

I would like to thank Chairman Pryor and Ranking Member Sununu and the members of the subcommittee for inviting me to provide comments today. The fusion center program is crucial to detecting any terrorist activities designed to jeopardize the safety of our citizens.

My comments today are based on my experience managing the Maryland Coordination and Analysis Center (MCAC), Maryland's state fusion center. Over the past two years, I have learned a great deal about the intelligence community and the role fusion centers should play in that process. The level of information available to state, local, and tribal partners is unprecedented in volume. The flow of this information is also greatly improved. One of our greatest challenges is to expeditiously process the profusion of information to determine what is useful to our consumers. State and local public safety officials require a great deal of information on threats and the mechanics of the threats. Managing the information flow is only one challenge for fusion centers.

This is a highly dynamic process. We constantly adjust and refine our procedures to ensure maximum information relevance for our consumers. Local training for our analysts is key to achieving this end. We must teach each analyst to more efficiently glean any and all relevant data for their consumers. Federal training programs can be beneficial, but usually take an analyst away from the job for an extensive period and are not necessarily geared to the local level. We need to develop specialized training for state and local analysts that can be completed in segments and/or using a multifaceted method of instruction. It is also imperative that we make our federal partners understand that access to information does not necessarily equate to sharing information.

Another facet of this process is to educate state and local managers about what information they need and what they can expect from the fusion centers. Many state and local managers narrowly seek only tactical information, while ignoring a broader strategic analysis that could benefit their agencies. The intelligence cycle and the information they could receive is still unclear to many of these decision makers.

Collection of information is another challenge for the local jurisdictions. In Maryland we realized that we were not capturing information from areas that were not in the Baltimore Metropolitan region. To counter that lack of information flow, we developed a regional plan. We currently have three regional centers operating in Hughesville, Salisbury and Frederick Maryland. We are working with local officials to open another center in Allegeny County and possibly another center on Maryland's Eastern Shore. These centers were designed much like our main fusion center. Each center has a governance board comprised of Chief Executives of participating agencies. The governance boards are meeting monthly at this point to determine the direction of the centers and discuss policy for the centers. Control of these centers is maintained locally and they are networked into our main center. The value of these centers is collecting local information that will

benefit the participating agencies. These centers, outside the metropolitan area, act as a hub to collate information on local criminal activity and pass the information to the MCAC. It also allows our main center to look for trends and patterns throughout the state and pass federal information back to these communities. Critical information is passed daily and we are gathering information to coordinate monthly reports which will add value to the entire process. The regional centers add value to the agencies within their area by providing crime information and identifying local patterns. They are tracing criminal activity and participants and looking for travel patterns within their communities and helping solve criminal incidents by linking associates and acts. The information they develop can then be analyzed by our main center and matched against federal information or simply passed into the intelligence community via intelligence reports. Fusion centers will play a critical role by detecting criminal activity which may reveal precursors to terrorist activity.

The additional critical role fusion centers will and are fulfilling is a conduit to pass information quickly between states so the information is available to first responders when they need it. Fusion centers are poised to detect precursors to terrorist activity. They allow for a vigorous exchange of information on breaking events among first responders nationwide. Shootings at Virginia Tech and Northern Illinois University are recent examples. One of the first issues addressed is establishing if there is a link to terrorism. Obtaining and providing accurate information is essential to the role of fusion centers. Fusion centers need to act as a hub of information as well. Places where information can be reported and take the responsibility of passing it to first responders and others that need the information. Fusion centers are sharing more time sensitive information about organized criminal activities, gang-related activities and other information that previously may have only been shared in response to a specific request. It also gives investigators a point of contact within each state or region to connect investigators that have specific information requirements. Investigators from outside Maryland only need to call the fusion center to either obtain information or be connected with someone who will be able to provide information.

Our next largest challenge will be deciding what information and capabilities a fusion center should provide. Last year I sat on a committee that developed a draft of baseline capabilities for fusion centers. This draft was meant to develop some core capacities and to provide some guidance as to the capacities that the group thought would be important for fusion centers to meet. The baseline capabilities were meant to be obtainable by each center and provide some direction on where they should develop. The criteria for the baseline document was developed based on what would satisfy current gaps and would benefit first responders with a statewide information sharing strategy. Some of the baseline capabilities represent a challenge for many of the centers. My center has not met

all of the baseline capabilities recommended in the draft, it was not meant to define a fusion center, rather to provide a template for a fusion center to follow to adopt a core capacity that can be standardized across the country.

The baseline capabilities draft provides another measure to determine how fusion centers will carry out their missions. Some of the capabilities are readily obtainable, like having a clear mission statement in writing. Others, such as having a statewide standard for reporting suspicious activity may take longer for local and state officials to obtain. This may involve developing coalitions and investing money to make reporting more standardized and capturing the data in a searchable database. However, I think this document is extremely important for fusion centers. It not only gives an outline to fusion centers of where they should be developing capacity, but it provides goals for them to reach and provides a means to measure success. By reaching these capacities the fusion centers will demonstrate their value to local communities. As we have developed we continue to learn how we can add value to our communities and consumers so these baseline capabilities may expand as we move ahead.

Once the baseline capabilities are accepted and adopted, fusion centers will know where to focus efforts to develop core capacities. The next step will be funding the core capacities. Once a measure has been developed, then the value of each center can be assessed. However, without a consistent funding stream some centers may never attain the core capabilities. My own center depends on Homeland Security Grant Program Funds and Urban Area Security Initiative Funds to operate our center. State and local funding comes from the assignment of detailed personnel to the center. However, this funding stream is still left to the discretion of the Governors. Thus, in some states none of the funding is used for fusion centers, in others funding may be limited or inconsistent. This year, my funding has not been released. Aside from funding contractual analysts, I have no funds to spend on operational needs. This makes planning and developing baseline capabilities difficult. Truly, one of the most valuable steps Congress could take is designating some of the Homeland Security Grant funding be spent directly on fusion centers tying it to development or sustaining core capacities.

The next step is using the core capacities to benefit the operational components within the states. Baseline capabilities require a statewide threat assessment listing vulnerabilities and gaps from which prioritized collection requirements can be derived. Once the centers develop prioritized information needs, they can clearly communicate that to collectors. Collectors will then report back to the fusion centers enhancing the capacity of the state to detect potential precursors to terrorist activity. This should then be the focal point for federal agencies to synthesize their intelligence with any intelligence gathered on a local level. This is not happening. The FBI's Joint Terrorism Task Forces have been reluctant to integrate fusion centers into their intelligence gathering operations. Instead, they continue to rely on state and local task force members to relay information to their

agencies. This compartmentalization of information gathering and sharing is counter-productive and counter-intuitive to the fusion center concept. Without the full cooperation of our intelligence gathering agencies, the effectiveness of our fusion centers and thereby the safety of our citizens will always be compromised.

We have made strides in the area of developing linkages to federal information streams. The Department of Homeland Security, Intelligence and Analysis Division, headed by Undersecretary Charles Allen is proactively moving forward. Over the past two years the development of a Homeland Security Information Network State and Local Intelligence Portal Community of Interest (HS SLIC) has become a vital link and extremely beneficial tool for the fusion centers. The SLIC advisory board with one representative from each state, approves membership to the portal which ensures data is being shared with appropriate audiences. The connectivity of the states within this portal is very effective and allows members to exchange information within a secure environment.

In addition, Mr. Allen has incorporated an advisory board of the vice-chairs of that portal to advise him on issues regarding information sharing that need to be addressed. This advisory board incorporates all of the regions involved in the portal, thus giving each fusion center a pipeline to voice concerns or needs regarding information requirements. It has also allowed unit supervisors in the Intelligence and Analysis Division the opportunity to see the types of questions fusion centers are asking and provides a way for the units to interact with fusion centers to address their needs. The most important piece of this is establishing an open dialogue that allows the fusion centers to have a voice in how we can interact with federal agencies. This concept should be emulated with all of the federal intelligence agencies. An open dialogue will allow us to solve issues more quickly and with better results than having any one agency design a plan that they think will address needs, but not receiving input from the consumers of their product.

Another aspect of the core capacities was to benchmark the centers to determine how successful they have been. This has been a segment that is difficult to measure. Much of the information that comes into the fusion centers that is terrorism related is pushed to systems that are linked to the JTTF. Once the JTTF opens a case and investigates the information, it can either move forward as a classified case or be closed. This information is generally not reported back to the fusion centers. Other bits of information may not fit anything and may only be entered into a database. The fusion center may never know whether any of the information played a significant role in an investigation. Thus most of the success stories from information sharing have been anecdotal. We can quantitatively measure factors like how many calls are received per day, how many information requests are processed daily, the number of products produced, etc. However, I am not convinced that these measures will give you the true value of the centers or provide an accurate picture of their capabilities. Fluctuations in these measures would be of limited value because we may not be able to identify reasons for the changes.

The concept of fusion centers is extremely valuable. The inclusion of fusion centers in the intelligence enterprise is a necessary component because it ties local information into the threat picture. We have already seen successes with the centers merely by the ability they have to link states and how quickly they share information in that realm. The next steps for fusion centers hinge on funding. There needs to be a sustainable stream of funding to support the core capabilities. Congress should allocate money through the Homeland Security Grant Funding earmarked for fusion centers. Congress should require that fusion centers demonstrate that they are incorporating multiple agencies and serving multiple communities. They should further be required to demonstrate that they are adding or improving information sharing within their state or region. Congress should have frequent contacts with state and local fusion center directors to hear how the information sharing needs of communities are being met and that federal partners are active participants in the process.

On the state and local fusion center side, we need to come together and form a representative body with national participation to address Congress with one voice. A group similar to the Major Cities Chiefs Association should be developed so the many issues can be presented to you in a coordinated, cohesive way.

Thank you for allowing me to address the sub-committee and I would welcome any questions you may have.

Captain Charles W. Rapp

Director

Maryland Coordination and Analysis Center

April 17, 2008