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The Domestic Counterterrorism Enterprise: Time to Streamline

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Over the last decade, the domestic counterterrorism enterprise in the United States has added a significant amount of much-needed capacity. From the expansion of Joint Terrorism Task Forces (JTTFs) by the FBI to the development of intelligence fusion centers by the U.S. Department of Homeland Security (DHS), the resources now dedicated to gathering information, analyzing it, developing actionable intelligence, and acting upon it are substantial.

With that being said, the domestic intelligence enterprise should base future improvements on the reality that governments at all levels are fiscally in crisis. Rather than add additional components to the system, law enforcement officials should streamline the domestic counterterrorism enterprise by improving current capabilities, leveraging state and local law enforcement resources

and authorities, and, in some cases, reducing components where the terrorist threat is not high and the financial support is too thin or could be allocated more effectively.

The Current Intelligence Architecture. Before 9/11, the FBI had created 32 JTTFs in major urban areas, with the first launched in 1980 in New York City. In the 11 years since the attack, the FBI has added 71 JTTFs to its intelligence system. According to the FBI, the JTTFs are

small cells of highly trained, locally based, passionately committed investigators, analysts, linguists, SWAT experts, and other specialists from dozens of U.S. law enforcement and intelligence agencies. When it comes to investigating terrorism, they do it all: chase down leads, gather evidence, make arrests, provide security for special events, conduct training, collect and share intelligence, and respond to threats and incidents at a moment's notice.

Many state and local law enforcement entities loan significant numbers of personnel to the JTTFs.

The FBI has also created Field Intelligence Groups (FIGs), with

one in each of its 56 field offices, that “perform intelligence functions through integrated teams of intelligence analysts, language analysts, physical surveillance specialists, and a dedicated number of special agents.” The FIGs “coordinate, manage, and execute all of the functions of the intelligence cycle in the field.”

After its creation in 2003, DHS began investing in “fusion centers” with state and local law enforcement entities. DHS has helped to support and partially fund, through federal grants, 77 fusion centers. The fusion centers “serve as focal points within the state and local environment for the receipt, analysis, gathering, and sharing of threat-related information between the federal government and state, local, tribal, territorial (SLTT) and private sector partners.” Essentially, they have become collection platforms, analytical centers, and distribution hubs.

As a Senate subcommittee recently noted, many of the fusion centers do not provide measurable value.¹ The 77 fusion centers come in all sizes, do not meet any consistent performance metrics, and are in different states of maturity. Fusion centers are located in major urban areas and controlled by local law enforcement entities, with some run at the state

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level. The majority of federal funding has come from DHS's Urban Areas Security Initiative Grant Program (UASI).

In theory, the fusion centers and the FIGs would work in close concert and share information and intelligence in the development process. Once those entities had created actionable intelligence, that information would be shared with the JTTF, which would open a case and investigate, leveraging the fusion centers and FIGs as the case developed for additional information and intelligence.

In some cases, the fusion centers are co-located with the FIGs and JTTFs, making this theory much closer to a realistic scenario. In many cases, however, the fusion centers are not geographically connected to the FIGs and JTTFs. Outside of the bigger urban police departments, many local law enforcement agencies lack the personnel to staff both the fusion center and the JTTF to which they belong. This disconnection causes inefficiencies, duplication, and, at times, conflict between the fusion centers and the FIGs.

FBI Adds Another Layer—and Mouth to Feed. Recently, the FBI launched a pilot in Chicago to create a Joint Regional Intelligence Group (JRIG), an entity distinct from the FIG in the Chicago field office. The plan is to create 12 JRIGs across the nation. The stated purpose of the JRIG is to coordinate intelligence with federal agencies, establish a prioritized threat domain, and ensure that FIGs are focused on the mission at hand.

Although the FBI wants state and local law enforcement entities to

participate in the JRIGs, the reality is that those entities already faced severely constrained budgets and so lack the extra personnel to staff yet another domestic intelligence entity.

In many ways, the JRIG mission will compete directly with the fusion centers, thereby further fragmenting America's domestic counterterrorism enterprise. If the FBI's intent is to coordinate federal intelligence agencies, to be a forcing mechanism to make FIGs and fusion centers work more closely together to share threat domains, and to use fusion centers as touch points to state and local law enforcement, then perhaps this makes some sense. That does not appear to be the intent, which means the JRIGs will be redundant.

Resources should instead be put into creating a nexus between the FIGs and fusion centers. The Major Cities Chiefs Association has developed a robust step-by-step "how-to" packet that integrates and leverages the activities of the fusion centers, the FIGs, and the JTTFs. Lawmakers would be wise to take notice.

Streamline Existing Capacities and Focus Resources Accordingly. Instead of adding yet another domestic intelligence entity that requires funding, personnel, and equipment, the FBI should work with DHS and state and local law enforcement to improve the FIGs and the relationship between the FIGs and the fusion centers. Because terrorism crosses state lines, it is important that our domestic intelligence enterprise operate regionally.

Just as DHS cut back on the number of urban areas that received funds through the UASI program from 63 urban areas to 31, it should

also dramatically reduce the number of fusion centers. The reduction is vital because neither DHS nor state and local law enforcement have the funds or personnel to fully run 77 fusion centers. An easy way to reduce the number of fusion centers is to eliminate funding to those that are located outside of the 31 urban areas deemed to possess the highest risk.

In conjunction with this reduction, DHS should stop allowing states to take 20 percent of UASI funding, which is intended for fusion centers. If the urban area fusion centers are to be the tip of the domestic intelligence spear, they should get 100 percent of the funds needed to do the job. When states are allowed to skim 20 percent off the top, the fusion centers lose vital funds. Moreover, states already have a dedicated pipeline of funds via the State Homeland Security Grant Program.

As it reduces the number of fusion centers, DHS should work with the FBI to identify locations where the fusion centers and FIGs can jointly serve as the entities that coordinate intelligence with federal agencies and establish prioritized threat domains, thereby enhancing the information and intelligence fed to the JTTFs. By focusing finite federal, state, and local resources on fully staffing and equipping fusion centers, FIGs, and JTTFs, America's ability to leverage the capabilities established thus far will increase significantly.

Less Is More. Given the fiscal crises faced at all levels of government in America, government leaders should recognize that sometimes less is more. When it comes to the domestic intelligence enterprise, streamlining the existing architecture and

1. Robert O'Harrow Jr., "DHS 'Fusion Centers' Portrayed as Pools of Ineptitude, Civil Liberties Intrusions," *The Washington Post*, October 2, 2012, http://www.washingtonpost.com/investigations/dhs-fusion-centers-portrayed-as-pools-of-ineptitude-and-civil-liberties-intrusions/2012/10/02/10014440-0cb1-11e2-bd1a-b868e65d57eb_story.html (accessed October 3, 2012).

focusing resources on that architecture is the most prudent action to keep the nation safe. The FBI should end the JRIG program and work with DHS and state and local law enforcement to improve the performance and alignment of the fusion centers, FIGs, and JTTFs.

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