

**Statement of Norman Beasley
Counter-Terrorism Coordinator
Maricopa County (Arizona) Sheriff's Office
Before the U.S. House of Representatives
House Committee on Homeland Security
Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment
"The Way Forward with Fusion Centers: Challenges and Strategies for Change"
September 27, 2007**

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Good morning Madam Chairwoman Representative Harman and the other distinguished members of this Subcommittee. I am Norman Beasley, Counter-Terrorist Coordinator for the Maricopa County (Arizona) Sheriff's Office. It is an honor to be here today representing the Sheriff's Office and Sheriff Joe Arpaio as well as the State of Arizona and the men and women of the Arizona Counter Terrorist Information Center.

I am a 40 year law enforcement veteran with over 30 years of experience in intelligence and counter-terrorism operations. I served with the Arizona Department of Public Safety retiring with 37 years of service. I commanded the Intelligence Bureau and the operations of the Arizona Counter Terrorism Information Center. This fusion center is viewed as one of the model centers in the Country. In addition to my Sheriff Office assignments I provide support to the United States Department of Justice and United States Department of Homeland Security Fusion Center Technical Assistance Programs. These programs provide on-site assistance to state and local fusion centers throughout the country in developing and implementing operational and administrative capabilities. In this capacity I have been to over 20 state and local fusion centers and have had contact with virtually all of the nation's state and local fusion centers.

My testimony here today centers on the Congressional Research Report," Fusion Centers: Issues and Options for Congress".

The tragic events of September 11th and the subsequent report by the National Commission on Terrorist Attacks Upon the United States (911 Commission Report) focused on the critical need for information sharing not only at the Federal level, but also at the state and local levels. The critical link in the overall National intelligence process is the agencies that are closest to their communities... The challenge faced by the National Intelligence Community is how to establish real time linkages between state and local agencies that allows both receiving information from and providing information to their fusion centers.

State and local fusion centers are in the best position to accomplish this mission. Established to function as the central point of contact within their jurisdictions, they coordinate the collection, analysis and dissemination of information/ intelligence and function as the controlling hub that links local, state, regional and national intelligence interests.

Their ultimate goal is to support their consumers with beneficial information. But, the consumers also have a critical role in the production of information and ultimately intelligence. The fusion centers are in the pivotal position to tap into these vital resources and provide collection guidance to these agencies. They also provide investigative, analytical and research resources that in many cases are not available in smaller jurisdictions.

Many of the initial State and local fusion centers were not a product of Federal direction or suggestion. They were envisioned by forward thinking state and local officials who saw the critical need to establish an information sharing environment within their jurisdictions.

As the commander of one of the Nation's first fusion centers I have seen this program grow to over to now over Forty fusion centers nationwide. This growth has enhanced the overall information sharing between agencies at the state, local and federal level, but has also created numerous challenges. Having worked with over 20 of these fusion centers as part of the USDHS/USDOJ technical assistance program, I have seen firsthand the potential of these centers in enhancing the security of their jurisdictions and the country.

I have had the opportunity to participate in the Congressional Research Service Report "Fusion Centers: Issues and Options for Congress", both as a provider of information and as a reviewer of the draft product.

I found that the report has captured the essential issues facing fusion centers nationwide and their relationship with the National Intelligence Community. It can and should provide a solid road map not only for the Federal government but also, state and local governments, to further enhance the fusion center program thereby strengthening the country's overall home security efforts.

I now wish to comment specifically on several of issues raised by the Report.

1. National Fusion Center Strategy

The Information Sharing Environment Implementation Plan has recognized the value of State and local fusion centers. State and local fusion centers have been developed to meet local operational needs. No two fusion centers are exactly alike, nor should they be. However, there can and should be some consistency in information sharing protocols and baseline capabilities. To this end the Federal government should develop and articulate a national fusion center strategy that clearly defines the role of state and local fusion centers in the National Intelligence Community Architecture. This includes tasking and providing information collection guidance to state and local fusion centers that compliments state, local and federal efforts. Conversely state and local fusion centers must make the National Intelligence Community aware of their specific needs and requirements.

In addition, USDHS/USDOJ should move forward with establishing the baseline capabilities that state/local fusion centers can follow in developing and carrying out their programs. These baseline capabilities should link with the established "Fusion Center Guidelines". In developing these baseline capabilities, USDHS/USDOJ must realize that no two state/local centers are exactly alike. These centers were developed to address local issues and the challenge to the Federal Government is to integrate their operations into the larger National Intelligence Community.

2. Technical Assistance

This is a critical component of the USDHS/USDOJ program to support state and local fusion centers and is addressing a number of the issues raised by the CRS Report. It received favorable comments from the CRS Report. This program provides on-site assistance to state/local fusion centers in developing their programs. It supplies experienced subject matter experts with fusion center experience to work with key state/local fusion center staff, executives and stakeholders. Some of the assistance includes: developing a center concept of operations plan, business planning including sustainment funding issues, state/local legal authority, privacy policy, building trusted partnerships, center outreach programs including terrorism liaison officers and community liaison agents, training and technology applications.

The on-site technical assistance deliveries are supported by representatives from USDHS/FEMA Capabilities Division, Intelligence and Analysis and the Federal Bureau of Investigation.

Respondents to the CRS Report that had used the technical assistance services view the experience as favorable as a first step. Follow up technical assistance in the form of a mentorship program was seen as adding additional value to the program. Based on my experience working with these centers, I agree that the two phase approach to technical assistance will and on an informal basis already is improving fusion center operations.

The technical assistance program can and does ensure consistency between state/local fusion centers in areas where there is common ground, by providing early assistance in the development and implementation process. It also proved to be a vehicle for creating strong partnerships among the jurisdictions multidisciplinary stakeholders.

3. Training

Training that is specific to state/local fusion center operations is an essential element of the overall national program. The CRS Report addresses training issues involving; civil liability, 28 CFR Part 23, common lexicon/definitions, handling classified information, community outreach and mentorship. While these are valid considerations, fusion center specific training needs to be expanded. Many state and local fusion centers already have a baseline training requirement for all of its personnel that covers 28 CFR Part 23, civil liberties and privacy and handling classified information.

Expanded training considerations should center on specific critical functions of state/local fusion centers. They include; advanced analytical, intelligence/fusion center commander/leadership, sustaining the intelligence function, terrorism liaison officer, community outreach and interacting with the National Intelligence Community.

The USDHS/FEMA Capabilities Division has already taken steps to develop many of the above programs. Both USDHS & USDOJ have created web portals that provide for best practices and related information for the operation of fusion centers and intelligence operations.

USDHS/USDOJ sponsored National and regional fusion center conferences have been held bringing together senior fusion center leadership and their Federal partners.

4. Funding

The issue of funding is a priority concern for the majority of the state/local fusion center community. Most state/local jurisdictions rely on Federal funds in varying degrees to support their fusion center operations. Without Federal funding support many centers would be in danger of ceasing or significantly reducing operations.

Currently fusion centers are funded by the USDHS Homeland Security process. While Prevention is a critical funding component the overall process at the state and local level is complete in application. Fusion center funding requests are evaluated with other homeland security projects and may or may not receive the funding necessary because of limited funds and competing priorities.

Ideally, under the USDHS grant direction consideration should be given for a separate category for fusion center funding under prevention. Major funding categories are initial start up and sustainment, with the most concern being sustainment.

This issue is a joint partnership between the Federal Government and state/local jurisdictions and both must take steps to resolve this issue.

The Federal government in assessing the allocation of funds for state/local fusion centers could apply the baseline capability standards that are currently under development. Centers that meet or are making progress on implementing them would receive funding for start up costs.

Sustainment funding presents additional challenges. Federal grant funding is not intended to provide long term sustainment. As such state/local jurisdictions need support for a period of time in order for the development and submission of their budget proposals to their governing bodies. Ultimately state and local jurisdictions should be responsible for continued funding of their fusion center operations.

As outlined in the Information Sharing Environment Implementation Plan state/local centers will become a part of the National Intelligence Program. As such if these centers provide direct support to ongoing Federal programs that require funding and center resource allocation, then the Federal government should provide continued funding support. An example of this effort is the Maricopa County Sheriff's Office Facial Recognition Program. Working in conjunction with the U.S. Department of Justice the Facial Recognition Program has been provided with access to the Federal Joint Automated Booking System and all of the Federal arrestee's photographs. In addition the MCSO is partnering with the Federal Bureau of Investigation to support their violent gang and criminal investigations through the use of the Facial Recognition Program. The MCSO is also working with agencies and fusion centers nationwide to establish a facial recognition network that will support criminal investigations and the recovery of missing and abducted children.

5. Information Sharing

Information sharing is the core issue facing us today Homeland security efforts must be information driven. Prevention should be the primary concern and the ability to collect, analyze and most importantly share information is paramount in this process.

One of the chief complaints of state and local officials is the lack of actionable information from the National Intelligence Community. This is exactly why state/local fusion centers were implemented.

Currently, the Federal government has taken steps to improve and enhance information sharing at all levels of government. While many of these efforts have improved the process, what has resulted is a wide variety of information sharing systems that in many cases republish the same information. Having to view multiple systems is labor intensive, time consuming and after a period of time lose its value. While it is unrealistic to have only one system, consideration should be given to having one system that provides network connectivity to the National Intelligence Community and the state/local fusion center network. There needs to be a clear linkage from the state/local fusion centers and the NIC. Having a clear understanding and framework is essential in sharing critical homeland security information. The National Counter Terrorist Screening Center, already established may be the vehicle to accomplish this.

One Federal system that has demonstrated value and one that I personally use daily is USDHS-Intel. This system has been deployed to a number of state/local fusion centers. Providing Law Enforcement Sensitive, FOUO and SBU information it targets the working element of fusion centers. Participants include representatives of the Federal government. HSIN-Intel allows for requests for information and has a weekly conference call to follow up on issues. Other systems that have proved valuable are the FBI Law Enforcement on Line and the Regional Information Sharing System.

6. Additional Comments

While the Report provides Congress with options, this is a partnership between the state, local and Federal governments and as such the states have an equal role to play.

In considering the development and implementation of a state and local fusion centers, state and local political and executive level leadership need to consider the following:

- There must be a clear vision of what the role and responsibility of the fusion center will be. State and local agencies must look at their jurisdictions and develop a fusion center based on state and local needs. This vision must address the benefits to the stakeholders by their participation.
- There must be a well established partnership between all involved agencies both public and private. This is critical for the overall success. Stakeholders must support the fusion center as the central point of intelligence for the state. The use of systems in the sharing of information is important, but the critical component is people. There must be personal contact in order to build the trust necessary for the sharing of information to be successful.
- There has to be sufficient resources devoted to the project and these resources must have the necessary expertise to carry out the mission. Stakeholders will be looking for support. Failure to provide sufficient resources to carry out the fusion center mission will adversely affect the relationships and will negatively impact the ability to process and share information.
- There has to be a solid commitment from all agencies involved. This includes both center participating and consumer agencies. The Federal Bureau of Investigation and the local Joint Terrorist Task Force must be a key component of the state fusion center. The level of commitment of the FBI and other participating agencies should be determined by local needs, but the assignment of resources to the state center should reflect a strong commitment by participating agencies.
- There has to be support from the highest levels of state and local government. The Governor, city and county executives, the state and local office of homeland security play a vital role in this area. This support extends to the state legislature and elected officials from local governments.
- In response to the ISE Implementation Plan the Governor of each state should designate the lead fusion center within their state.
- There has to be a well defined funding strategy that involves both federal and state appropriated funds. While Federal Homeland Security Grants can provide initial funding a strategy must be developed that looks at sustained funding options.

- There must be a display of visible leadership in the development, implementation and operational stages. Intelligence is a personality driven process. It is built on trust and once trust is established the exchange of information between agencies becomes institutionalized.

The key to homeland security is prevention and intelligence is the cornerstone of that effort. Everything we do must be information driven. The better the information the better we will be able to prevent a terrorist act. We have the opportunity to build a lasting intelligence effort. But it will take a commitment from local, state and federal levels to make it work. No agency can or should do this alone. It is a partnership that will continue to grow with the ultimate goal of providing the safest and securest environment for our citizens.

The Arizona Counter Terrorist Information Center is an example of the application of the above considerations. ACTIC has been identified as one of two best practices in homeland security by the National Governors Association and one of five best practices in homeland security by the Council of State Governments.

I have included an ACTIC case study prepared by the United States Department of Homeland Security to supplement my testimony today.

Supplemental Document

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Summary of Testimony:

Testimony will comment on the Congressional Research Service Report "Fusion Centers: Issues and Options for Congress" and address the following issues:

- National Fusion Center Strategy
- Technical Assistance
- Funding
- Training
- Information Sharing
- Considerations for state and local agencies in developing their fusion centers
- Arizona Counter Terrorist Information Center