

the Subcommittee requested the assessment as part of its investigation, DHS at first denied it existed, then disputed whether it could be shared with Congress, before ultimately providing a copy.

In 2011, DHS conducted its own, less rigorous assessment of fusion centers. While its resulting findings were more positive, they too indicated ongoing weaknesses at the fusion centers.

The findings of both the 2010 and 2011 assessments contradict public statements by DHS officials who have described fusion centers as “one of the centerpieces of our counterterrorism strategy,”²⁴ and “a major force multiplier in the counterterrorism enterprise.”²⁵ The Subcommittee investigation found that the fusion centers often produced irrelevant, useless or inappropriate intelligence reporting to DHS, and many produced no intelligence reporting whatsoever.

Despite reviewing 13 months’ worth of reporting originating from fusion centers from April 1, 2009, to April 30, 2010, the Subcommittee investigation could identify no reporting which uncovered a terrorist threat, nor could it identify a contribution such fusion center reporting made to disrupt an active terrorist plot. Instead, the investigation found:

- ▶ Nearly a third of all reports—188 out of 610—were never published for use within DHS and by other members of the intelligence community, often because they lacked any useful information, or potentially violated Department guidelines meant to protect Americans’ civil liberties or Privacy Act protections.
- ▶ In 2009, DHS instituted a lengthy privacy and civil liberties review process which kept most of the troubling reports from being released outside of DHS; however, it also slowed reporting down by months, and DHS continued to store troubling intelligence reports from fusion centers on U.S. persons, possibly in violation of the Privacy Act.
- ▶ During the period reviewed, DHS intelligence reporting suffered from a significant backlog. At some points, hundreds of draft intelligence reports sat for months before DHS officials made a decision about whether to release them to the intelligence community. DHS published many reports so late—typically months late, but sometimes nearly a year after they were filed—that many were considered “obsolete” by the time they were released.
- ▶ Most reporting was not about terrorists or possible terrorist plots, but about criminal activity, largely arrest reports pertaining to drug, cash or human smuggling.

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