

April 2013

# INFORMATION SHARING

## Agencies Could Better Coordinate to Reduce Overlap in Field-Based Activities



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## Why GAO Did This Study

Federal agencies and state and local governments have established field-based entities (e.g., centers and task forces) nationwide that share terrorism-related information, among other things. GAO was asked to assess these entities. This report addresses (1) the extent to which these entities are distinct, fragmented, overlapping, or duplicative; (2) the extent to which DOJ, DHS, and ONDCP hold entities accountable for coordinating and have assessed coordination opportunities; and (3) how, if at all, DOJ, DHS, and ONDCP incorporate information on the results entities achieve when making funding decisions. GAO analyzed entities' missions, activities, and coordination efforts in eight selected urban areas that range in geographic dispersion and risk. Although not generalizable, this analysis provided insights. This is a public version of a sensitive report GAO issued in March 2013. Information the Federal Bureau of Investigation (FBI) deemed sensitive has been redacted.

## What GAO Recommends

GAO recommends that ONDCP work with HIDTA officials to establish time frames to connect systems; DHS, DOJ, and ONDCP develop measures to hold entities accountable for coordination and assess opportunities to enhance coordination; and the PM-ISE report on the results of the agencies' efforts to assess coordination. DHS, ONDCP, and the PM-ISE concurred. DOJ generally agreed with the intent of the recommendations, but disagreed with their underlying premises that DOJ was not already taking such actions. GAO believes these actions do not fully address the recommendations as discussed further in this report.

View [GAO-13-471](#). For more information, contact Eileen R. Larence at (202) 512-8777 or [larencee@gao.gov](mailto:larencee@gao.gov).

## INFORMATION SHARING

### Agencies Could Better Coordinate to Reduce Overlap in Field-Based Activities

## What GAO Found

Five types of field-based information-sharing entities are supported, in part, by the federal government—Joint Terrorism Task Forces, Field Intelligence Groups, Regional Information Sharing Systems (RISS) centers, state and major urban area fusion centers, and High Intensity Drug Trafficking Area (HIDTA) Investigative Support Centers—and have distinct missions, roles, and responsibilities. However, GAO identified 91 instances of overlap in some analytical activities—such as producing intelligence reports—and 32 instances of overlap in investigative support activities, such as identifying links between criminal organizations. These entities conducted similar activities within the same mission area, such as counterterrorism, for similar customers, such as federal or state agencies. This can lead to benefits, such as the corroboration of information, but may also burden customers with redundant information. GAO also found that RISS centers and HIDTAs operate three different systems that duplicate the same function—identifying when different law enforcement entities may be conducting a similar enforcement action, such as a raid at the same location, to ensure officer safety—resulting in some inefficiencies. RISS and HIDTA have taken steps to connect two of the systems, but HIDTA does not have target time frames to connect the third system. A commitment to time frames would help reduce risks to officer safety and potentially lessen the burden on law enforcement agencies that are currently using multiple systems.

Agencies have neither held entities accountable for coordinating nor assessed opportunities for further enhancing coordination to help reduce the potential for overlap and achieve efficiencies. The Departments of Justice (DOJ) and Homeland Security (DHS), and the Office of National Drug Control Policy (ONDCP)—the federal agencies that oversee or provide support to the five types of field-based entities—acknowledged that entities working together and sharing information is important, but they do not hold the entities accountable for such coordination. A mechanism that enables agencies to monitor the results of coordination efforts could encourage more coordination, help reduce any unnecessary overlap and leverage resources. Officials in the eight urban areas said that practices such as having representatives from other agencies on governance boards and colocating entities where possible enhanced coordination, information sharing, and efficiencies—in their view, reducing the potential of unnecessary overlap. Federal agencies have not assessed the extent to which such practices could be further implemented and, therefore, may be missing opportunities to maximize benefits. The Program Manager for the Information Sharing Environment (PM-ISE)—which manages efforts to enhance sharing governmentwide—has not reported on specific coordination efforts across the entities. Including agencies' assessment progress in the annual reports to the Congress would enhance accountability.

The agencies collect information on entities' results, but vary in the extent to which they consider the results when they make decisions about future funding. For example, agencies may consider other factors—such as risk and threats—rather than results, or funding decisions may be determined by state grant recipients or set in part by statutory or other requirements.

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## Abbreviations

BJA	Bureau of Justice Assistance
DHS	Department of Homeland Security
DHS I&A	DHS Office of Intelligence and Analysis
DOJ	Department of Justice
FBI	Federal Bureau of Investigation
FBINet	Federal Bureau of Investigation Network
FEMA	Federal Emergency Management Agency
FIG	Field Intelligence Group
HIDTA	High Intensity Drug Trafficking Area
HSDN	Homeland Secure Data Network
HSGP	Homeland Security Grant Program
ISA IPC	Information Sharing and Access Interagency Policy Committee
ISE	Information Sharing Environment
JTTF	Joint Terrorism Task Force
NVPS	National Virtual Pointer System
ONDCP	Office of National Drug Control Policy
PM-ISE	Program Manager for the Information Sharing Environment
RISS	Regional Information Sharing Systems
SAFETNet	Secure Automated Fast Event Tracking Network
TFO	task force officer

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United States Government Accountability Office  
Washington, DC 20548

April 4, 2013

### Congressional Requesters

Sustaining a national information-sharing capability to efficiently and effectively gather, analyze, and disseminate law enforcement, public safety, and terrorism-related information is critical to our nation's efforts to combat criminal and terrorist threats.<sup>1</sup> Over the past three decades, federal agencies and state and local governments have established a number of entities (e.g., units, centers, and task forces) nationwide that may—in all or in part—collect, process, analyze, or disseminate information in support of law enforcement and counterterrorism-related efforts. The federal government—specifically, the Department of Justice (DOJ), the Department of Homeland Security (DHS), and the Office of National Drug Control Policy (ONDCP)—operates or, through grant funding or personnel, supports five types of these field-based information-sharing entities. Specifically, these include the following:

- **Joint Terrorism Task Forces (JTTF)**, which are funded and managed by DOJ's Federal Bureau of Investigation (FBI), aim to prevent, preempt, deter, and investigate terrorism and related activities affecting the United States as well as to apprehend terrorists.
- **Field Intelligence Groups (FIG)**, which are part of the FBI, support FBI investigations through the collection and analysis of intelligence that is used to create a variety of analytical products and share these products with the FBI's law enforcement and intelligence partners when applicable to those partners' missions.

**Regional Information Sharing Systems (RISS) centers**, which are funded through grants administered by DOJ's Bureau of Justice Assistance (BJA), support regional law enforcement, public safety,

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<sup>1</sup>For purposes of this report, terrorism-related information encompasses "terrorism information," which includes "weapons of mass destruction information" and "homeland security information" consistent with section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Intelligence Reform Act), as amended, as well as law enforcement information relating to terrorism or the security of the homeland. See Pub. L. No. 108-458, § 1016(a), 118 Stat. 3638, 3664-65 (2004) (codified as amended at 6 U.S.C. § 485(a)). See also Pub. L. No. 107-296, § 892(f), 116 Stat. 2135 (2002) (codified at 6 U.S.C. § 482(f)).

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and homeland security efforts to, among other things, combat major crimes and terrorist activity, and promote officer safety by linking federal, state, local, and tribal criminal justice agencies through secure communications and providing information-sharing resources and analytical and investigative support.

- **State and major urban area fusion centers (fusion centers)**, which are funded through a variety of federal and state sources, including in part through DHS and DOJ grants, are state and locally-owned and operated to serve as intermediaries for sharing terrorism and other threat-related information between the federal government and state, local, tribal, territorial, and private sector homeland security partners.<sup>2</sup>
- **High Intensity Drug Trafficking Areas (HIDTA) Investigative Support Centers**, which are funded through grants administered by ONDCP, aim to support the disruption and dismantlement of drug-trafficking and money-laundering organizations through the prevention or mitigation of associated criminal activity. HIDTA program resources may also be used to assist law enforcement agencies in investigations and activities related to terrorism and the prevention of terrorism.

Given that more than one federal agency is involved in supporting the efforts of these five types of field-based entities, you asked us to examine the entities' activities, coordination, and funding. This report addresses (1) the extent to which these field-based entities are distinct, fragmented, overlapping, or potentially duplicative; (2) the extent to which DOJ, DHS, and ONDCP hold these entities accountable for coordination and have assessed opportunities for coordination to reduce overlap and duplication and what practices, if any, select entities have reported using to coordinate and achieve efficiencies; and (3) how, if at all, DOJ, DHS, and ONDCP incorporate information they collect on the results that these field-based entities achieve when making funding decisions for them.

This report is a public version of the prior sensitive report that we provided to you. The FBI deemed some of the information in the prior

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<sup>2</sup> A fusion center is a collaborative effort of two or more agencies that combines resources, expertise, or information with the goal of maximizing the ability of such agencies to detect, prevent, investigate, and respond to criminal and terrorist activity. See 6 U.S.C. § 124h(j)(1).

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report as For Official Use Only (FOUO) in the context of the report. Therefore, this report omits the locations of the eight urban areas included in our review.<sup>3</sup> The information provided in this report addresses the same questions as the sensitive report. Also, the overall methodology used for both reports is the same.

To address the first objective, we analyzed agency documentation relevant to the authorities, missions, activities, and customers of the five types of entities, including strategies and annual reports. We analyzed 2011 DHS data on the missions, governance, and capabilities of fusion centers and interviewed DHS officials responsible for collecting these data, and we determined that the data were sufficiently reliable for our purposes. We also interviewed officials responsible for overseeing the programs from the federal agencies supporting the entities, specifically DOJ's FBI and BJA, DHS's Office of Intelligence and Analysis (DHS I&A), and ONDCP's HIDTA program, to obtain information on how the entities were carrying out their missions in the field, the types of services and activities the entities performed, and customers of the entities' services. Further, we selected eight urban areas for review where one of each of the five types of entities was either physically located or had jurisdiction, and to reflect a range of factors, including variation in risk based on DOJ's 25 Cities Project, colocation of the entities, and geographic dispersion.<sup>4</sup> We obtained funding and personnel data for fiscal year 2011 for each of the fusion centers, RISS centers, and HIDTA Investigative Support Centers in the eight urban areas in our review from fusion centers, BJA, and ONDCP, respectively.<sup>5</sup>

We interviewed fusion center, BJA, and ONDCP officials responsible for collecting the data to discuss the data they provided, and we determined

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<sup>3</sup>The U.S. Census Bureau, for example, has described an urban area as a densely developed residential, commercial, and other nonresidential area, and has identified two types of urban areas: "urbanized areas" of 50,000 or more people and "urban clusters" of at least 2,500 and less than 50,000 people. See, e.g., 76 Fed. Reg. 53,030 (Aug. 24, 2011). We do not identify the eight urban areas we reviewed in this report since the FBI deemed this information as sensitive in the context of this report.

<sup>4</sup>For DOJ's High-Risk Metropolitan Area Interoperability Assistance Project, DOJ selected 25 cities based on criteria including the perceived risk of a terrorist attack and population size.

<sup>5</sup>We do not report specific funding and personnel levels of JTTFs and FIGs since FBI deemed these data are classified.



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that the data were sufficiently reliable for our purposes. In addition, within each urban area, we collected documents, such as annual reports, and interviewed management officials responsible for the entity's operations to identify its mission, activities, and customers. Additionally, within each urban area, we interviewed officials from either a state or a local law enforcement agency that received information from one or more of the entities in the area (i.e., a customer) to assess their satisfaction with the quantity, quality, and timeliness of the information shared. We did not determine the frequency or extent to which a particular customer agency received information from an entity. Rather, we selected the law enforcement agencies to include those that could receive products and services from the five types of information-sharing entities in our review. In total, we conducted interviews with officials from 37 entities and eight law enforcement agencies across our eight urban areas.<sup>6</sup> While the information obtained from these interviews cannot be generalized to all of the entities or all law enforcement agencies nationwide, the interviews provided insight into the types of activities each entity conducts and customer perspectives about information received from these entities, respectively.

To assess potential fragmentation, overlap, and duplication within each urban area, we collected each entity's description of its activities and the associated mission areas and customers for which these activities are conducted.<sup>7</sup> We provided the entities with our summary of the information we collected to review for accuracy, and incorporated technical comments as appropriate. We applied criteria from our prior work on fragmentation, overlap, and duplication across the federal government to determine if

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<sup>6</sup>While we conducted interviews with officials from each of the five types of entities in all eight urban areas, we met with a total of 37 entities for various reasons. For example, in one urban area, the fusion center and HIDTA are combined and are therefore counted as 1 entity. Additionally, in four instances, an entity's jurisdiction spanned more than one of our selected urban areas. In these four instances, we used information from the entities for both of the urban areas. Last, in two urban areas, we conducted interviews with an additional fusion center that served the urban area.

<sup>7</sup>For purposes of this report, "mission area" refers to the focus of the work in which an entity conducts an activity. We focused on activities performed in three such mission areas—all crimes, which can include terrorism and other high-risk threats as well as other types of crimes; counterterrorism; and counternarcotics.

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any activities were conducted in the same or similar mission areas for the same or similar customers within each urban area.<sup>8</sup>

To address the second objective and to identify efforts underway to improve coordination and information sharing among the entities and the federal agencies, including participation in interagency groups such as the Information Sharing and Access Interagency Policy Committee (ISA IPC) within the Executive Office of the President, we analyzed documentation—including the 2007 *National Strategy for Information Sharing* and the 2011 and 2012 reports to Congress on federal efforts to implement an Information Sharing Environment (ISE).<sup>9</sup> We also included questions about coordination efforts, information sharing, and forums for collaboration in our interviews with entity officials in the eight urban areas and analyzed practices that officials identified as promoting coordination and enhancing information sharing. We also interviewed the Program Manager, who is responsible for overseeing implementation of and managing the ISE, as well as officials from the FBI, BJA, DHS I&A, and ONDCP with responsibility for overseeing or providing support to the entities. We compared these efforts against criteria in standard practices for program management<sup>10</sup> and in our prior work related to federal collaboration<sup>11</sup> to determine the extent to which agencies have implemented such efforts. To assess the extent to which the agencies hold the entities accountable for coordinating with each other and to determine the extent to which coordination with other field-based entities is assessed, we analyzed the types of information, such as performance metrics, the entities provide the agencies regarding coordination and

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<sup>8</sup>See, for example, GAO, *2012 Annual Report: Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue*, [GAO-12-342SP](#) (Washington, D.C.: Feb. 28, 2012).

<sup>9</sup>The ISE is a statutorily mandated government-wide approach to facilitate the sharing of terrorism-related information. See 6 U.S.C. § 485. The ISA IPC is responsible for advising the President on, among other things, developing policies and standards necessary to establish, implement, and maintain the ISE and includes representatives from DOJ and DHS. See 6 U.S.C. § 485(g) (establishing an Information Sharing Council, the responsibilities of which were subsequently subsumed by the ISA IPC).

<sup>10</sup>Program management standards we reviewed are reflected in the Project Management Institute's *The Standard for Program Management*, Second Edition © (2008).

<sup>11</sup>See GAO, *Managing for Results: Key Considerations for Implementing Interagency Collaborative Mechanisms*, [GAO-12-1022](#) (Washington, D.C.: Sept. 27, 2012).

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interviewed officials who are responsible for overseeing the entities' information-sharing efforts.

To address the third objective, we analyzed agency and entity documentation, such as information on fiscal year 2011 spending, to identify the amount of funding the FBI, BJA, DHS, and ONDCP have dedicated to support the entities.<sup>12</sup> Additionally, we analyzed funding data reported by fusion centers to the National Fusion Center Association.<sup>13</sup> To assess the reliability of the data, we interviewed FBI, BJA, DHS, and ONDCP officials responsible for the entity's operations, as well as National Fusion Center Association officials, to discuss the funding data they provided, and we determined that the data were sufficiently reliable for our purposes. To determine the types of information the agencies collect on the results and contributions of the entities, we analyzed performance management and grant guidance. We also interviewed officials who are responsible for overseeing or providing support to the entities about how the agencies provide funding or make funding available to the entities and what factors, if any, are considered when making decisions about future funding.

We conducted this performance audit from January 2012 to April 2013 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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<sup>12</sup>We selected 2011 because it was the most recent, complete year of data at the time of our review.

<sup>13</sup>The National Fusion Center Association is an organization that represents and provides an independent consolidated voice for state and local fusion centers.

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## Background

### Information Sharing Environment and Role of the Information Sharing and Access Interagency Policy Committee

Section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Intelligence Reform Act), as amended, required the President to take action to facilitate the sharing of terrorism-related information by creating an information-sharing environment.<sup>14</sup> In April 2005, the President designated a Program Manager—a position situated within the Office of the Director of National Intelligence—to, among other things, plan for, oversee implementation of, and manage the ISE. Consistent with the Intelligence Reform Act, the Program Manager intends for the ISE to provide the means for sharing terrorism-related information in a manner that—to the greatest extent practicable—ensures a decentralized, distributed, and coordinated environment that builds upon existing systems and leverages ongoing efforts. The Program Manager is to submit annual reports to Congress, as required by the Intelligence Reform Act, on the state of the ISE and information sharing across the federal government.<sup>15</sup> Among other things, the reports examine the extent to which the ISE is being implemented by agencies that possess or use terrorism-related information, operate systems within the ISE, or otherwise participate in the ISE. For example, the 2012 ISE annual report to Congress describes how agencies have fared against established performance measures and highlights accomplishments, including examples of progress toward information-sharing goals.<sup>16</sup>

DOJ and DHS are among the ISE mission partners, that is, the bureaus and agencies of federal, state, local, and tribal governments; the private sector; and foreign governments that contribute to the nation's homeland security and counterterrorism missions.<sup>17</sup> ONDCP is involved in the ISE through its coordination with DHS regarding efforts to enhance

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<sup>14</sup>See 6 U.S.C. § 485.

<sup>15</sup>See 6 U.S.C. § 485(h).

<sup>16</sup>Program Manger, Information Sharing Environment, *Information Sharing Environment: Annual Report to the Congress, National Security Through Responsible information Sharing* (Washington, D.C.: June 30, 2012).

<sup>17</sup>In addition to DOJ and DHS, the ISE mission partners include the Department of Defense; Department of State; Office of the Director of National Intelligence; National Maritime Intelligence-Integration Office; U.S. Coast Guard; state, local, territorial, and tribal governments; and the private sector.

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partnerships between HIDTA Investigative Support Centers and fusion centers.

In July 2009, the administration established the ISA IPC to, among other things, identify future information-sharing priorities.<sup>18</sup> With representation of participating ISE agencies and communities, the ISA IPC is responsible for advising the President and Program Manager in developing policies, procedures, guidelines, roles, and standards necessary to establish, implement, and maintain the ISE.<sup>19</sup> The ISA IPC formally charters subcommittees, including a Fusion Center Sub-Committee that focuses on coordinating federal support to fusion centers by providing guidance and standards for how federal resources are applied to help ensure information sharing between and among fusion centers and all levels of government. This sub-committee is cochaired by the FBI and DHS, and includes members from, among others, BJA and ONDCP, as well as a representative from the Criminal Intelligence Coordinating Council, which is made up of members representing law enforcement and homeland security agencies from all levels of government and is an advocate for state, local, and tribal law enforcement.<sup>20</sup>

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<sup>18</sup>The ISA IPC assumed the functions and responsibilities of the former Information Sharing Council, which had been established pursuant to section 1016(g) of the Intelligence Reform Act. See 6 U.S.C. § 485(g).

<sup>19</sup>In addition to DOJ, the FBI, and DHS, the ISA IPC consists of representatives from the Central Intelligence Agency, Department of Agriculture, Department of Commerce, Department of Energy, Department of Health and Human Services, Department of the Interior, Department of State, Department of the Treasury, Department of Transportation, Joint Chiefs of Staff, National Security Agency, Office of Management and Budget, Office of the Director of National Intelligence, and Office of the Secretary of Defense.

<sup>20</sup>The Criminal Intelligence Coordinating Council was established in May 2004 under DOJ's Global Information Sharing Initiative Advisory Committee, which serves as a Federal Advisory Committee to the U.S. Attorney General. The council advocates for state, local, and tribal law enforcement's efforts to develop and share criminal intelligence for the purpose of promoting public safety and securing the nation. The council and its research arm, the Global Intelligence Working Group, are charged with advising and providing recommendations to the U.S. Attorney General on issues relating to advancing the use of technology, standards, and collaboration between agencies in the area of criminal intelligence.

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## Our Work on Fragmentation, Overlap, and Duplication

In 2010, we were directed to identify programs, agencies, offices, and initiatives with duplicative goals and activities within departments and government-wide and report annually to Congress.<sup>21</sup> In March 2011 and February 2012, we issued our first two annual reports to Congress in response to this requirement.<sup>22</sup> The annual reports describe areas in which we found evidence of fragmentation, overlap, or duplication among federal programs. Using the framework we established in these reports, we used the following definitions for the purpose of assessing field-based information-sharing entities:

- *Fragmentation* occurs when more than one federal agency (or more than one organization within an agency) is involved in the same broad area of national interest.
- *Overlap* occurs when multiple programs have similar goals, engage in similar activities or strategies to achieve those goals, or target similar beneficiaries. Overlap may result from statutory or other limitations beyond the agency's control.
- *Duplication* occurs when two or more agencies or programs are engaging in the same activities or providing the same services to the same beneficiaries.

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## Field-Based Entities Have Distinct Missions, but Can Conduct Overlapping Activities

In general, while the five types of field-based entities in our review were established under different authorities, each type of entity may engage in the sharing of information. In addition, while these entities also have distinct missions, roles, and responsibilities, we identified overlap in various analytical activities. For example, for the eight urban areas in our review, we identified overlap in how entities produce and disseminate intelligence reports. We also identified overlap in how entities provide investigative support activities and services, such as providing tactical analysis, which entities conducted in the same mission area for similar customers in the eight urban areas in our review. Additionally, RISS centers and HIDTAs both operate systems with functions to ensure law enforcement officers are not conducting a similar type of enforcement

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<sup>21</sup>See Pub. L. No. 111-139, § 21, 124 Stat. 8, 29-30 (2010), 31 U.S.C. § 712 Note.

<sup>22</sup>GAO, *Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue*, [GAO-11-318SP](#) (Washington, D.C.: Mar. 1, 2011), and [GAO-12-342SP](#).

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action or investigating the same target, and HIDTAs can improve efforts to reduce risks to law enforcement officers' safety.

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### Field-Based Entities Were Established under Different Authorities and May Engage in Counterterrorism-Related Efforts

The five types of field-based entities in our review were established under different authorities and by, or with support from, different agencies at different times over the past three decades. However, each type of entity may engage in counterterrorism-related efforts and terrorism-related information sharing. Terrorism-related information, for example, has no single source and is derived by gathering, fusing, analyzing, and evaluating relevant information from all levels of government. This information can be used by federal, state, local, and tribal government organizations for multiple purposes, including supporting activities to prevent terrorist attacks. Since it involves the efforts of several federal agencies, terrorism-related information sharing is by definition fragmented and can produce unique perspectives when information from multiple sources is combined. However, this fragmentation can be disadvantageous if activities are not coordinated, as well as if opportunities to leverage resources across entities are not fully exploited.<sup>23</sup>

Specifically, RISS centers and HIDTAs have been in existence since before the September 2001 terrorist attacks on the United States and focus primarily on combating criminal conspiracies or drug-trafficking organizations; however, both are also authorized to dedicate resources to engage in or support counterterrorism-related efforts. For example, the RISS program, which originated in 1974 and is administered by BJA, supports the ability of federal, state, local, and tribal law enforcement member agencies to identify, target, arrest, and prosecute criminal conspirators.<sup>24</sup> There are six RISS centers, and each focuses on all crimes, which may include efforts on activities and conspiracies related to

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<sup>23</sup>According to the *2012 ISE Annual Report to the Congress*, effective and responsible information sharing requires a strong commitment and participation from agencies. The Program Manager for the ISE's mission includes promoting partnerships across federal, state, local, and tribal governments, and the private sector, as well as internationally.

<sup>24</sup>See 42 U.S.C. § 3796h (authorizing the Director of BJA to make grants and enter into contracts with state, tribal, and local criminal justice agencies and nonprofit organizations for the purposes of identifying, targeting, and removing criminal and terrorist conspiracies and activities spanning jurisdictional boundaries).

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terrorism.<sup>25</sup> Similarly, the HIDTA program was established in 1988 and is a federally funded program administered by ONDCP that brings together federal, state, and local law enforcement agencies into task forces that conduct investigations of drug-trafficking organizations in designated areas.<sup>26</sup> The HIDTA program is focused on counternarcotics; however, HIDTA program resources may be used to assist law enforcement agencies in investigations and activities related to terrorism and the prevention of terrorism.<sup>27</sup> There are 28 HIDTAs, and each has an Investigative Support Center that serves to support the HIDTA program by providing analytical case support, promoting officer safety, preparing and issuing drug threat assessments, and developing and disseminating intelligence products.<sup>28</sup>

The other three types of entities—JTTFs, FIGs and fusion centers—were generally established, or in the case of JTTFs expanded, after September 11, 2001, to more effectively address the threat of terrorism, among other things. Specifically, the FBI increased the number of JTTFs and established FIGs. JTTFs, which consist of FBI special agents, as well as federal, state, and local task force officers (TFO), pursue leads, gather evidence, respond to threats and incidents, make arrests, provide security for special events, conduct training, and gather intelligence related to

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<sup>25</sup>“All crimes” can include terrorism and other high-risk threats as well as other types of crimes. The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001, enacted in October 2001, amended 42 U.S.C. § 3796h by specifically including language related to multijurisdictional terrorist conspiracies and activities. See Pub. L. No. 107-56, § 701, 115 Stat. 272, 374 (2001).

<sup>26</sup>The Anti-Drug Abuse Act of 1988 established ONDCP and authorized the designation of any specified area of the United States as a high intensity drug trafficking area. See Pub. L. No. 100-690, § 1005(c), 102 Stat. 4181, 4186-87 (1988). The Office of National Drug Control Policy Reauthorization Act of 1998 subsequently established the HIDTA program. See Pub. L. No. 105-277, tit. VII, § 707, 2681, 2681-686-87 (1998) (codified as amended at 21 U.S.C. § 1706).

<sup>27</sup>See 21 U.S.C. § 1706(g) (addressing the use of resources for terrorism-related activities, as added pursuant to the Office of National Drug Control Policy Authorization Act of 2006, Pub. L. No. 109-469, § 301, 120 Stat. 3502, 3518-3524).

<sup>28</sup>There are 32 HIDTA Investigative Support Centers—1 in 27 of the 28 HIDTAs, in addition to the Southwest Border HIDTA, which has a center for each of its five regions. The Southwest Border HIDTA includes the following five regions: Arizona, California, New Mexico, South Texas, and West Texas.



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threats, among other counterterrorism-related activities.<sup>29</sup> Since September 2001, the number of JTTFs has increased from 35 to 103.<sup>30</sup> In addition, the FBI established the first FIG in 2003 to coordinate, manage, and execute all of the functions of the intelligence cycle, including collection, analysis, production, and dissemination, for the FBI in the field. FIGs are teams of FBI intelligence analysts, special agents, language analysts, and financial analysts, among others, working in each of the 56 FBI field offices to analyze information from cases in their field office and share intelligence locally and nationally.

Similarly, after the September 2001 attacks, state and local governments began to establish fusion centers. They did so in part to serve as intermediaries within states and localities for the gathering, receipt, analysis, and sharing of threat-related information between the federal government and state, local, tribal, territorial, and private sector partners, and to fill gaps in information sharing that the federal government alone could not address. As defined by the Implementing Recommendations of the 9/11 Commission Act of 2007, a fusion center is “a collaborative effort of two or more federal, state, local, or tribal government agencies that combines resources, expertise, or information with the goal of maximizing the ability of such agencies to detect, prevent, investigate, apprehend, and respond to criminal or terrorist activity.”<sup>31</sup> As of January 2013, 77 fusion centers were located in states and major urban areas throughout the country.<sup>32</sup> While fusion centers are owned and operated by state and local agencies, the federal government encourages fusion centers to

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<sup>29</sup>The FBI is responsible for the coordination of all intelligence and investigatory activity involving federal crimes of terrorism, and carries out this responsibility through its JTTFs and FIGs.

<sup>30</sup>Each JTTF is housed in an FBI field office or resident agency. The FBI has 56 field offices (also called divisions) centrally located in major metropolitan areas across the United States and Puerto Rico. The FBI also has a total of about 400 resident agencies located in smaller cities and towns.

<sup>31</sup>See 6 U.S.C. § 124h(j)(1).

<sup>32</sup>Our analysis was based on data as of January 2013. An additional fusion center was reported by agency officials in February 2013. States have designated primary fusion centers to serve as the main intermediaries for information sharing. In general, these fusion centers are statewide in jurisdiction and are operated by state entities, such as the state police or bureau of investigation. In addition, several major urban areas have established their own fusion centers, which are regional centers that usually cover large cities with substantial populations and numerous critical infrastructure sites and may be operated by city or county law enforcement or emergency management agencies.

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become interconnected with one another and the federal government in a national network capable of sharing terrorism-related information. Further, the federal government supports centers through deployed personnel, security clearances, connectivity to federal systems, and grant funding, among other things. More information about each of these types of entities is included in appendix I.

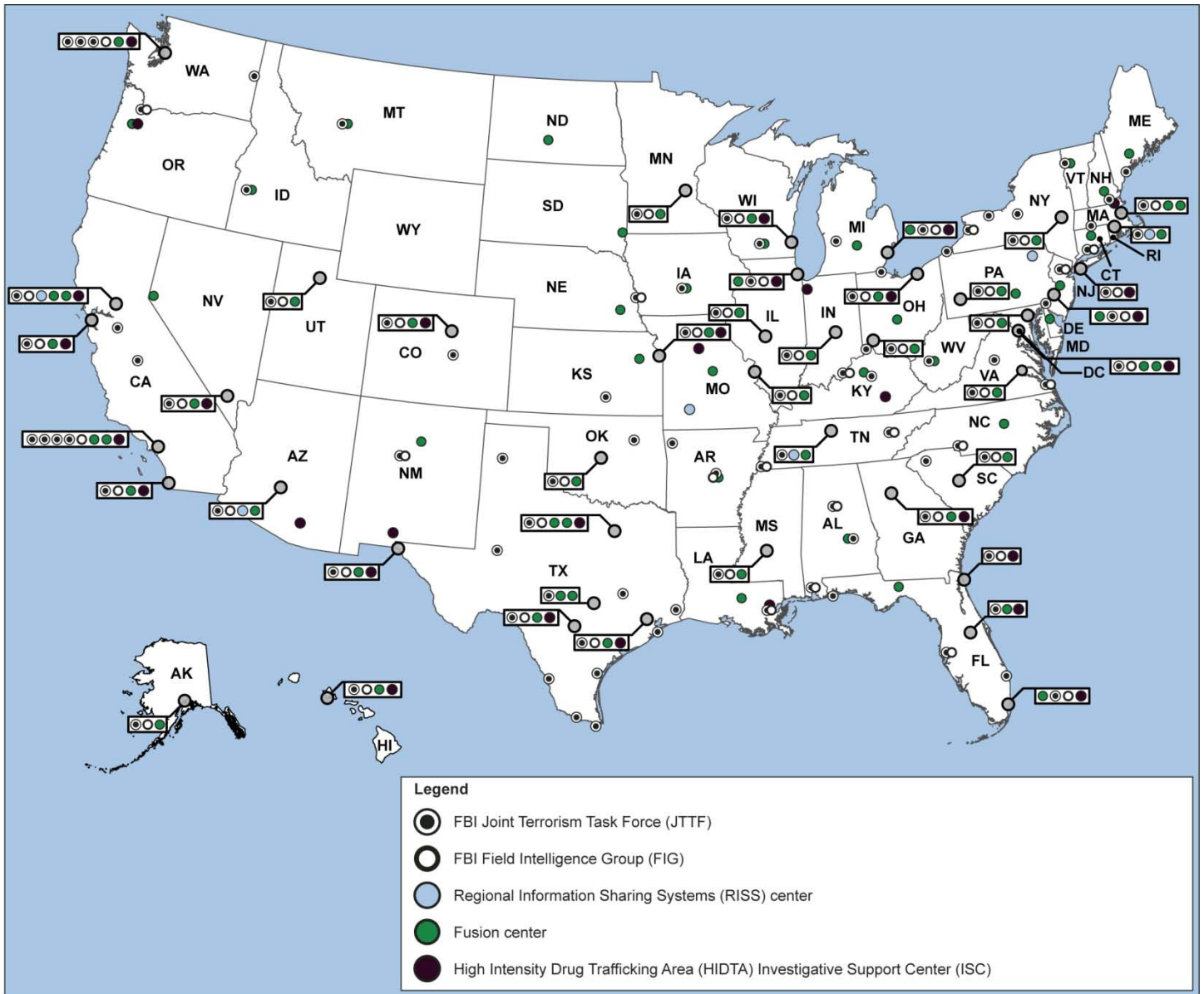
In total, as of January 2013, 268 units of the five types of field-based entities were located throughout the United States, as shown in figure 1.<sup>33</sup> In fiscal year 2011, federal agencies provided an estimated 72 full-time personnel to support fusion centers or HIDTA Investigative Support Centers in the eight urban areas we reviewed. RISS centers do not have any full-time federal personnel. In fiscal year 2011, federal agencies provided an estimated \$64.6 million to support RISS centers, fusion centers, and HIDTA Investigative Support Centers in the eight urban areas.<sup>34</sup>

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<sup>33</sup>At one location, a fusion center and HIDTA were combined and therefore counted as one entity.

<sup>34</sup>We do not identify funding and personnel information for JTTFs and FIGs, since the FBI deemed this information as classified.

**Figure 1: Nationwide Locations of the Five Types of Field-Based Information-Sharing Entities in Our Review**



Source: GAO analysis of DOJ, DHS, and ONDCP data; Map Resources (map).

Note: Six entities located in U.S. territories are not depicted in this figure.

## Entities Have Distinct Missions, Roles, and Responsibilities

The five types of field-based entities have distinct missions, as shown in table 1, as well as distinct roles and responsibilities, which are generally consistent with their missions.

**Table 1: Missions of Field-Based Information-Sharing Entities in Our Review**

Entity	Mission
JTTFs	To detect and investigate terrorists and terrorist groups and prevent them from carrying out terrorist acts directed against the United States.
FIGs	To collect, gather, analyze, produce, and disseminate actionable intelligence to lead and support FBI investigative and intelligence programs, and to inform the intelligence community partners, and other federal, state, local, and tribal law enforcement.
RISS centers	To support law enforcement efforts nationwide to combat illegal drug trafficking, identity theft, human trafficking, violent crime, and terrorist activity; and to promote officer safety.
Fusion centers	To serve as the primary focal points within the state and local environment for the receipt and sharing of terrorism-related information. <sup>a</sup>  The missions of fusion centers vary based on the environment in which the center operates. Some have adopted an approach that provides information and analysis specifically related to counterterrorism. Others take an all-crimes approach, which can include terrorism and other high-risk criminal threats related to terrorism, as well as other types of crimes. Yet others also incorporate an “all-hazards” approach that recognizes the role of information sharing in responding to any disaster, whether natural or man-made. Finally, some centers identify their missions as addressing combinations of these approaches. <sup>b</sup>
HIDTA Investigative Support Centers	To aid in the disruption and dismantlement of drug-trafficking and money-laundering organizations.

Source: GAO analysis of DOJ, DHS, and ONDCP documents.

<sup>a</sup>*The National Strategy for Information Sharing.*

<sup>b</sup>*Baseline Capabilities for State and Major Urban Area Fusion Centers.*

For example, consistent with its mission to detect and investigate terrorists and terrorist groups and prevent them from carrying out terrorist acts directed against the United States, JTTFs, among these entities, are solely responsible for conducting counterterrorism investigations.<sup>35</sup> RISS centers and HIDTA Investigative Support Centers both have missions, roles, and responsibilities that include supporting investigations. However, RISS centers focus on all crimes and support law enforcement agencies and officers from the beginning of an investigation to the prosecution and

<sup>35</sup>The FBI is responsible for the coordination of all intelligence and investigatory activity involving federal crimes of terrorism, and carries out this responsibility through the JTTFs. Accordingly, none of the other entities are responsible for conducting counterterrorism investigations. HIDTA task forces conduct counternarcotics investigations.

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conviction of criminals. HIDTA Investigative Support Centers, on the other hand, focus on narcotics-related matters and support the HIDTA drug task force initiatives in their respective areas in the identification, targeting, arrest, and prosecution of key members of criminal drug organizations. FIGs and fusion centers both gather, analyze, and disseminate intelligence. However, consistent with their mission, FIGs are responsible for serving as the FBI's intermediary for information sharing and collaboration among the FBI; the U.S. intelligence community; fusion centers; and other federal, state, local and tribal law enforcement, government, and private sector entities.<sup>36</sup> Fusion centers, which are state or locally owned and operated, conduct these activities to serve as state and local intermediaries for information sharing and collaboration among the national network of fusion centers, and other federal, state, local, and tribal law enforcement; government; and private sector entities. In general, the purpose of fusion centers is to improve information sharing within their states or localities, and between state and local agencies and the federal government to help prevent terrorism or other threats. Indeed, the *National Strategy for Information Sharing* states that fusion centers "will serve as the primary focal points within the state and local environment for the receipt and sharing of terrorism-related information." However, the missions of individual fusion centers vary to meet the specific state and local needs of their jurisdictions. The strategy also states that it recognizes the sovereignty of state and local governments and understands that fusion centers are owned and managed by state and local governments.

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<sup>36</sup>The missions of the FIGs and the JTTFs are defined in accordance with Executive Order 12333, as amended, which designates the FBI as the responsible entity for domestic investigations of terrorist and counterintelligence threats to the United States, as well as coordinating domestic activities of the intelligence community.

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## Some Entities Conduct Overlapping Analytical and Investigative Support Activities and Services in Selected Urban Areas

In carrying out their respective missions, roles, and responsibilities, entities in the eight urban areas in our review conducted activities that overlap. That is, the entities may conduct similar analytical or investigative support activities or services in support of similar goals in the same mission areas (e.g., all crimes, counterterrorism, and counternarcotics) for similar customers (e.g., federal, state, and local agencies).<sup>37</sup> Across the eight urban areas, 34 of the 37 field-based entities we reviewed conducted an analytical or investigative support activity that overlapped with that of another entity. Overlap in these activities can lead to benefits, such as validating information for customers, or inefficiencies, such as burdening customers who use resources to sort through redundant information.

## Analytical Activities and Services

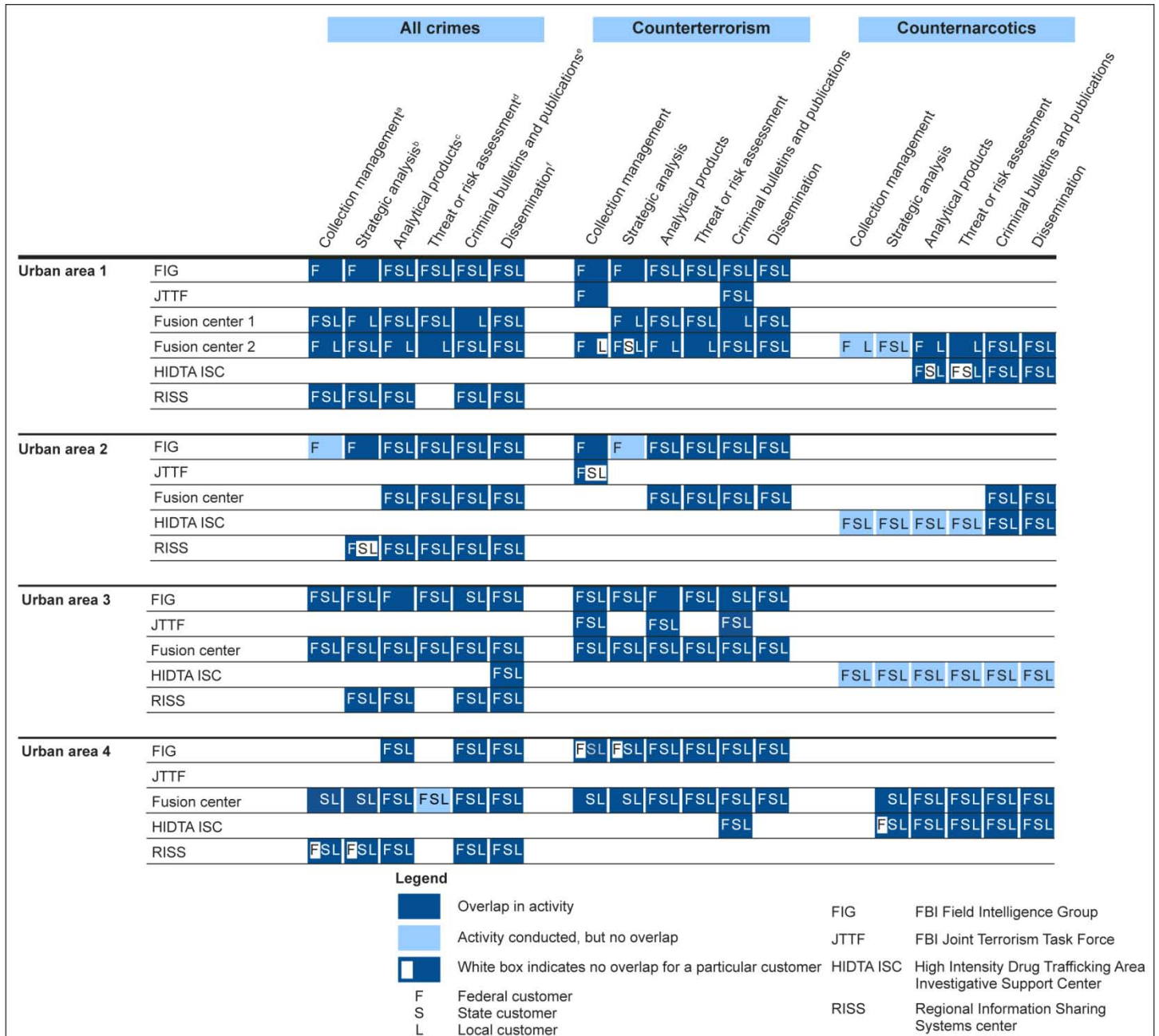
As shown in figure 2, in each of the eight urban areas in our review, we identified instances of overlap in analytical activities and services conducted by field-based entities for similar customers in the same mission area.<sup>38</sup>

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<sup>37</sup>For purposes of this report, we defined the mission area of “all crimes” as any crime including, but not limited to, terrorism, narcotics, gangs, money laundering, fraud, and identity theft; the mission area of counterterrorism as the practices, tactics, techniques, and strategies adopted to prevent or respond to terrorist threats or acts, both real and imputed; and the mission area of “counternarcotics” as the practices, tactics, techniques, and strategies adopted to prevent or respond to use, possession and distribution of illegal drugs.

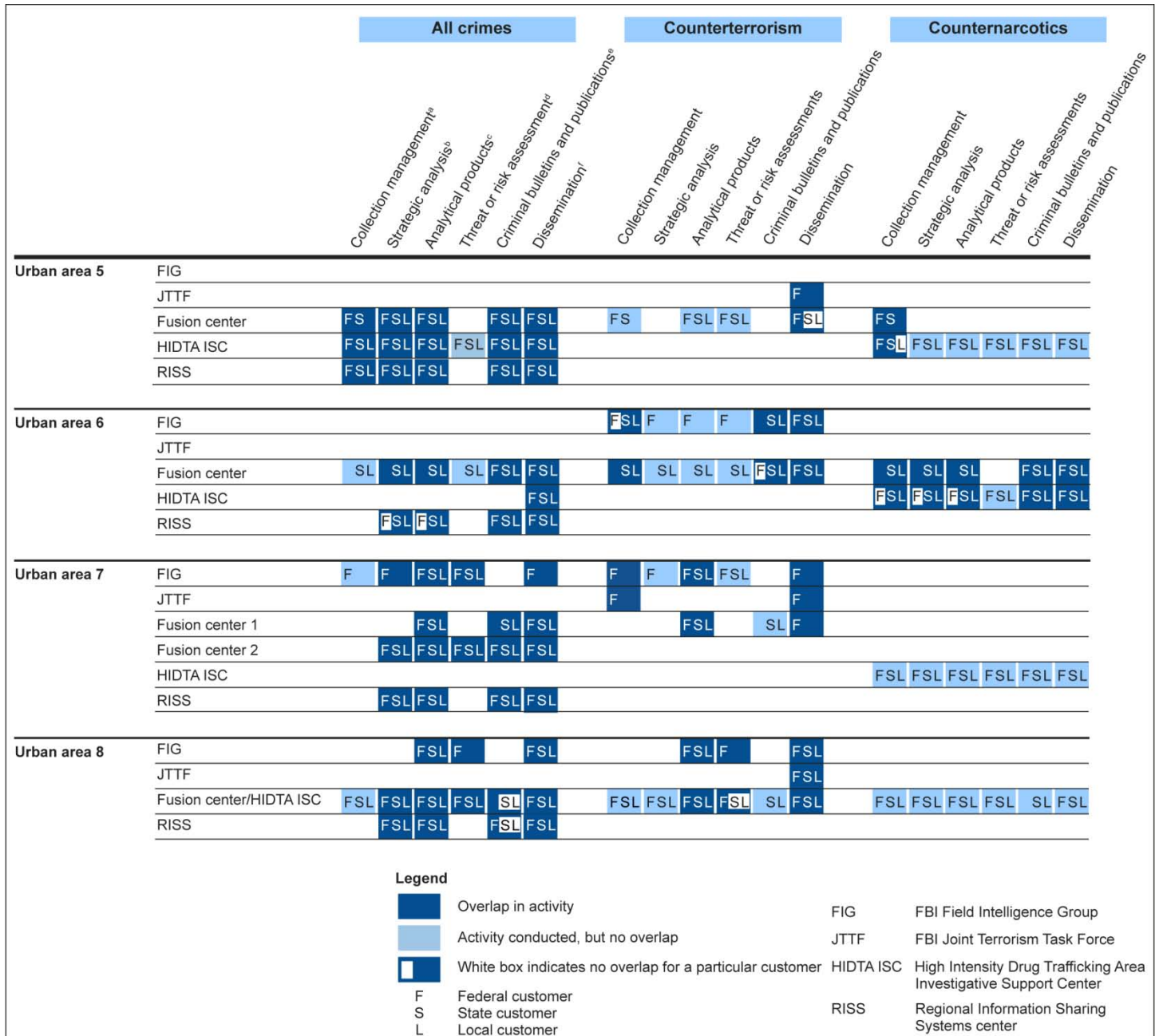
<sup>38</sup>For purposes of this report, we defined six categories of analytical activities and other services that entities can perform: (1) collection management, which is the identification, location, and recording or storing of information used to support analysis; (2) strategic analysis, which is the analysis of crime patterns, crime trends, or criminal organizations for the purpose of planning, decision making, and resource allocation; (3) analytical products, which involves the conversion of raw information into intelligence; (4) threat or risk assessments, which are documents that analyze the propensity for threat or risk in a certain time or place; (5) criminal bulletins and publications, which are bulletins or publications that highlight criminal activity; and (6) dissemination, which is the distribution of information to customers. We identified these categories by reviewing agency documents and interviewing agency officials to generate a list of analytical activities and services that entities potentially conduct.

**Figure 2: Analytical Activities and Services Conducted in the Same Mission Areas for Similar Customers in the Eight Urban Areas in Our Review**



Source: GAO.

**Figure 2: Analytical Activities and Services Conducted in the Same Mission Areas for Similar Customers in the Eight Urban Areas in Our Review (continued)**



Source: GAO.



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Notes: We focused our analysis on whether an entity conducted an activity for federal, state or local customers. Therefore, entities could also conduct these activities for other customers, such as for tribal agencies or to meet internal needs. In addition, entities did not report whether customers for whom an activity was conducted were considered to be primary or secondary customers. Accordingly, the figure indicates whether an activity was conducted, not the frequency or prevalence of that activity. For example, the amount of time and resources dedicated to each activity conducted by the entities may vary. For the purposes of this report, we defined six categories of analytical activities and other services that entities can perform: (1) collection management, (2) strategic analysis, (3) analytical products, (4) threat or risk assessments, (5) criminal bulletins and publications, and (6) dissemination.

<sup>a</sup>Collection management is the identification, location, and recording or storing of information used to support analysis.

<sup>b</sup>Strategic analysis is the analysis of crime patterns, crime trends, or criminal organizations for the purpose of planning, decision making, and resource allocation.

<sup>c</sup>Analytical products involve the conversion of raw information into intelligence.

<sup>d</sup>Threat or risk assessments are documents that analyze the propensity for threat or risk in a certain time or place.

<sup>e</sup>Criminal bulletins and publications are bulletins or publications that highlight criminal activity.

<sup>f</sup>Dissemination is the distribution of information to customers.

First, looking across mission areas and entities, we identified more instances of overlap in analytical activities and services being conducted in the mission areas of all crimes and counterterrorism compared with the mission area of counternarcotics. Specifically, out of the 91 instances of overlap—in which more than one type of entity in the same urban area conducted the same analytical activity or service for similar customers in the same mission area—41 were in the mission area of all crimes, and 33 were in the mission area of counterterrorism compared with 17 that were in the mission area of counternarcotics. We also identified more instances of overlap involving a fusion center and a FIG compared with the other three types of entities. Out of the 91 instances of overlap, 88 involved a fusion center, 59 involved a FIG, and 54 involved both a fusion center and a FIG.<sup>39</sup> For example, in the one urban area, the fusion center and FIG both produced all-crimes analytical products, threat and risk assessments, and criminal bulletins and publications, as well as disseminated all-crimes information, for federal, state, and local customers.

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<sup>39</sup>Entities may not provide all products and services to all customers based on considerations including classification and the need to know.

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Second, we identified more instances of overlap in the category of dissemination compared with other analytical activities and services. For example, in five of the eight urban areas, the fusion center, RISS center, and FIG disseminated information in the mission area of all crimes for federal, state, and local customers. In addition, in seven of the eight urban areas, the fusion center and FIG both disseminated information in the mission area of counterterrorism. For example, according to officials at one local law enforcement agency, the fusion center and the FIG in their area both produce and disseminate counterterrorism analytical products, such as “Terrorism Indicators” or “Possible High Value Targets.”

The broad missions of fusion centers as state and local entities increase the potential for overlap in analytical activities and services. One explanation for the overlap in activities conducted in the all-crimes mission area is that fusion centers conduct activities related to a range of criminal activity in addition to terrorism-related information sharing. Officials from 7 of the 10 fusion centers that we interviewed in our eight urban areas reported that their fusion centers were initially established with an all-crimes mission, and officials from the other 3 fusion centers reported that they expanded the missions of their centers to include all crimes. Officials from all 3 of these fusion centers explained that they expanded the missions of their fusion centers to include all crimes because of the nexus, or link, of many crimes to terrorist-related activity. In addition, officials from all 3 of these fusion centers explained that they also expanded their missions in an effort to better serve state and local customers. This is consistent with nationwide information. According to data collected by DHS as of 2011, 63 of 72 fusion centers reported that the fusion center’s mission included all crimes, and 54 of 72 fusion centers reported that the center’s mission included counterterrorism.<sup>40</sup> Five fusion centers reported that their mission was exclusively related to counterterrorism. In addition, the overlap in counterterrorism, as well as the overlap between fusion centers and FIGs, can be explained by fusion centers’ unique role as state and local entities. As previously mentioned, fusion centers and FIGs both, among other things, analyze and disseminate intelligence. However, fusion centers generally conduct these activities to serve as state and local intermediaries, while FIGs generally conduct these activities to serve as the FBI and U.S.

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<sup>40</sup>Fusion centers could report one or more missions, such as all crimes, counterterrorism, or all hazards.

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intelligence community intermediaries. Thus, while both types of entities may conduct similar analytical activities and services, they are doing so for different purposes. For example, officials from all 10 of the fusion centers that we interviewed explained that their analysts infuse state or local perspectives with information that they receive from federal partners to provide customers with relevant context.

Overlap in analytical activities and services can be beneficial, for example, by increasing entities' focus on sharing information, validating information, or allowing for competing or complementary analysis; however, it can also lead to inefficiencies, such as burdening customers with redundant information. Officials from six of the seven state and local law enforcement customer agencies we interviewed stated that when entities have information, they feel the need to share it through the production of analytical products and dissemination of information.<sup>41</sup> For example, an official from one local law enforcement agency explained that the benefit of entities disseminating information is that they are ensuring that information gets to those that need it. Additionally, officials from all seven of these agencies said that they expect to get all available information to make decisions to protect the citizens in their jurisdiction. Moreover, officials from three of the seven customer agencies we interviewed stated that receiving similar information from more than one entity enables them to validate and corroborate information. Further, officials from DHS and BJA noted benefits of competing or complementary analytical products. For example, different entities may draw different conclusions from the same or similar data given their unique missions and differing customers, perspectives, or jurisdictions.

However, while officials from all seven state and local law enforcement customer agencies had varying preferences regarding the frequency and amount of information they receive from entities, officials from four of these agencies stated that receiving redundant information is burdensome.<sup>42</sup> For example, an official from one local law enforcement agency stated that when entities forward original products, criminal

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<sup>41</sup>One of the eight state and local law enforcement customer agencies included in our review did not comment on overlap in activities conducted by entities.

<sup>42</sup>According to FBI officials, actions to ensure coordination for product dissemination are largely dependent upon the relationship with each fusion center; with differences between their intelligence products, not all fusion center products are sent to FIGs and FBI FIG products are not always appropriate for dissemination to fusion centers.

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bulletins, and publications without coordinating them, this leads to law enforcement leadership getting inundated with redundant information. This has led him to devote time to developing processes to ensure that his e-mail inbox does not reach capacity, because then he would not be able to receive additional e-mails that may contain important information. Entity officials in the eight urban areas in our review provided examples of efforts they have taken to coordinate products, among other things, that have helped to address instances of unnecessary overlap, which we discuss later in this report.

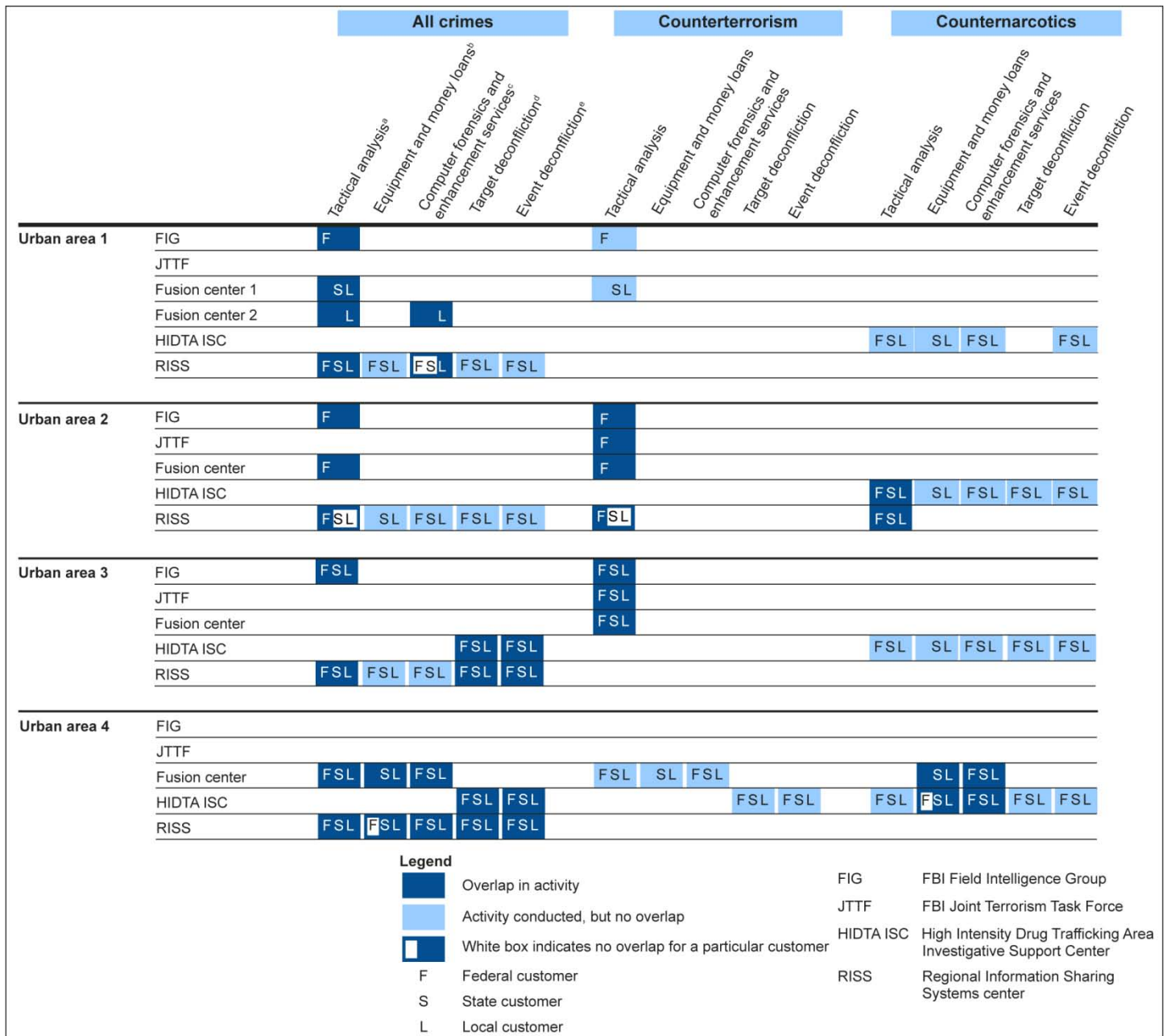
## Investigative Support Activities and Services

As shown in figure 3, we also identified instances of overlap in investigative support activities and services conducted by entities for similar customers in the same mission area.<sup>43</sup>

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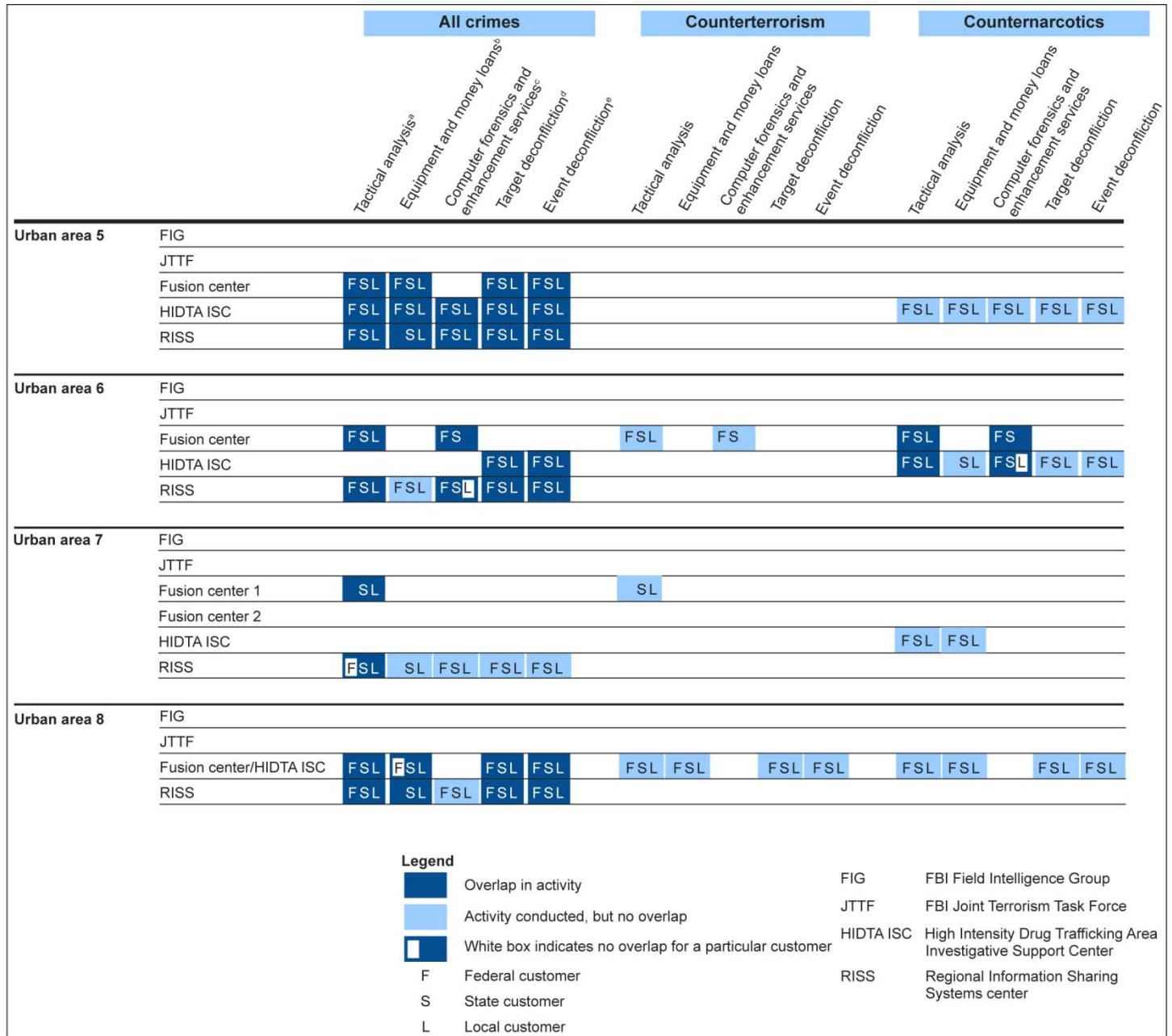
<sup>43</sup>For purposes of this report, we defined five categories of investigative support activities and services that entities can perform: (1) tactical analysis, which is the analysis of information regarding a specific criminal event that can be used immediately by operational units to further a criminal investigation, plan tactical operations, and provide for officer safety; (2) equipment and money loans, which are the loaning of specialized investigative equipment or money to support investigations; (3) computer forensics and enhancement services, which involves the retrieval of information from computers and digital storage media and the enhancement of audio or video recordings; (4) target deconfliction, which is determining if multiple law enforcement agencies are investigating, for example, the same person, vehicle, weapon, or business; and (5) event deconfliction, which is determining if multiple federal, state, or local law enforcement agencies are conducting an enforcement action (e.g., a raid, undercover operation, or surveillance) in proximity to one another during a specified time period.

**Figure 3: Investigative Support Activities and Services Conducted in the Same Mission Areas for Similar Customers in the Eight Urban Areas in Our Review**



Source: GAO.

**Figure 3: Investigative Support Activities and Services Conducted in the Same Mission Areas for Similar Customers in the Eight Urban Areas in Our Review (continued)**



Source: GAO.

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Notes: The figure includes activities and services that support investigations, and does not include the activity of investigating a case. We focused our analysis on whether an entity conducted an activity for federal, state or local customers. Therefore, entities could also conduct these activities for other customers, such as for tribal agencies or to meet internal needs. In addition, entities did not report whether customers for whom an activity was conducted were considered to be primary or secondary customers. Accordingly, the figure indicates whether an activity was conducted, not the frequency or prevalence of that activity. For example, the amount of time and resources dedicated to each activity conducted by the entities may vary. While the JTTF does not itself offer some particular services, they are or can be provided by other subcomponents of the local FBI field office of which the particular JTTF is a part. For the purposes of this report, we defined five categories of investigative support activities and services that entities can perform: (1) tactical analysis, (2) equipment and money loans, (3) computer forensics and enhancement, (4) target deconfliction, and (5) event deconfliction.

<sup>a</sup>Tactical analysis is the analysis of information regarding a specific criminal event that can be used immediately by operational units to further a criminal investigation, plan tactical operations, and provide for officer safety.

<sup>b</sup>Equipment and money loans refers to the loaning of specialized investigative equipment or money to support investigations.

<sup>c</sup>Computer forensics and enhancement services involve the retrieval of information from computers and digital storage media and the enhancement of audio or video recordings.

<sup>d</sup>Target deconfliction is determining if multiple law enforcement agencies are investigating, for example, the same person, vehicle, weapon, or business.

<sup>e</sup>Event deconfliction is determining if multiple federal, state, or local law enforcement agencies are conducting an enforcement action (e.g., a raid, undercover operation, or surveillance) in proximity to one another during a specified time period.

First, looking across mission areas and types of entities, we identified more instances of overlap in investigative support activities and services being conducted in the mission area of all crimes compared with the mission areas of counterterrorism and counternarcotics. Specifically, out of the 32 instances of overlap—in which more than one type of entity in the same urban area conducted the same investigative support activity or service for similar customers in the same mission area—25 were in the mission area of all crimes. Additionally, more instances of overlap involved a RISS center and fusion center compared with the other three entities. Out of the 32 instances of overlap, 27 involved a RISS center, 23 involved a fusion center, and 18 involved both a RISS center and a fusion center. For example, in one urban area, the RISS center and fusion center both conducted tactical analysis, target deconfliction, and event deconfliction in the mission area of all crimes for federal, state, and local customers. The RISS center and fusion center in this urban area also both provided equipment and money loans in the mission area of all crimes for state and local customers.

Second, looking at investigative support activities and services, we identified more instances of overlap in tactical analysis, such as link analysis or telephone toll analysis, compared with other investigative

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support activities and services.<sup>44</sup> Specifically, in seven of the eight urban areas, the RISS center and fusion center both conducted tactical analysis in the mission area of all crimes. In four of these seven urban areas, the RISS center and fusion center conducted all-crimes tactical analysis for federal, state, and local customers. In another two of these urban areas, the RISS center and fusion center conducted the activity for state and local customers. In the remaining urban area, the RISS center and fusion center conducted the activity for federal customers. For example, while officials from the RISS center in one urban area acknowledged that other entities, including the fusion center, in their urban area also conducted all-crimes tactical analysis, they stated that they have an active and close working relationship with these other entities. Specifically, to coordinate all-crimes tactical analysis, the RISS center's Field Service Coordinator attends bimonthly regional intelligence meetings alongside representatives from the other entities, and provides technology to and receives training from the fusion center.<sup>45</sup> Entity officials cited efforts they have taken to coordinate and address unnecessary overlap, which we discuss later in this report.

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### Efforts to Make Systems That Deconflict Operations Interoperable Could Reduce Risks to Officer Safety and Inefficiencies

RISS centers and HIDTAs operate duplicative deconfliction systems—that is, systems that aim to ensure law enforcement officers are not conducting enforcement actions at the same time in the same place or investigating the same target—which could pose risks to officer safety and lead to inefficiencies. RISS and HIDTA officials have taken steps to connect target deconfliction systems—those that inform agencies when they are investigating the same individuals, weapons, vehicles, or businesses—and two of three event deconfliction systems. However, HIDTA officials have not finalized plans to make the remaining event deconfliction system interoperable with the other two systems, which could further reduce risks to officer safety and lessen the burden on law enforcement agencies that are currently using multiple systems to notify agencies when they are conducting conflicting enforcement actions.

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<sup>44</sup>Link analysis is the analysis of information that shows relationships among varied subjects suspected of being involved in criminal activity. Telephone toll analysis is the analysis of incoming and outgoing telephone calls, which can help investigators to establish ties between suspects.

<sup>45</sup>RISS field service coordinators are individuals with law enforcement backgrounds who initiate regular contact with law enforcement and public safety agencies and provide tailored training and consultation to those agencies.



Specifically, the RISS and HIDTA programs operate three separate systems that have (1) event deconfliction functions to determine when multiple federal, state, or local law enforcement agencies are conducting enforcement actions (e.g., raids, undercover operations, or surveillances) in proximity to one another during a specified time period, or (2) target deconfliction functions, which determine if multiple law enforcement agencies are investigating, for example, the same person, vehicle, weapon, or business. In 2009, RISS developed RISSafe to provide event deconfliction to its members and those not being served by another system. Individual HIDTAs have used the Secure Automated Fast Event Tracking Network (SAFETNet) system, which has had event deconfliction functions, among other functions, since 2001 to help ensure officer safety. In 2009, the HIDTA program introduced deconfliction features into the Case Explorer system that differed from SAFETNet by providing a free service that is tied to its performance management process. Table 2 provides details about the features of these three systems.

**Table 2: Systems with Deconfliction Functions That RISS Centers and HIDTAs Operate**

Type of deconfliction	RISS-operated	HIDTA-operated	
	RISSafe	Case Explorer	SAFETNet
Event	√	√	√
Target		√	√
<b>Features</b>			
Open to law enforcement and criminal justice agencies	√	√	√
Manages information about people, places, and vehicles	√	√	√
Operates a watch center to put law enforcement agents in contact with one another	√	√	√
Direct entry/24-hour access	√	√	√
Plots events geospatially, notifying the user of any conflicts within a defined radius	√	√	√
Can enter only future events	√	√	

Source: GAO use of ONDCP and RISS information.

Note: While HIDTAs operate two of the systems, individual HIDTAs can use any or all of the three systems.

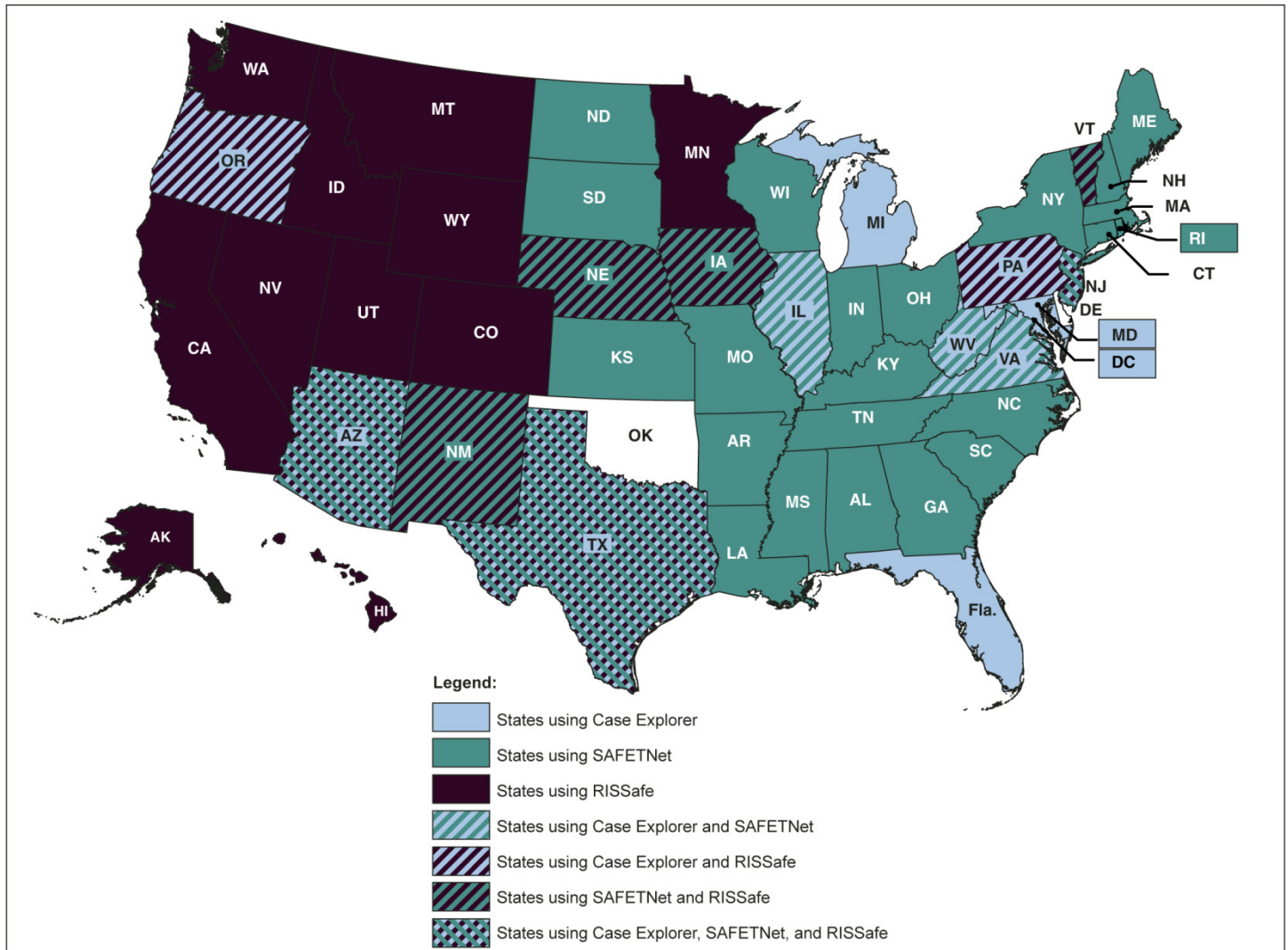
Law enforcement officers generally enter events into a deconfliction system electronically or by calling a watch center. Individuals operating a watch center plot the location of the event on a map and notify the officer for whom contact information is available in the system of other officers who have entered conflicting events into the same system. When events

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are not deconflicted, officer safety can be at risk. For example, HIDTA officials responsible for operating Case Explorer stated that, as a result of not deconflicting an undercover operation, an undercover officer was shot and killed by other law enforcement officers because the other officers did not know that an undercover officer was close to them. In addition, HIDTA and RISS officials described instances when officers did not deconflict drug busts, which led to undercover officers from different agencies drawing guns on one another thinking the other officers were drug dealers. The officials added that, had the events been deconflicted, the officers would have been aware of one another's presence.

However, RISS and HIDTA officials said that the use of more than one system with deconfliction functions increases the possibility of events not being coordinated because users have entered an event into only one system but not all of the systems. As shown in figure 4, law enforcement agencies in 12 states use more than one system to deconflict events. RISS and HIDTA officials stated that all of the systems are open to law enforcement agencies, and law enforcement agencies may choose one over the other based on preference, experience, or their affiliation with a particular RISS center or HIDTA. Duplicative event deconfliction systems may also lead to inefficiencies. For example, according to RISS officials, law enforcement agencies have expressed frustration in having their staff spend time entering information into multiple systems to ensure that their investigations are not conflicting with those of other agencies. These RISS officials also noted that the agencies could be jeopardizing officer safety if they choose to enter information into one system when more than one is available.

**Figure 4: Use of Systems with Event Deconfliction Functions by State**



Source: GAO analysis of BJA and HIDTA data; Map Resources (map).

RISS and HIDTA officials have already taken steps to reduce duplication in target deconfliction systems; however, these steps do not address the duplicative event deconfliction systems. Recognizing that target deconfliction can increase efficiency by connecting officers who may be working on the same or related cases, RISS centers and HIDTAs, along with the Drug Enforcement Administration, the International Justice and Public Safety Network and the National Alliance of State Drug

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Enforcement Agencies developed a National Virtual Pointer System (NVPS). The system connects existing investigative target deconfliction databases and notifies federal, state, local, and tribal law enforcement agencies participating in NVPS when an active investigative target they are investigating is also being investigated by another participant. NVPS facilitates target deconfliction and, as of March 2013, interoperability with existing event deconfliction systems is not being pursued.

In September 2012, RISS and HIDTA officials signed a memorandum of understanding to coordinate efforts to make two of the three duplicative event deconfliction systems—RISSafe and Case Explorer—interoperable; however, the memorandum of understanding did not include SAFETNet.<sup>46</sup> RISS and HIDTA officials stated that interoperability will be completely effective only with participation from all three systems, and risks to officer safety could remain with one system missing from the effort. The memorandum of understanding did not include SAFETNet because the 13 HIDTAs that operate the system and the contractor that provides support stated that they were going to first continue their ongoing efforts to make revisions to the target deconfliction function of SAFETNet—intended to link the users of this function—before they would consider changes to the event deconfliction function. RISS and HIDTA officials said that they chose to move forward with the memorandum of understanding and their efforts to make two of the systems interoperable with the intent of trying to integrate SAFETNet at a later date. While RISS and HIDTA officials noted that they had been discussing these issues since early 2012, they stated that the memorandum is a first step and was signed to demonstrate their recognition of the importance of officer safety, the need to coordinate operational and investigative efforts, and the need to leverage usage of proven systems and programs.<sup>47</sup> RISS and HIDTA officials stated that they tested the software that would allow the two

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<sup>46</sup>RISS and HIDTA officials stated that they favor interoperability over consolidation of the systems to increase officer safety and efficiency without having to rely on a single system, which could result in a single point of failure. These officials have not estimated the full cost to make the systems interoperable. RISS received a \$150,000 grant for the effort, and HIDTA officials used existing funds to integrate Case Explorer, describing the expense as nominal.

<sup>47</sup>In the 2012 report to Congress on efforts to implement the ISE, the Program Manager identified event deconfliction as a test scenario that suggested that maturity of the systems depends on community involvement, common standards, and integration.

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systems to be interoperable in December 2012 and expected to complete the effort in 2013.

RISS and HIDTA officials stated that the HIDTAs that operate SAFETNet have expressed interest in making SAFETNet interoperable with the other two systems once SAFETNet users are linked. However, according to RISS officials, SAFETNet officials have not provided a target time frame for when they would finish linking SAFETNet users and have stated that this effort needs to be completed before they can commit to joining RISSafe and Case Explorer. Identifying milestones and time frames is consistent with best practices for program management.<sup>48</sup> We have also reported that ensuring that all relevant participants are included is a key factor to the successful implementation of collaborative efforts.<sup>49</sup> The effort to make the deconfliction systems interoperable, thus far, has not fully addressed these considerations. SAFETNet officials recognize the need for interoperability; however, milestones and time frames for completing the actions needed to link SAFETNet users and then join efforts to make the three systems interoperable would help to ensure that all parties involved accomplish their goals in a defined period of time. This could help achieve interoperability of all three event deconfliction systems, prevent delays in efforts to maximize the efficiency of the systems, and ensure the safety of officers by preventing incidents in the field.

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<sup>48</sup>Program management standards we reviewed are reflected in the Project Management Institute's *The Standard for Program Management*, Second Edition © (2008). One of these practices is developing milestone dates to identify points throughout the project to reassess efforts under way to determine whether project changes are necessary.

<sup>49</sup>[GAO-12-1022](#).

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## Federal Agencies Do Not Hold Entities Accountable for Coordinating and Have Not Assessed Coordination Mechanisms to Help Reduce the Potential for Overlap

DOJ, DHS, and ONDCP acknowledge the importance of the entities working together and sharing information; however, they do not hold the entities accountable for coordinating with one another. A mechanism that holds entities accountable for coordination and enables agencies to monitor and evaluate the results of their efforts, such as performance metrics related to coordination, could help provide the agencies with information on the effectiveness of coordination among field-based entities and help reduce any unnecessary overlap in entities' efforts. Officials in the eight selected urban areas we reviewed cited the inclusion of partners on governance boards and field-based entities' physical or virtual colocation as two practices that helped to enhance coordination, information sharing, and efficiencies—in their view, reducing the potential for unnecessary overlap and duplication in their analytical and investigative support activities. DOJ, DHS, and ONDCP have not fully assessed the extent to which such practices could be applied nationwide to increase the benefits already being realized in some urban areas.

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## Agencies Do Not Take Steps to Hold Entities Accountable for Coordination, Limiting Efforts to Reduce Overlap and Duplication

DOJ, DHS, and ONDCP have processes in place to collect and measure information on the capabilities or performance of the entities in information sharing, but do not specifically hold field-based entities accountable for coordinating with one another. Accordingly, coordination is not a specific expectation in the entities' performance management systems, and agencies do not track or measure the extent to which entities in urban areas are coordinating to leverage resources, collaborate, and reduce overlap. For example, according to FBI officials, the FBI has several performance metrics that hold JTTFs and FIGs accountable for sharing information, but none specific to coordinating with other field-based entities in their urban areas. RISS centers report performance indicators to BJA, such as the number of officers with access to their systems and the number of products and services provided in a given year, but these measures do not address coordination with other entities. DHS I&A officials stated that they are currently developing a set of performance measures to help determine how effectively the centers are meeting certain targets by collecting information on fusion centers' coordination with other fusion centers; however, whether the measures will collect information related to the centers' coordination with other field-based information-sharing entities has not yet been determined. HIDTA Investigative Support Centers also have a performance measurement program that holds them accountable for referring leads to other HIDTAs and other agencies, but the program does not include measures about the HIDTA's ability to coordinate with other entities.

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As members of the ISA IPC Fusion Center Subcommittee, participating senior officials from DOJ, DHS, and ONDCP have established coordination as a goal and have worked together to share and standardize practices, such as developing criteria for allocating resources to fusion centers, but have not established a mechanism to monitor, evaluate, and report results to ensure that entities are coordinating with each other.<sup>50</sup> Coordination can reduce unnecessary overlap to ensure that the activities and products of the entities complement rather than duplicate those of other entities. Further, officials from the FBI, BJA, DHS, and ONDCP each stated that coordination among the entities is essential in accomplishing individual missions. However, these officials told us that they ultimately rely on the leadership of their respective field-based entities to ensure that successful coordination is occurring because the leaders in the field-based entities are most familiar with the other stakeholders and issues in their areas, and are best suited to develop working relationships with each other. For example, the FBI special agent-in-charge at each field office is expected to reach out to law enforcement and private sector stakeholders and potential partners in their respective areas. However, officials at 22 of the 37 entities stated that successful coordination depends most on personal relationships and can be disrupted when new leadership takes over at an entity. Specifically, they noted that the potential for overlap and duplication can increase when new leaders assume they understand the roles and activities of the other entities. Establishing a mechanism to measure coordination would hold entities accountable for working with other entities and help to reduce overlap. Officials at 20 of 37 entities stated that measuring and monitoring coordination could alleviate the process of starting over when new personnel take over at a partner entity and ensure that maintaining coordinated efforts is a priority.

We have previously reported that high-performing organizations use their performance management systems to strengthen accountability for results, specifically by placing greater emphasis on fostering the necessary coordination both within and across organizational boundaries

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<sup>50</sup>As discussed earlier, the ISA IPC, with representation of participating ISE agencies and communities, is responsible for advising the Program Manager in developing policies, procedures, guidelines, roles, and standards necessary to establish, implement, and maintain the ISE.

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to achieve results.<sup>51</sup> Individual accountability for collaborative efforts can be reinforced through performance management systems by identifying competencies related to collaboration and setting performance expectations for collaboration. Incorporating performance metrics that emphasize collaboration and coordination with partners can benefit multiagency efforts. These efforts are further enhanced when mechanisms are developed to monitor, evaluate, and report on the results of the collaborative effort.<sup>52</sup> A mechanism that holds field-based entities accountable for coordinating with each other and enables agencies to monitor and evaluate these efforts could help DOJ, DHS, and ONDCP, working through the ISA IPC, to provide agencies with information about the effectiveness of coordination among field-based entities and provide additional incentives for personnel in the field to strengthen coordination efforts.

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### Officials in Eight Selected Urban Areas Identified Two Practices That Enhanced Coordination and Helped Reduce Unnecessary Overlap and Duplication

Officials at each of the 37 entities in the eight urban areas we reviewed described how practices such as serving on one another's governance boards or, in some cases, colocating with other entities allowed or could allow them to achieve certain benefits. These include better understanding the missions and activities of the other entities, coordinating the production of analytical products, and sharing resources such as subject matter experts. In their view, this helped to increase coordination, leverage resources, and avoid or reduce the negative effects of unnecessary overlap and duplication in their analytical, tactical, and dissemination activities.<sup>53</sup>

### Inclusion of Partners on Governance Boards

Twenty-seven of the 37 entities had a governance board that was responsible for the management of the entity. Specifically, these boards were responsible for managing the operations of the entities, promoting information sharing, developing standards, and overcoming obstacles to

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<sup>51</sup>GAO, *Results-Oriented Cultures: Creating a Clear Linkage between Individual Performance and Organizational Success*, [GAO-03-488](#) (Washington, D.C.: Mar. 14, 2003).

<sup>52</sup>GAO, *Results-Oriented Government: Practices That Can Help Enhance and Sustain Collaboration among Federal Agencies*, [GAO-06-15](#) (Washington, D.C.: Mar. 14, 2003).

<sup>53</sup>We asked officials from each of the entities which entities they coordinate with, how this coordination is facilitated, and how they address unnecessary overlap and duplication within their urban area.



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sharing information across levels of government. Officials from each of the 10 entities with at least one member of another entity on their governance board said they were able to better understand each others' missions, more readily identify areas of overlap, and share resources, which enhanced coordination. For example, officials from a RISS center stated that serving as a member of a JTTF board allowed the center to detail an analyst to the task force. The JTTF benefitted because the RISS analyst showed it the types of support the RISS center can provide, and the RISS center benefitted because the analyst acquired training on counterterrorism investigations that could be taken back to the center.

Officials that had members from other entities on their boards as well as those who did not stated that participating on each others' boards facilitated or could facilitate the ability to readily identify overlapping activities. For example, participants on these boards were able to determine when similar analytical products from more than one entity were being produced and avoid overlap and duplication by deciding to produce a collaborative product or share resources, such as data systems. In one urban area, the governance board of a fusion center included members from the JTTF and the FIG. Center officials stated that having these entities represented on the board helped the JTTF and FIG better understand the mission of the fusion center. With this increased understanding, both sides looked at how they could use each other's agents, analysts, and subject matter experts as resources. Officials from 9 other entities stated that governance board participation from the other entities allowed them to adopt a regionalized approach that incorporated the expertise of all parties in developing strategies that avoided unnecessary overlap and duplication of activities. For example, activities such as preparing threat assessments for major events became collaborative efforts with roles and responsibilities discussed and agreed upon at governance board meetings.

#### Physical or Virtual Colocation of Entities

Officials in the eight urban areas in our review also reported that varying degrees of colocation helped them to avoid unnecessary overlap through the coordination of analytical and tactical activities and sharing of resources, such as analysts with a particular area of expertise. Entities in the eight urban areas used various models of colocation including combining entities, sharing physical space, operating within shared networks, and having federal personnel collocated at the entity. As examples, officials from two collocated entities in our review stated that collocating and combining, as well as creating shared information spaces in a virtual environment, allowed them to share information more efficiently, develop more sophisticated products, and increase

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coordinated and collaborative efforts. Physical collocation allowed for increased efficiencies as the overhead cost of operating the entities, such as facilities, supplies, and utilities, was shared.

Officials at entities that were not colocated recognized the benefits of collocation and agreed that, under the right circumstances, collocation could increase the effectiveness of coordination and efficiencies. In one urban area, a fusion center and a HIDTA Investigative Support Center combined their locations, staff, and activities. While funding sources for the two sides were distinct, the staff worked across the fusion center and HIDTA and were able to shift their focus onto the prioritized mission needs of the center. For example, during a national sporting event, staff that usually focused on counternarcotics helped in monitoring potential non-drug-related threats to the area. In another urban area, entities operated separately but were physically located within the same building, making communication and collaboration more convenient. At entities we visited in three urban areas, staff used computer systems to create virtually colocated environments, which allowed partners to have a presence in a shared data and communications system while operating from their own physical space. For example, one fusion center has established a virtual information-sharing system in which federal, state, and local law enforcement and non-law enforcement partners can post and retrieve information related to suspicious activities, security concerns, and security-related information that affects the entire urban area or region. According to fusion center officials, this approach was useful in areas where partner agencies' jurisdictions covered a large geographic area, since law enforcement agents could participate virtually in a fusion center or HIDTA while being physically located in a different area.

In addition to citing these models of collocation, officials in each of the 10 fusion centers in our review stated that colocating federal personnel, such as FBI special agents or DHS intelligence officers, with fusion centers was a practice that benefits, or could benefit, their centers. We present these officials' perspectives on the benefits of having deployed federal personnel in their centers as well as the status of FBI and DHS personnel deployed to fusion centers in appendix II.

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## Agencies Have Not Assessed Practices That Enhance Coordination to Help Identify Additional Opportunities to Coordinate and Reduce Overlap

DOJ, DHS, and ONDCP have not assessed the extent to which practices that could enhance coordination and help reduce unnecessary overlap and duplication in activities—such as participation on governance boards and colocation—could be applied more comprehensively nationwide across these field-based entities. Activities such as participation on governance boards and colocation are consistent with practices and mechanisms that we have previously reported federal agencies have used to implement interagency collaborative efforts, as well as with guidance provided to the entities by DOJ, DHS, and ONDCP. For example, we reported that colocation can be a mechanism that can facilitate collaboration between agencies.<sup>54</sup> Further, guidance for fusion centers states that governance structures should include representatives from the federal government in at least an advisory capacity and should also include local representatives from the FBI (i.e., the JTTF and FIG) and components of DHS, such as the U.S. Coast Guard. According to the guidance, the governance structures should also consider including or coordinating with HIDTAs as appropriate to the center’s mission and location. The FBI also directs its field offices to emphasize the importance of representation in fusion centers by ensuring FBI executive management’s participation on fusion center governance boards and advisory councils. Additionally, HIDTAs are directed and guided by executive boards comprising an equal number of federal and nonfederal (i.e., state, local, and tribal) law enforcement leaders.

However, entities nationwide do not all use practices such as governance boards and colocation. Specifically, according to survey data collected by DHS I&A, 11 of 72 fusion centers do not have governance boards, and not all entities with governance boards include members of the other entities. For example, of the 37 entities in our review, 27 had governance boards and 10 included members from other entities. Entities’ experience with governance boards demonstrates that providing increased participation from entities on one another’s governance boards could foster more effective collaboration. Additionally, while officials from each of the entities in the urban areas in our review expressed the benefits of colocation, they stated that agencies had not fully explored opportunities to engage in the various forms of colocation. For example, 16 fusion

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<sup>54</sup>In addition, we reported that other mechanisms, such as clarifying roles and responsibilities, agreeing on common terminology and definitions, and developing written guidance and agreements, could facilitate coordination between agencies. See [GAO-12-1022](#) for more information.

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centers are colocated with JTTFs, and six JTTFs and four FIGs are also colocated with HIDTA Investigative Support Centers.<sup>55</sup> While the focus of HIDTAs is counternarcotics, five of seven HIDTA directors stated that colocation with JTTFs and FIGs has strengthened, or would strengthen, their ability to share information, build databases, provide training opportunities, deconflict targets, and exchange best practices. Therefore, agencies may have additional opportunities to apply these types of practices.

DOJ, DHS, and ONDCP have begun to take some steps to discuss these issues. For example, the Fusion Center Sub-Committee of the ISA IPC brought its members and others together to discuss how to establish stronger partnerships between fusion centers and HIDTAs, and to further define the operational roles, responsibilities, and relationships among these entities. As a result of this meeting, participating fusion center and HIDTA officials determined that, under the right circumstances, the colocation or integration of fusion centers and HIDTA Investigative Support Centers may bring significant benefits, but this should not be advocated as a universal approach because it may not be practical in all cases. According to agency officials present at the meeting, while the participation of entities on each others' boards and colocation were discussed as potentially beneficial practices, the subcommittee did not explore the extent to which these or other coordination practices could benefit additional entities across the nation. The subcommittee also did not identify characteristics of locations that promote successful colocation or specific locations where colocation could benefit the entities. Rather, the intent was to provide a forum to share practices, and the subcommittee did not have a plan to implement or promote specific practices nor to further assess their greater applicability.

According to the Program Management Institute's *Standard for Program Management*, organizations should determine the value of a project's benefits, such as an assessment of participation on governance boards or collocation, identify the interdependency of benefits in different programs, and assign responsibilities and accountability for the realization of those benefits.<sup>56</sup> An assessment of participation on governance boards and the

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<sup>55</sup>Additionally, four FIGs and seven HIDTA Investigative Support Centers are colocated with fusion centers. None of the RISS centers are colocated with another entity.

<sup>56</sup>Program management standards GAO reviewed are reflected in the Project Management Institute's *The Standard for Program Management*, Second Edition. ©2008.

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colocation of these entities in specific geographic areas, as well as other practices that could enhance coordination and reduce unnecessary overlap, could better position DOJ, DHS, and ONDCP, working through the ISA IPC, to assist the entities. Such an assessment could identify characteristics that make these practices successful, inform whether additional governance boards or colocated entities should be pursued, or determine whether other opportunities to leverage resources and increase cost efficiencies and operational capabilities exist.

Further, as required by the Intelligence Reform Act, the Program Manager is to submit annual reports to Congress. Accordingly, the Program Manager has reported on the benefits and importance of promoting partnerships and developing standards and has highlighted progress and successes, such as implementing privacy, civil rights, and civil liberties protections and strengthening cybersecurity in the annual reports to Congress on implementing the ISE.<sup>57</sup> These reports, however, have not included information about specific coordination efforts across these five types of entities.<sup>58</sup> According to the Program Manager, past reports have focused on broader issues such as strengthening the safeguarding of terrorism-related information, but including information on specific coordination efforts among the five types of field-based entities in future reports would provide beneficial information to the information-sharing environment. We have previously reported that defining and articulating a common outcome; developing mechanisms to monitor, evaluate, and report on results; and reinforcing agency accountability for collaborative efforts through agency plans and reports can help enhance and sustain coordinated efforts among agencies.<sup>59</sup> The inclusion of the results of such an assessment conducted by DOJ, DHS, and ONDCP—including any additional coordination practices identified, efficiencies realized, or actions planned—in the ISE annual report to Congress could help the Program Manager hold agencies accountable for completing the

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<sup>57</sup>The *ISE Annual Report to Congress* is submitted in pursuant to 6 U.S.C. § 485(h), which specifies 10 categories of information the report must include.

<sup>58</sup>Although information about specific coordination among entities participating in the ISE is not among the 10 categories of information required for inclusion in the annual reports, including such information would be consistent with the categories of information that the annual reports presently address. See 6 U.S.C. § 485(h)(2).

<sup>59</sup> [GAO-06-15](#).

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assessment and disseminate its results to further enhance collaborative efforts and efficiencies across agencies.

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### Agencies Collect Information on the Results Entities Achieve, but Vary in How They Consider Such Data when Making Decisions about Future Funding

FBI, BJA, DHS, and ONDCP collect information on the results that JTTFs, FIGs, RISS centers, fusion centers and HIDTA Investigative Support Centers achieve. Although some of these agencies consider the results when they make decisions about future funding, others consider different factors—such as risk and threats—rather than results, or do not directly make decisions about future funding.

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### The FBI Uses Data on JTTFs and FIGs to Evaluate Performance, but Determines Funding Levels Based on Relative Threats and Risks in a Region

According to FBI officials, the FBI gathers information on the results that JTTFs and FIGs achieve through annual field office reports and other performance reviews. Specifically, each field office is subject to semiannual performance reviews and submits an annual report in order for the FBI to assess how well each field office identifies and addresses threats in its area. According to FBI officials, the reviews and annual field office report contain data on established performance measures for the FIG and all investigative programs, including counterterrorism task forces such as the JTTFs. For example, the FBI tracks FIG results, such as the number of strategic intelligence reports produced and requests for information received, and collects various case-related results from JTTFs, including the number of investigations conducted and information sources developed.

FBI officials responsible for the oversight of the JTTFs and FIGs stated that the reviews are primarily used to report and assess field office performance. They also reported that the FBI allocates funding and resources to its field offices based primarily on the prevalence of risks and threats within a region. The FBI funding that supports all resources for the FIGs and the JTTFs is congressionally appropriated and scored to

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the National Intelligence Program.<sup>60</sup> Uses of these funds, for example, include the salaries of FBI special agents that serve on the JTTF through allocations to FBI field offices, as well as other JTTF operational costs, including rental of office space, information technology requirements, and support for participating state and local TFOs, including vehicles and overtime pay.

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## BJA Gathers Information on RISS Centers' Results for Grant Oversight and Considers Centers' Work in Approving Funding Allocations to Centers

### RISS Funding

In fiscal year 2011, the six RISS centers received a total of \$36.5 million in grant funding from BJA.

Consistent with RISS program grant guidance, in conducting grant oversight, BJA collects information on various results that each RISS center achieves. According to RISS and BJA officials, BJA collects information quarterly on results that member agencies achieve that can be attributed to the products and assistance they receive from RISS centers, including the number of resulting arrests and the value of narcotics, currency, and property seizures during investigations that RISS centers supported. For example, according to the quarterly reports, in 2011, law enforcement agencies used RISS services on cases that resulted in more than 5,000 arrests and \$43 million in narcotics, currency, and property seizures. BJA also collects other data on RISS centers, such as the number of state and local law enforcement agencies that are members of each center and the number of analytical products each center developed. According to BJA officials responsible for overseeing the RISS program, the agency collects information on RISS centers' results to fulfill grant management requirements.

BJA officials stated that RISS center directors use information regarding the needs of the state and local law enforcement agencies that are members of each center when making recommendations to BJA about funding for individual centers, and the agency considers each center's work when approving final funding decisions. According to BJA officials that administer the grant program, BJA provides RISS directors with the total funding amount available for the RISS program, and RISS directors unanimously recommend funding amounts for each RISS center. RISS center directors covering the urban areas in our review reported that they consider multiple factors when deciding how much funding to

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<sup>60</sup>Discretionary funding through the National Intelligence Program supports national security goals and reflects a deliberative process to focus funding on the most critical capabilities, curtail personnel growth, and invest in more efficient information technology solutions. We do not present data on the specific funding levels of JTTFs and FIGs in this report since the FBI deemed these data classified.

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recommend, such as each center's geographic coverage, the size of its member agencies, and the types of services the center provides to its members. According to BJA officials, BJA reviews the recommendations to ensure that they are consistent with the work submitted for the centers in previous grant cycles and that each center has submitted all financial and progress reports required by the grant. These officials added that, on the basis of this review, BJA makes a final funding decision.

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## DHS Collects Data on Fusion Center Capabilities and Has Efforts Under Way to Gather Data on Performance

### Fusion Center Funding

The National Fusion Center Association reported that fusion centers received approximately \$52.7 million in Homeland Security Grant Program and Urban Areas Security Initiative grants in 2011. The survey was based on the self-reported responses from 57 of 77 fusion centers. DHS does not collect information on the amount of grant funds that states apply to fusion centers.

Annually, DHS I&A collects information on the progress fusion centers have made in meeting baseline capabilities—a defined set of standards developed by DHS and DOJ, in conjunction with fusion centers, that centers should achieve to be considered capable of performing basic functions in the national information-sharing network.<sup>61</sup> Among the baseline capability information that DHS I&A collects and tracks are four critical capabilities—including a center's ability to analyze threat information and disseminate intelligence products to stakeholders—as well as other capabilities, such as the ability to protect individuals' privacy, civil rights, and civil liberties. For example, in reporting on fusion centers' progress in achieving the four critical capabilities, in 2011 DHS reported that at least 75 percent of fusion centers, or 54 centers, had approved plans, policies, or standard operating procedures for each of the critical capabilities.

DHS provides grants to individual states and urban areas that can be used to support fusion centers. Starting with fiscal year 2011, DHS modified requirements in the Homeland Security Grant Program (HSGP)—which is administered through the Federal Emergency Management Agency (FEMA) and provides funding that states and local jurisdictions can use to support fusion centers—to state that any federal funds centers receive must be used to fill gaps in critical capabilities

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<sup>61</sup> During this annual assessment process, DHS collects data to evaluate the maturity of fusion center capabilities, which helps state and local leaders identify areas to strengthen capabilities and provides a basis to justify investment requests. The assessment process focuses primarily on measuring fusion center implementation of the baseline capabilities and is conducted in two phases: (1) an online self-assessment completed by fusion center directors that details the progress their centers have made in achieving capabilities and (2) validation of the self-assessments by DHS through structured interviews with fusion center directors. Following the completion of the annual assessment process, DHS publishes the findings in an annual report that describes the aggregate capability of the centers as well as recommendations to further strengthen and mature fusion center capabilities.



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identified through its annual assessment process.<sup>62</sup> Further, DHS I&A and FEMA required that fusion center applicants identify the corresponding baseline capability they will address in their proposals to state grant recipients for portions of federal grant funding. To strengthen the coordinated use of grant funds, DHS also required that HSGP funds that are used to support intelligence or fusion-related activities (e.g., intelligence units) are integrated or coordinated with the respective state or local fusion center.

DHS has also recognized the need to develop performance measures to capture data that demonstrate the value of the national network of fusion centers in support of national information-sharing and homeland security goals. In September 2010, we recommended that DHS define steps to develop and implement a set of standard performance measures for fusion centers to show the results that the centers are achieving and the value they are adding to federal information-sharing efforts.<sup>63</sup> According to DHS I&A officials, DHS, in coordination with fusion center directors and other federal partners, has identified an initial set of five performance measures, including the number of products that two or more fusion centers jointly produce and the number of requests for information from other fusion centers that are addressed. Further, according to these officials, the agency is leading efforts to define more measures during 2013 and plans to work with FEMA to identify potential ways to incorporate performance-reporting requirements into the HSGP process.

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### ONDCP Collects Data on How Well Centers Are Meeting Performance Targets, and HIDTAs Use These Data when Making Funding Decisions

ONDCP has established a performance management process that requires HIDTAs to submit, among other results, five measures specifically related to HIDTA Investigative Support Center performance that serve, in part, as the basis for future funding decisions. These measures include (1) the number of cases in which the center provided analytical support and (2) satisfaction ratings from stakeholders of the support provided and strategic intelligence products disseminated by the center. As part of ONDCP's performance management process, each

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<sup>62</sup>HSGP grants are awarded to states and localities and can be used to support a number of homeland security efforts, including fusion centers.

<sup>63</sup>GAO, *Information Sharing: Federal Agencies Are Helping Fusion Centers Build and Sustain Capabilities and Protect Privacy, but Could Better Measure Results*, [GAO-10-972](#) (Washington, D.C.: Sept. 29, 2010).

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### HIDTA Investigative Support Center Funding

In fiscal year 2011, HIDTAs dedicated a total of \$40.2 million to support their respective Investigative Support Centers. An additional \$8 million supports 27 additional intelligence and information-sharing functions that are not Investigative Support Centers.

HIDTA executive board annually sets target goals for each of these measures. ONDCP officials stated that both they and the HIDTA executive boards review the performance measure results to ensure that Investigative Support Centers meet their goals, the boards also consider these results when deciding the amount of future funding to dedicate to the center. In addition to results, HIDTA executive boards consider other factors, such as the expected needs of its members and availability of staff, when determining the level of funding that initiatives, including Investigative Support Centers, will receive.<sup>64</sup> For example, ONDCP officials stated that in cases where center performance was less than expected, HIDTAs could provide ONDCP with an appropriate explanation regarding the variance in performance allowing for appropriate decisions to be made in the budget approval process.

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## Conclusions

The efforts of JTTFs, FIGs, RISS centers, fusion centers, and HIDTA Investigative Support Centers to gather, analyze, and disseminate law enforcement, public safety, and terrorism-related information are essential for our nation's homeland security. Similarities in their activities and customers can provide benefits through competing or complementary analysis and corroboration of reports. However, these similarities could also lead to unnecessary overlap and duplication that reduce the effectiveness of their activities and create inefficiencies. For example, HIDTAs and RISS centers both have systems with deconfliction functions that can save the lives of officers by preventing conflicting operations. However, the lack of interoperability requires officers, in some cases, to input their events into the three systems with duplicative functions, which, if not done, increases the likelihood of risks to officers and inefficiencies. Agencies recognize the need for the systems to be interoperable and have some efforts under way to make them so. However, articulating time frames for the completion of these efforts would help ensure their success. Further, with multiple entities supporting investigations through tactical and analytical support, the coordination of similar activities can create opportunities to leverage resources and reduce the potential for unnecessary overlap or inefficiencies. DOJ, DHS, and ONDCP do not hold field-based entities accountable for coordinating with each other, nor do they assess opportunities for additional coordination. With a

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<sup>64</sup> ONDCP awards grants to HIDTAs. Generally, the total level of funding allocated to each HIDTA is to be not less than the amount received in the prior fiscal year. See, e.g., Pub. L. No. 112-74, 125 Stat. 786, 895 (2011).

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mechanism to track and evaluate how field-based entities are working together, agencies can identify successful coordination practices and where those practices can be implemented. Obtaining insight into how well coordination is working can help agencies ensure that field-based entities are maximizing opportunities to reduce overlap, collaborate, and leverage resources. In addition, officials from each of the entities stated that practices such as participating on one another's governance boards and various forms of colocation help them understand other entities' roles and create such opportunities. However, agencies have not fully explored the extent to which these and other practices can be applied nationwide across the five types of field-based entities and may be missing opportunities to share facilities and resources, better meet customer needs with collaborative products, and achieve benefits through increased interaction. Further, by identifying characteristics that make these practices successful and assessing geographic areas in which they can be applied, agencies can expand their use.

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## Recommendations for Executive Action

Recognizing that agencies are taking steps to ensure that two of the three systems officers use to deconflict their law enforcement actions are interoperable, we recommend that the Director of ONDCP work with the appropriate HIDTA officials to develop milestones and time frames for actions needed to make the third system, SAFETNet, interoperable in order to prevent unnecessary delays in reducing risks to officer safety and lessening the burden on law enforcement agencies that are currently using multiple systems.

To promote coordination as a practice to help avoid overlap, we recommend that the Secretary of Homeland Security, the Attorney General, and the Director of ONDCP work through the ISA IPC or otherwise collaborate to develop a mechanism, such as performance metrics related to coordination, that will allow them to hold field-based information-sharing entities accountable for coordinating with each other and monitor and evaluate the coordination results achieved.

To help identify where agencies and the field-based entities they support could apply coordination mechanisms to enhance information sharing and reduce inefficiencies resulting from overlap, we recommend that the Secretary of Homeland Security, the Attorney General, and the Director of ONDCP work through the ISA IPC or otherwise collaborate to identify characteristics of entities and assess specific geographic areas in which practices that could enhance coordination and reduce unnecessary overlap, such as cross-entity participation on governance boards and

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colocation of entities, could be further applied. The results of this assessment could be used by the agencies to provide recommendations or guidance to the entities to create coordinated governance boards or colocate entities, which can result in increased efficiencies through shared facilities and resources and reduced overlap through coordinated or collaborative products, activities, and services.

To help ensure that an assessment of practices that could enhance coordination and reduce unnecessary overlap is shared and used to further enhance collaboration and efficiencies across agencies, we recommend that the Program Manager, with input from the ISA IPC collaborating agencies, report in the ISE annual report to Congress the results of the assessment, including any additional coordination practices identified, efficiencies realized, or actions planned.

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## Agency Comments and Our Evaluation

We provided a draft of the sensitive version of this report to DHS, DOJ, ONDCP, and the Program Manager for the ISE for review and comment. DHS and DOJ provided written comments: Comments from DHS are reprinted with sensitive information omitted in appendix III, and comments from DOJ are reprinted in full in appendix IV. DHS concurred with the two recommendations that apply to it and reported steps it was taking to address them. In written comments, DOJ stated that the department generally agreed with the goal or intent of the two recommendations made to it; however, it did not concur with the premises underlying the two recommendations. ONDCP and the Program Manager for the ISE did not provide written comments on the draft report. However, in an e-mail dated March 8, 2013, ONDCP General Counsel concurred with the three recommendations made to it, and in oral comments obtained on March 7, 2013, the Program Manager concurred with the fourth recommendation.

With respect to the second recommendation to collaborate to develop a mechanism to hold field-based information-sharing entities accountable for coordinating with each other, DHS concurred and stated that each agency should develop mechanisms appropriate to its respective missions in order to effectively oversee the field activities for which it is responsible or, in the case of state and local fusion centers, the activities with which they coordinate. DHS stated that it has included two measures in the 2012 Fusion Center Assessment that respectively measure the number of Suspicious Activity Reports submitted by fusion centers that result in an FBI investigation and the number of fusion center analytical products authored by two or more fusion centers. While we agree that both measures do hold fusion centers accountable for coordinating a

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specific information sharing activity, they do not fully address the recommendation to hold centers accountable for coordinating activities and services with each of the other entities in an effort to look for additional ways to limit any overlap and better leverage resources. As the report recognizes, to this end, DHS I&A is developing additional performance measures for the Fiscal Year 2013 Fusion Center Assessment, expected to begin in August 2013, that will explore the degree to which fusion centers collaborate with other field-based information-sharing entities and with federal partners to develop analytic products. Since DHS is developing the measures and expects to complete this action in August 2013, it is too soon to know what specific measures DHS will include and whether they will fully address the intent of the recommendation.

DOJ, in its letter, stated that it generally agreed with the goal of the second recommendation to develop a mechanism to hold field-based information-sharing entities accountable for coordinating with each other, but that it did not concur that the department was not already actively promoting coordination. For example, officials stated that DOJ has participated in summits with other agencies, including DHS, in an ongoing dialogue on efficient and effective coordination of information sharing in the field. While these efforts are positive steps for sharing information and coordinating to improve sharing, the efforts do not fully address the recommendation to develop a mechanism for accountability and monitoring coordination across all five entities included in the review. We maintain that such a mechanism that specifically and directly holds field-based entities accountable for coordinating with one another could add valuable context to the type of dialogue DOJ describes while encouraging entities to maintain working relationships when new leadership is assigned and engage in coordination activities, such as leveraging resources, to avoid unnecessary overlap.

With respect to the third recommendation to collaborate and assess where successful coordination practices could be further applied, DHS concurred and stated that it supported working through the ISA IPC, since its work includes the identification and implementation of best practices and operational improvements in the sharing of information. DHS added that it has collected information on the other entities' participation on fusion center governance boards, as well as the colocation of these entities to ensure that the fusion centers benefit from the perspective of their stakeholders and partners. This is a positive step in gaining insights into identifying fusion centers where these and other practices can be applied. With similar input from DOJ and ONDCP, an assessment of this

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information could allow the agencies to identify where it might be appropriate to apply these and other practices across entities. It is too soon to know how DHS will use the information it has collected in collaboration with the other agencies, but DHS stated it will work with us to define specific and measurable outcomes in response to the recommendation.

In its letter, DOJ stated that it agreed with the general intent of the third recommendation to collaborate and assess where successful coordination practices could be further applied, but did not concur with the premise that the department does not already routinely seek to identify potential efficiency gains and that colocation is something that should be a goal in and of itself. DOJ stated that it does encourage entities to explore efficiencies that can be gained by, for example, cross-entity participation or colocation in circumstances where appropriate and efficient. However, DOJ stated that what is appropriate and efficient is highly dependent on local circumstances, and a one-size-fits-all approach will not work because of variation in the entities, regions, and laws under which they operate. We agree, and the report states that colocation should not be advocated as a universal approach because it may not be practical in all cases. Accordingly, the recommendation calls for the agencies that operate or otherwise support these entities to collectively assess opportunities to enhance coordination through whatever effective means they identify.

Additionally, DOJ stated that a comparison of the FIGs and JTTFs with the other entities overgeneralizes their activities since they are operational while the others are analytical. Similarly, DHS stated that the comparison of FIGs with fusion centers overgeneralizes the unique nature of the entities' products and their intended recipients. The report outlines the distinct missions, authorities, roles, and responsibilities of each of the entities, noting the JTTFs' unique role in conducting counterterrorism investigations. Further, we acknowledge that entities serve as intermediaries to different customers, while each has a broader role in sharing information with its partners as appropriate. DOJ's letter also commented on the generalizeability of our analysis. We selected eight urban areas to explore activities conducted and coordination mechanisms across the five entities in its review. On the basis of our analysis, we identified instances of reported overlap in activities and also examples of where coordination was working well across the entities. The report states that the results from the eight urban areas are not generalizeable, and thus we made recommendations for agencies to assess practices that we identified that were working well, as well as other coordination practices,

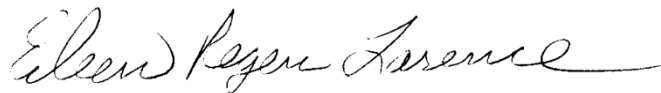
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to identify additional opportunities nationwide to coordinate and reduce any unnecessary overlap in entities' activities.

DHS and DOJ also provided technical comments, which we incorporated as appropriate.

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We are providing copies of this report to the Attorney General, the Secretary of Homeland Security, the Director of ONDCP, the Program Manager for the Information Sharing Environment, and interested congressional committees. The report is also available at no charge on the GAO website at <http://www.gao.gov>. If you or your staff have any questions about this report, please contact me at (202) 512-8777 or [larencee@gao.gov](mailto:larencee@gao.gov). Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. Key contributors to this report are listed in appendix V.



Eileen R. Larence  
Director, Homeland Security and Justice

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*List of Requesters*

The Honorable Thomas R. Carper  
Chairman  
Committee on Homeland Security and Governmental Affairs  
United States Senate

The Honorable Tom A. Coburn, M.D.  
Ranking Member  
Committee on Homeland Security and Governmental Affairs  
United States Senate

The Honorable Bennie G. Thompson  
Ranking Member  
Committee on Homeland Security  
House of Representatives

The Honorable Peter T. King  
Chairman  
Subcommittee on Counterterrorism and Intelligence  
Committee on Homeland Security  
House of Representatives

The Honorable Lamar Smith  
House of Representatives

The Honorable Patrick Meehan  
House of Representatives

The Honorable Brian Higgins  
House of Representatives



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# Appendix I: Additional Information about Entities Included in Our Review

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This appendix provides an overview of each of the five types of field-based information-sharing entities included in our review.

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## Regional Information Sharing Systems (RISS) Program

The RISS program, which originated in 1974, supports the ability of local, state, federal, and tribal law enforcement member agencies to identify, target, arrest, and prosecute criminal conspirators.<sup>1</sup> The program, which the Bureau of Justice (BJA) administers, consists of six multistate regional information analysis centers that offer services—including information and intelligence sharing, investigative and case support, and officer safety and deconfliction—to member agencies in their respective regions. RISS centers serve member agencies in all 50 states, U.S. territories, Canada, England, Australia, and New Zealand. RISS centers focus on all crimes; however, they also may focus their efforts on activities and conspiracies related to terrorism.<sup>2</sup>

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## High Intensity Drug Trafficking Areas (HIDTA) Program

Established in 1988, the HIDTA program is a federally funded program administered by the Office of National Drug Control Policy (ONDCP) that brings together federal, state, and local law enforcement agencies into task forces that conduct investigations of drug-trafficking organizations in designated areas.<sup>3</sup> Before designating an area as a HIDTA, the Director of ONDCP must consider the extent to which the area is a significant center of illegal drug production, manufacturing, importation, or distribution; state, local, and tribal law enforcement agencies have

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<sup>1</sup>See 42 U.S.C. § 3796h (authorizing the Director of BJA to make grants and enter into contracts with state, tribal, and local criminal justice agencies and nonprofit organizations for the purposes of identifying, targeting, and removing criminal and terrorist conspiracies and activities spanning jurisdictional boundaries).

<sup>2</sup>“All crimes” can include terrorism and other high-risk threats as well as other types of crimes. The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001, enacted in October 2001, amended 42 U.S.C. § 3796h by including language specifically related to multijurisdictional terrorist conspiracies and activities. See Pub. L. No. 107-56, § 701, 115 Stat. 272, 374 (2001).

<sup>3</sup>The Anti-Drug Abuse Act of 1988 established ONDCP and authorized the designation of any specified area of the United States as a high intensity drug trafficking area. See Pub. L. No. 100-690, § 1005(c), 102 Stat. 4181, 4186-87(1988). The Office of National Drug Control Policy Reauthorization Act of 1998 subsequently established the HIDTA program. See Pub. L. No. 105-277, tit. VII, § 707, 2681, 2681-686-87 (1998) (codified as amended at 21 U.S.C. § 1706).

committed resources to respond to the drug-trafficking problem in the area, thereby indicating a determination to respond aggressively to the problem; drug-related activities in the area are having a significant harmful impact in the area and in other areas of the country; and a significant increase in allocation of federal resources is necessary to respond adequately to drug-related activities in the area.<sup>4</sup> As of March 2013, ONDCP had designated 28 HIDTAs.

A statutory purpose of the HIDTA program is to reduce drug trafficking and drug production through information sharing.<sup>5</sup> Thus, among other initiatives, every HIDTA has an Investigative Support Center that serves to support all of the investigation and interdiction initiatives in the HIDTA by providing analytical case support, deconfliction, issuing drug threat assessments, and developing and disseminating intelligence products. There are 32 HIDTA Investigative Support Centers—1 in 27 of the 28 HIDTAs, in addition to the Southwest Border HIDTA, which has a center for each of its five regions.<sup>6</sup> The HIDTA program is focused on counternarcotics; however, HIDTA program resources may be used to assist law enforcement agencies in investigations and activities related to terrorism and the prevention of terrorism.<sup>7</sup>

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## FBI Joint Terrorism Task Forces (JTTF)

The Federal Bureau of Investigation (FBI) established the first JTTF in 1980 in its New York City field office after recognizing the value of the task force concept—which it began using in the prior year to jointly investigate bank robberies with the New York City Police Department—and subsequently applied the concept to counterterrorism. The FBI continued to expand the terrorism task force concept to field offices after September 2001, increasing the number of JTTFs from 35 to 103. The FBI has 56 field offices (also called divisions) centrally located in major metropolitan areas across the United States and Puerto Rico. Within field offices, there are a total of about 400 resident agencies located in smaller

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<sup>4</sup>See 21 U.S.C. § 1706(d).

<sup>5</sup>See 21 U.S.C. § 1706(a)(2)(A).

<sup>6</sup>The Southwest Border HIDTA includes the following five regions: Arizona, California, New Mexico, South Texas, and West Texas.

<sup>7</sup>See 21 U.S.C. § 1706(g) (addressing the use of resources for terrorism-related activities, as added pursuant to the Office of National Drug Control Policy Authorization Act of 2006, Pub. L. No. 109-469, § 301, 120 Stat. 3502, 3518-3524).

cities and towns. Each JTTF is housed in an FBI field office or resident agency.

JTTFs, which consist of FBI special agents, as well as federal, state, and local task force officers (TFO), pursue leads, gather evidence, respond to threats and incidents, make arrests, provide security for special events, conduct training, and gather intelligence related to threats, among other counterterrorism-related activities. According to the 2012 Information Sharing Environment (ISE) annual report to Congress, JTTFs are dedicated to sharing information among their partners to investigate terrorism and coordinate counterterrorism efforts.

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## FBI Field Intelligence Groups (FIG)

The FBI established the first FIG in 2003 to coordinate, manage, and execute all of the functions of the intelligence cycle, including collection, analysis, production, and dissemination, for the FBI in the field. FIGs are teams of FBI intelligence analysts, special agents, language analysts, and financial analysts, among others, working in each of the 56 FBI field offices to analyze information from cases in their field offices and share intelligence locally and nationally.

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## Fusion Centers

After the September 2001 attacks, state and local governments began to establish fusion centers, in part to serve as intermediaries within states and localities for the gathering, receipt, analysis, and sharing of threat-related information among the federal government and state, local, tribal, territorial and private sector partners, and to fill gaps in information sharing that the federal government alone could not address. As defined by the Implementing Recommendations of the 9/11 Commission Act of 2007, a fusion center is “a collaborative effort of two or more federal, state, local, or tribal government agencies that combines resources, expertise, or information with the goal of maximizing the ability of such agencies to detect, prevent, investigate, apprehend, and respond to

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criminal or terrorist activity.<sup>8</sup> As of January 2013, there are 77 fusion centers located in states and major urban areas throughout the country.<sup>9</sup>

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<sup>8</sup>See 6 U.S.C. § 124h(j)(1).

<sup>9</sup>Our analysis was based on data as of January 2013. An additional fusion center was reported by agency officials in February 2013. States have designated primary fusion centers to serve as the main intermediaries for information sharing. In general, these fusion centers are statewide in jurisdiction and are operated by state entities, such as the state police or bureau of investigation. In addition, several major urban areas have established their own fusion centers, which are regional centers that usually cover large cities with substantial populations and numerous critical infrastructure sites and may be operated by city or county law enforcement or emergency management agencies.

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# Appendix II: Federal Deployment of Personnel to Fusion Centers

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This appendix provides information about the deployment of federal personnel, specifically FBI and Department of Homeland Security (DHS) personnel, to fusion centers.

Officials from each of the 10 fusion centers in our review stated that collocating federal personnel at fusion centers was a practice that benefits, or could benefit, their center. The FBI and DHS deploy personnel such as special agents, intelligence officers, and reports officers to fusion centers to perform a number of duties ranging from the collection of intelligence to training state and local counterparts.

According to officials from each of the 10 fusion centers, collocating representatives from the FBI and DHS allowed or could allow fusion center products and services to incorporate more information from these agencies, ensuring consistency in content and format with information being released from those agencies. Fusion center officials in each of the urban areas noted that, while not all of the fusion centers have dedicated DHS or FBI staff, having an on-site presence at fusion centers facilitates collaborative products between the agencies and the fusion centers. For example, officials in 8 of the 10 fusion centers reported that their analysts worked with the FBI to develop joint products ranging from threat assessments associated with major events to guides on identifying tattoos and terminology used by extremist groups. Additionally, officials in each of the 10 fusion centers said that the presence of FBI and DHS personnel allows or could allow fusion centers to have products reviewed and checked against federal sources before they are disseminated, preventing duplicative or erroneous information from reaching stakeholders. In one urban area, an FBI analyst stated that the review process improved the quality and relevance of the fusion centers' products. For example, before the review process was in place, the FBI received some outdated and incorrect information from the local fusion center. In one case, they recognized the information in a threat bulletin because they had determined it to be a nonthreat 2 years prior. Both the FIG and the fusion center officials in this urban area stated that errors such as this have not occurred since the FBI has had a presence in the fusion center.

Officials in all 10 of the fusion centers also stated that an important benefit of having FBI or DHS personnel at the center is access to classified information systems such as the Federal Bureau of Investigation Network (FBI Net), which is the FBI's primary network system for communicating Secret information, including intelligence pertaining to national security, and DHS's Homeland Secure Data

Network (HSDN), which is a classified network for DHS, its components, and other partners. According to FBI officials, policies on FBINet access require the presence of FBI personnel, and according to the FBI, the network allows deployed FBI personnel to more fully collaborate with fusion center personnel by providing them with Secret information, including investigative case files and intelligence pertaining to national security. Officials in one urban area that did not have FBI personnel at their fusion center stated that not having access to FBINet limited their ability to access classified information. In another urban area, the fusion center director stated that access to FBINet was limited to when the part-time FBI agent deployed to the center was in the office. The fusion center director stated that the arrangement reduced the effectiveness of having access to the system because the information is needed when events occur. For example, if a crime was committed, it may take a day or more to access FBI information on the suspect. Fusion center officials stated that while access to HSDN does not require the presence of DHS personnel, navigating the system with DHS personnel on site allows them to find information more quickly and provides them with a better sense of the information that is available.

DHS Office of Intelligence and Analysis (DHS I&A) and the FBI have initiatives underway to deploy personnel to fusion centers. For example, the Implementing Recommendations of the 9/11 Commission Act of 2007 require that DHS, in coordination with fusion center officials, assign DHS officers and intelligence analysts to fusion centers.<sup>1</sup> DHS I&A has an initiative to deploy intelligence officers to each of the fusion centers. Similarly, the FBI, in its 2011 Information Sharing Report highlighted the importance of the coordination of information sharing among FBI field offices, their FIGs, and the fusion centers. The FBI identified the JTTFs as the principals for operational-level coordination with fusion centers.<sup>2</sup> FBI field offices plan to designate at least one experienced intelligence analyst to fusion centers depending on the extent to which a center has, among other criteria, a focus on counterterrorism and the ability to house secure systems such as FBINet. DHS and FBI officials stated that they are continuing to work toward these goals. In 2012, DHS had 164

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<sup>1</sup>See 6 U.S.C. § 124h.

<sup>2</sup>Federal Bureau of Investigation, *FBI Information Sharing Report 2011*, (Washington, D.C.: 2011).

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personnel deployed to fusion centers, including 98 from DHS I&A.<sup>3</sup> The FBI had 95 personnel deployed to 59 fusion centers, with 47 embedded full-time in 29 fusion centers and 48 working on a part-time basis. As centers become more mature, and as resources allow, both DHS and the FBI plan to increase the number of personnel deployed to centers and introduce personnel in those centers that currently do not have federal staff.

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<sup>3</sup>Other DHS components with personnel deployed to fusion centers include the U.S. Coast Guard, U.S. Customs and Border Protection, and the Transportation Security Administration.

# Appendix III: Comments from the Department of Homeland Security



March 26, 2013

Eileen R. Larence  
Director, Homeland Security and Justice  
U.S. Government Accountability Office  
441 G Street, NW  
Washington, DC 20548

Re: Draft Report GAO-13-471, "INFORMATION SHARING: Agencies Could Better Coordinate to Reduce Overlap in Field-Based Activities"

Dear Ms. Larence:

Thank you for the opportunity to review and comment on this draft report. The U.S. Department of Homeland Security (DHS) appreciates the U.S. Government Accountability Office's (GAO's) work in planning and conducting its review and issuing this report.

The Department is pleased to note how the report highlights efforts undertaken by the DHS Office of Intelligence and Analysis (I&A) and the Federal Bureau of Investigation (FBI) to better coordinate fusion center analysis and production through the deployment of federal personnel to fusion centers. DHS is committed to continuing this work, both bilaterally and through the Information Sharing and Access Interagency Policy Committee (ISA IPC) and other inter-agency and inter-governmental forums.

However, DHS is concerned with the report's understanding of the relationship between fusion centers and other entities discussed in the report. While the broad categorizations of "all-crimes" and "counter-terrorism" are useful for understanding the differences between the missions of the various centers, the terms do not signify an overlap in intelligence products or analysis. The intelligence products and analysis provided by an "all-crimes" fusion center and by a local Field Intelligence Group that support FBI field offices are unique products for two different customers, contrary to the report's implication of an overlap. As a result, figures on pages 17, 18, 23 and 24, and the text on page 25 of the draft report are based on generalizations that do not support the conclusions drawn by the report.

Urban Area 5 serves as an example of this. The fusion center is focused on activities across the state and is located hundreds of miles from the Urban Area, while the entities based within the Urban Area itself are directed at threats against just that city. There are clear differentiation in missions and geographic areas of responsibility. Although DHS has concerns with GAO's methodology and some of the resulting conclusions, the Department agrees that coordination is vital in this area and has engaged actively with our partners as the draft report suggests.



The draft report contained four recommendations, two of which directly involve DHS and with which the Department concurs. Specifically, GAO recommended that the Secretary of Homeland Security, the Attorney General of the United States, and the Director of the Office of National Drug Control Policy:

**Recommendation 1:** Work through the ISA IPC or otherwise collaborate to develop a mechanism, such as performance metrics related to coordination that will allow them to hold field-based information-sharing entities accountable for coordinating with each other and monitor and evaluate the coordination results achieved.

**Response:** Concur. DHS believes that each agency should develop mechanisms appropriate to their respective missions in order to effectively oversee the field activities for which they are responsible or, in the case of State and Local Fusion Centers, the activities with which they coordinate.

DHS performs a coordinating role among federal, state, and local partners regarding fusion centers, and is leading an effort to develop performance measures intended to collect objective data to demonstrate the value and impact of fusion centers in supporting national information-sharing and homeland security outcomes. Toward this end, two measures included in the 2012 Fusion Center Assessment examine the role of fusion centers in contributing to Joint Terrorism Task Force (JTTF) investigations and the extent to which fusion centers are collaborating to develop joint analytic products.

**Measure 1.** Number of Suspicious Activity Reports (SARs) that are vetted and submitted by fusion centers that result in either preliminary and/or full investigations by an FBI JTTF

This metric captures the contribution fusion centers make to both the Nationwide SAR Initiative (NSI) and the broader federal counterterrorism mission.

**Measure 2.** Number of fusion center analytical products authored by two or more fusion centers

Collaboration between fusion centers strengthens the value and impact of analysis by leveraging disparate but specialized knowledge and skills resident across the National Network.

DHS I&A is also developing additional performance measures for the Fiscal Year 2013 assessment, slated to begin in August, that explore the degree to which fusion centers collaborate with other field-based information-sharing entities and with federal partners to develop analytic products. Estimated Completion Date (ECD): August 31, 2013.

**Recommendation 2:** Work through the ISA IPC or otherwise collaborate to identify characteristics of entities and assess specific geographic areas in which practices that could enhance coordination and reduce unnecessary overlap, such as cross-entity participation on governance boards and collocation of entities, could be further applied.

**Response:** Concur. DHS I&A will work with GAO to define a more specific and measurable outcome, and document that clarification. The identification and implementation of best practices and operational improvements in the sharing of information is the work of the ISA IPC. DHS remains fully committed to this work.<sup>1</sup> Additionally, as part of the annual Fusion Center Assessment, DHS already collects information on High Intensity Drug Trafficking Areas, Regional Information Sharing Systems, and FBI participation on fusion center governance boards, as well as the collocation of these entities to ensure that the fusion centers benefit from the perspective of their stakeholders and partners. This participation is essential to the deconfliction of analytics of and information sharing between the various entities. ECD: To Be Determined.

Again, thank you for the opportunity to review and comment on this draft report. Technical comments were previously provided under separate cover. Please feel free to contact me if you have any questions. We look forward to working with you in the future.

Sincerely,



Jim H. Crumpacker  
Director  
Departmental GAO-OIG Liaison Office

<sup>1</sup> Appendix IV of the report represents one example of DHS's commitment to this work.

# Appendix IV: Comments from the Department of Justice



U.S. Department of Justice

MAR - 5 2013

Washington, D.C. 20530

Ms. Eileen Larence  
Director  
Homeland Security and Justice Issues  
Government Accountability Office  
441 G Street, NW  
Washington, DC 20548

Dear Ms. Larence:

Thank you for the opportunity to review and comment on the draft Government Accountability Office (GAO) report entitled, "*Information Sharing: Agencies Could Better Coordinate to Reduce Overlap in Field-Based Activities*" (GAO-13-207). The Department of Justice (Department, DOJ) and its impacted components, including the Federal Bureau of Investigation (FBI) and the Office of Justice Programs, have carefully considered the findings and recommendations presented in GAO's draft report.

Created by statutory mandate, the FBI's Joint Terrorism Task Forces (JTTFs) are operational entities with the unique operational mission of enhancing the FBI's ability to coordinate the activities of all law enforcement agencies to ensure efficient terrorism investigations. Within this Report, the JTTFs are inappropriately characterized as a "type" of field-based information sharing entity. Similarly, the FBI's Field Information Groups (FIGs) are also operational entities. The statutory authorities and activities of these two FBI *operational* entities are vastly different from each other and from those of the *purely analytical* field-based entities GAO includes in captioned review. These qualitative differences do not permit comparison without over generalizing their activities and losing the true legislative intent of why they were statutorily created. In addition, the missions and authorities are so vastly different and an overlap between a JTTF, a High Intensity Drug Trafficking Area, or Regional information Sharing System is so rare that putting them together into a chart in a report evaluating "overlap" is misleading.

In addition, GAO states that overlap is only troubling if the overlap leads to inefficient duplication yet fails to identify any specific examples of investigations where duplication of effort between the operational and analytical units occurred. Nevertheless, GAO highlights where the Departments could potentially reduce overlap in information sharing, without a correspondingly detailed review of evidence indicating that potential overlap can offer valuable, alternative analyses when reviewed by both operational and analytical units.

Further, the conclusions in the Report are very broad compared to the limited scope of the review. For instance, GAO analyzed entities' missions, activities, and coordination efforts in

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eight urban areas, and states that their analysis is not generalizable. Although GAO limits their review to these eight urban areas, it nonetheless makes broad conclusions, including that “agencies have not fully explored the extent to which these and other practices can be applied nationwide across the five types of field-based entities and may be missing opportunities to share facilities and resources, better meet customer needs with collaborative products, and achieve benefits through increased interaction.”

The draft GAO report contains two Recommendations for Executive Action directed to the DOJ, which are restated in bold text below and are followed by our response.

**To promote coordination as a practice to help avoid overlap, we recommend that the Secretary of Homeland Security, the Attorney General, and the Director of ONDCP work through the ISA IPC or otherwise collaborate to:**

- 1. Develop a mechanism, such as performance metrics related to coordination, that will allow them to hold field-based information sharing entities accountable for coordination with each other and monitor and evaluate the coordination achieved.**

The Department generally agrees with the goal of this Recommendation--that our field-based units be held accountable for coordinating with each other and with other field-based entities to the extent such coordination is appropriate. We note that the Department already engages in successful coordination on an ongoing basis and does hold its field-based units accountable for appropriately sharing information which necessarily entails coordinating with other federal, state, tribal, and local law enforcement agencies as appropriate.

Valid performance metrics cannot be standardized across the five types of entities since they have distinct missions, roles, and responsibilities and cannot be compared against each other. Nonetheless, the FBI does hold its FIGs and JTTFs accountable for coordinating with its law enforcement partners. In its forthcoming report *“Information Sharing: Additional Actions Could Help Ensure That Efforts to Share Terrorism-Related Suspicious Activity Reports Are Effective,”* GAO notes the FBI shares all of its Suspicious Activity Reports (SAR) with its fusion center partners. Furthermore, every FBI field office maintains a JTTF Executive Board, which provides partners direct access to senior field office managers. Furthermore field office Special Agents in Charge (SAC) are held accountable for the conduct of these meeting during routine performance reviews.

At the local level, ongoing coordination is built into collection management processes. Elements of the Intelligence Processing Cycle not only identify additional opportunities to better coordinate field activities, but are an inherent part of an effective and efficient information sharing environment as described in the Report. For example, “framing and coordination” is a critical first step in the intelligence collection and processing cycle. At that step, collection managers begin building their overall understanding of the threat and

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its components. To that end, collection managers assist stakeholders in defining threat categories, which are usually based upon collection requirements or inputs from stakeholders. Collection capability is then determined consistent with project objectives or the customer's needs.

With respect to a formal mechanism at the headquarters level to encourage coordination at the appropriate local levels there are numerous mechanisms this report fails to mention. For instance, the report mentions nothing about the National Joint Terrorism Task Force (NJTF), and its role in coordination efforts for Counterterrorism investigations. In addition, I note that the Department had already planned to have representatives from several of its components participate in a summit this coming summer for just this purpose. At this summit, DOJ components will engage state and local representatives from all major first responder organizations. This summit will build on the success of an earlier summit that included the Undersecretary for the Department of Homeland Security, the Department of Justice Deputy Attorney General, and FBI Director. The primary purpose of these summits was and will continue to be to address issues preventing the most effective coordination and to continue the ongoing dialogue with all agencies so as to most efficiently and effectively coordinate on information sharing in the field. Accordingly, the Department cannot concur with the premise underlying the recommendation--that the Department is not already actively promoting coordination.

Neither can the Department concur in the implication that overlap is always to be avoided. Indeed, GAO acknowledges in the report that "Overlap in analytical activities and services can be beneficial," yet, in its recommendation GAO asks the Department merely to seek to avoid overlap.

**To help identify where agencies and the field-based entities they support could apply coordination mechanism to enhance information sharing and reduce inefficiencies resulting from overlap, we recommend that the Secretary of Homeland Security, the Attorney General, and the Director of ONDCP work through the ISA IPC or otherwise collaborate:**

- 2. Identify characteristics of entities and assess specific geographic areas in which practices that could enhance coordination and reduce unnecessary overlap, such as cross-entity participation on governance boards and co-location of entities, could be further applied. The results of this assessment could be used by the agencies to provide recommendations or guidance to the entities to create coordinated governance boards or collocate entities, which can result in increased efficiencies through shared facilities and resources and reduced overlap through coordination or collaborative products, activities, and services.**

The Department agrees with the general intent of this Recommendation and does encourage entities to explore efficiencies that can be gained by cross-entity participation or collocation in circumstances where appropriate and efficient. Whether these sorts of activities would be appropriate and efficient is highly dependent on local circumstances, and other factors. Accordingly, the Department does not agree with the premise

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underlying this recommendation that, for example, collocation is something that should be a goal in and of itself.

Further, the Department does not agree with the premise underlying the recommendation that the Department does not already routinely seek to identify potential efficiency gains in this regard. The FBI evaluates its 56 field offices continually by analyzing risk and other factors to determine the appropriate level of support and other resources. It cannot be emphasized enough that a one-size-fits-all approach will not work even in terms of one entity or across all five entities. These entities vary based upon the region of the country, state and local laws, and relationships. Department components will continue to identify efficiency gains and collaborate with the Department of Homeland Security and ONDCP in this regard.

Also, the Department appreciates GAO's efforts to incorporate into the report many of the detailed technical comments the Department had provided separately. Your staff may also contact Richard P. Theis, Assistant Director, Audit Liaison Group on 202-514-0469.

Sincerely,



Lee V. Lofthus  
Assistant Attorney General  
for Administration

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# Appendix V: GAO Contact and Staff Acknowledgments

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## GAO contact

Eileen R. Larence, (202) 512-8777 or [larencee@gao.gov](mailto:larencee@gao.gov)

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## Staff Acknowledgments

In addition to the contact named above, Mary Catherine Hult, Assistant Director; Kevin Heinz; Justine Lazaro; Christine Ramos; Yanina Golburt Samuels; Katherine Davis; Eric Hauswirth; Tom Lombardi; and Amanda Miller made significant contributions to the work.

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