



COMMITTEE ON APPROPRIATIONS

David Price (D-NC), Chairman, Subcommittee on Homeland Security

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Media Contact: Andrew High
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OPENING STATEMENT OF CHAIRMAN DAVID PRICE

Oversight Hearing: DHS Intelligence Programs and the Effectiveness of State and Local Fusion Centers

March 4, 2010 / 10:00 am

Good morning. I am pleased to welcome our witnesses to today's hearing on the Department of Homeland Security's Intelligence and Analysis programs and DHS support for State and Local Fusion Centers. From DHS, we have Ms. Caryn Wagner, the recently-confirmed Undersecretary for Intelligence and Analysis. Undersecretary Wagner, congratulations navigating the obstacles in the Senate confirmation process and welcome to the Subcommittee. We are also privileged to welcome Captain Bill Harris from the Delaware State Police. Captain Harris is the commanding officer of the Delaware State fusion center, and has worked with DHS since the inception of the fusion center program. Captain Harris, we look forward to your perspective and insight into the partnership between the Federal government and State and local intelligence centers, and your recommendations for how the program can be improved.

Before we discuss the fusion centers, however, I would be remiss if I did not mention that the budgets for fusion centers and the broader Intelligence and Analysis function are classified, so we will discuss specific funding levels at one of our closed reviews. However, it is fair to say the 2011 budget proposes modest increases for DHS intelligence programs, allowing Intelligence and Analysis to continue to establish itself within the broader intelligence community.

The purpose of the DHS State and Local Fusion Center program is to build a collaborative environment in which both State law enforcement officers and Federal intelligence officers can share information, build analytical products and expertise, and, ideally, uncover terrorist and other criminal plots well before they are carried out. Given the vast number of State and local police – some 800,000 nation-wide – it is more likely that non-federal officers will be the first to encounter terrorist suspects or identify suspicious behavior to crack criminal conspiracies. As Commander Joan McNamara of the LAPD Counter-Terrorism and Criminal Intelligence Bureau noted in a hearing on fusion centers last year, State and local police are being looked at more and more as the “first preventers” of terrorist attacks. Ensuring that DHS provides appropriate support and expertise to State and Local Fusion Centers, in the context of adequate privacy and security controls, should be the priority for the Federal participants in this program.

DHS currently recognizes 72 State and Local Fusion Centers nation-wide: one for each State and additional centers in 22 Urban Areas Security Initiative cities. Importantly, many of the State intelligence centers pre-exist DHS as operations within State Police agencies or State Bureaus of Investigations. As the DHS State and Local Fusion Center program has grown, there has been effort to standardize relationships between Federal and State partners. This progress is laudable, but I believe it would be a mistake for DHS to become overly prescriptive in its requirements for State and Local Fusion Centers. The primary customers served by the fusion centers are and must remain State and local law enforcement agencies that rely on the information developed by the centers. In fact, one major participant in the program, the City of New York, has gone so far as to send its own intelligence agents overseas to gather information that it believes it cannot get from the Federal government. While the NYPD fusion center does have an I&A intelligence analyst on staff, that operation is nevertheless an example of how simply adding Federal participation to State and local centers doesn't necessarily mean that all of a locality's needs are met. Undersecretary Wagner, I am interested to know if you plan any review of the fusion center program to make sure it is meeting the needs of your partners.

State and Local Fusion Centers have succeeded at analyzing open source information, pursuing leads and threats reported by members of the public, developing intelligence reports to promote situational awareness, and exploiting various social networking sites to respond to emerging threats in real-time. I understand that efforts are also underway to improve analysis of data collected by other components of State and local law enforcement agencies, such as pattern analysis of suspicious activity reports and in-depth reviews of 9-1-1 call logs. I would be interested to hear more about how these efforts are being conceived and other analytical approaches that have been envisioned for the program.

Before we hear today's testimony, I would like to make one point to all of the Members: while this hearing is taking place in an unclassified setting, most if not all of the specific cases handled by the DHS intelligence program and at the State and Local Fusion Centers is sensitive to national or homeland security. Therefore, discussions about specific threats or cases may need to be conducted in another setting, such as at our next quarterly classified threat brief, which we anticipate scheduling sometime in April.

Undersecretary Wagner, as our first witness, I will ask you to summarize your written testimony in a 5-minute statement, followed by you, Captain Harris, for another 5 minutes. Your entire written statements will be entered into our hearing record. Before that, however, let me turn to the distinguished Ranking Member, Mr. Rogers, for his opening statement.

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