comes in. It explains how, in the wake of the Gabbie Giffords shooting (by a guy whose profile may be similar to Lanza's), DOJ moved to ramp up the background checks on gun buyers.

Instead, it focused on ways to bolster the database the F.B.I. uses for background checks on gun purchasers, including using information on file at other federal agencies. Certain people are barred from buying guns, including felons, drug users, those adjudicated mentally "defective," illegal immigrants and people convicted of misdemeanor

offenses related to domestic violence.

For example, the study recommended that all agencies that give out benefits, like the Social Security Administration, tell the F.B.I. background-check system whenever they have made arrangements to send a check to a trustee for a person deemed mentally incompetent to handle his own finances, or when federal employees or job applicants fail a drug test. It also proposed setting up a system to appeal such determinations.

Although advocates for gun rights and privacy protection would probably object to the sharing of such information among agencies, the Justice Department concluded such activity would be lawful and appropriate.

Savage explains that the effort was shelved because of increasing pressure on DOJ because of *Fast and Furious*. I don't find that explanation remotely adequate (it may be true, but if so, it's a measure of the Administration's failure to defend its own rather than a real political measure). DOJ could have said Border Patrol Brian Terry's death demonstrated that gun-walking—one intelligence response to the urgent problem of drug gangs using US-purchased guns—had failed, and that this data-driven focus represented DOJ's new approach to deal with the still urgent problem. (Note, Savage says DOJ also called for increased penalties for straw buyers, which would have fit with that explanation.)

Whatever the excuse, the Administration backed off this plan, even as it rolled out its effort to do something similar, but even more intrusive—to make some of the same databases available for NCTC's counterterrorist data mining. Once again, the NatSec bureaucracy uses far more intrusive methods against terrorists—who have killed fewer people since 9/11 than the number that died at Sandy Hook

Friday—than against gun violence generally.

Mind you, while the scrapped plan sounds fairly reasonable, I'd want to learn more before I agreed this is the right solution. And it would amount to a half measure if it didn't come with increased accessibility for mental health care.

Though if it happened, I suspect it would trigger the kind of debate about privacy that we should be having over the counterterrorist measures, and we might see the same kind of privacy protections, such as DOJ's plan to set up an appeal process, in those CT efforts.

As we go forward with this debate, we need to do something about gun violence. But we also need to make it clear that the government has every bit as much—more—responsibility to protect children from crazed gunmen as it has to protect military bases from terrorism. It's time to stop treating unarmed radicalized Muslims as a bigger threat than mentally ill or imbalanced young men bearing Bushmasters, because far more people are being killed by the latter.