

# **The Functional Desks as Collaborative Mechanisms in the Michigan Intelligence Operations Center**

Michael C. McDaniel, Emad (Al) Shenouda, and M. John Bustria

## **INTRODUCTION**

The report of the National Commission on Terrorist Attacks Upon the United States (the *9/11 Commission Report*) strongly recommended increased sharing of information between agencies. The recommendations included cooperative relationships and the integration of intelligence functions; specifically that "information be shared horizontally, across new networks that transcend individual agencies."<sup>1</sup> The recommendations signify a sharp schism from the traditional Cold War norm where "each agency concentrated on its specialized mission, acquiring its own information and then sharing it via, formal, finished reports."<sup>2</sup>

Because of its complexity and asymmetry, the war on terror exposes the limitations of each governmental agency to acquire the necessary information and carry out its mandated mission. In this time of federal deficits and budgetary cuts, perhaps the foremost challenge of the government is the appropriation of scarce resources. These resources, such as materials, money, support services, and technological knowledge, are crucial for the national, state, and local governments to address the challenges of terrorism.

The U.S. *Intelligence Reform and Terrorism Prevention Act of 2004*<sup>3</sup> emphasizes the prevention of terrorism through the sharing of information, and the information-sharing environment formalizes the establishment of state fusion centers. In Michigan's fusion center – the Michigan Intelligence Operations Center (MIOC) – functional desks have been established or proposed. These desks have been created not just because of the pressures of sharing crucial agency resources. In view of the need to manage the uncertainty of threats and potential terrorist attacks, the creation of these desks addresses the recent need of uniting statewide information sharing among local, state, and federal agencies and private sector organizations. This activity facilitates the collection, analysis, and dissemination of critical information<sup>4</sup> relevant not just to detecting potential threats but also to the whole gamut of activities for addressing terrorism.

This paper discusses the ongoing stated goal of information sharing amongst the Michigan homeland security community by uniting statewide efforts through the functional desks in the state's fusion center. The first section discusses the elements of collaboration that encourage agencies to work together in the MIOC. Descriptions of three functional desks in the MIOC – Critical Infrastructure/Key Resources, Environmental Risk, and Border Security – are then presented. The concluding section provides observations on the functional desks as a viable collaborative mechanism for information sharing to address the threat of terrorism.

## **Rationale for Engaging in Collaboration**

The challenge facing every state is to develop its state fusion center using a systematic process that translates national strategy and guidelines into state and local policies that

will drive the operations of the fusion center. The ability to strategize nationally, plan regionally, and respond locally is the challenge facing all homeland security projects. National strategy, as it has evolved, has declared that fusion centers should be all-hazard, all-crimes and terrorism-driven. It also states that the development of fusion centers is a collaborative effort between law enforcement, public safety agencies, and the private sector.

The literature on collaboration states that organizations collaborate because of the mutual benefit in achieving their organizational missions and goals. Whatever the factors (such as environmental conditions and reduced resources) that may compel organizations to collaborate, collaboration occurs when one organization simply has resources and expertise that another organization and sector needs or could benefit from (and vice versa). Therefore, we would submit that functional desks in the state's fusion center are collaborative systems, albeit writ small, for working together and sharing resources to achieve a common organizational mission.

The collaborative structure under study has a distinct organizational form. Within an organization, its structural design will be affected by any of a number of criteria: knowledge and skill (lawyers, engineers); discipline (police, fire, military); time (night shift, day shift); clients (inpatients, customers, beneficiaries of insurance policies); or place (regional office, federal government).<sup>5</sup> Our concept for the structure of functional desks, on the other hand, reflects a hybrid arrangement between two or more organizations with different functions, but with a common outcome or objective, that are co-located under a new organizational structure, such as a fusion center.

Additionally, due to the specialization of each organization, each member brings to the new structure their functions and resources, combining their specialties synergistically to achieve the group outcome. The "group outcome" expected must be an outcome that none of the contributing agencies could accomplish by working independently. In order to have a full information-sharing environment, all of the private and public sector agencies which "own" needed information must be included in the collaborative process.<sup>6</sup> This perspective is much broader than the traditional law enforcement and public safety collaboration first proposed by the *Fusion Center Guidelines*.

The different divisions or sub-units of the fusion centers are called functional desks to showcase the hybrid collaboration between organizations that seek a common objective and have similar security functions needed to achieve that purpose. Being flexible and modular, the functional desks can add more security partners as the occasion demands, or each desk could be scaled down and its resources transferred to other desks as operational or strategic demands dictate.

Furthermore, because participating agencies are grouped according to analytical functions – for example, focusing on critical infrastructure, environmental risk, and border security – this structure is markedly different from the traditional bureaucratic alignment by discipline (e.g., National Guard focus on military issues; police talk only to police; fire and EMS work their own issues). The current and proposed working and structural set-up of the different functional desks reflect a fusion or combination of disparate functions from different security partners. Thus, the organizational units under study are described as functional desks to capture the collaborative arrangement among the various organizations with distinct functions, contributing unique capabilities to address terrorism through information sharing.

## **THE FUNCTIONAL DESKS IN THE MICHIGAN INTELLIGENCE OPERATIONS CENTER**

In the overall design of the state information sharing environment, the MIOC is perceived as the point of convergence for the gathering and collection of threat information for the purpose of providing early warning.<sup>7</sup> This means that each functional desk must identify potential hazards that impact public safety and provide timely alerts and warnings through the MIOC to the appropriate security partners.

Similarly, each functional desk in the MIOC is designed based on perceived needed outcomes.<sup>8</sup> Michigan homeland security operations has identified the need for the fusion of shared information on critical infrastructure networks, environmental risks, and international trafficking concerns. As will be seen, each desk exhibits some of the common factors of collaboration, including common purpose (organization's mission and goals) and sharing of resources.

### **Critical Infrastructure/Key Resources Desk**

The recently established Critical Infrastructure/Key Resources (CI/KR) Desk coordinates the collection, analysis, and dissemination of CI/KR information and intelligence. The security partners in this desk include state agencies that share a common mission of protecting the state's CI/KR. This mission could be achieved through these agencies working together by pooling their resources and skills, as well as collaborating with the state's different CI/KR owners.

*Common Organizational Missions and Goals.* The CI/KR Desk has been established in the MIOC to centralize all of the CI/KR information into one place. This desk in the MIOC is currently staffed by analysts from the state's National Guard and the Michigan State Police. They are the two state agencies participating in the homeland security initiative pertaining to the protection, among others, of the state's CI/KR. In the future other state public safety agencies with CI/KR related functions will be assigned in the MIOC.

The design of, and the processes for, the CI/KR Desk are drawn from the outline contained in the NIPP. According to the NIPP "effective CI/KR protection requires the development of partnerships, collaboration, and information sharing between government and private sector owners and operators."<sup>9</sup> Additionally, the "Protection Program Strategy" of the NIPP contains the risk management framework for the protection of critical infrastructure. This protection framework serves to "operationalize" the NIPP, and thereby recommends the current missions for the CI/KR Desk.

The decision to co-locate assets and analysts from the State Police and the National Guard in the CI/KR Desk is clearly supported by their common organizational missions and goals. The state mission of the Michigan National Guard is "to protect the lives and property of Michigan citizens during times of natural disasters and to preserve the peace, order, and public safety at the direction of the Governor."<sup>10</sup> Among the various missions of the National Guard, the mission of antiterrorism/force protection (AT/FP) has immediate relevance for state fusion centers. Because of this specialized mission, the National Guard has been mandated by the federal government to protect the

nation's critical infrastructure. In most states, the National Guard has been assisting state and local authorities, including private owners of critical infrastructures, in the analysis and protection of vulnerable assets and facilities through the conduct of its buffer zone programs and assistance with design-basis threat.<sup>11</sup>

Aside from this specialized expertise, the National Guard also analyzes drug information and assists law enforcement agencies in counter-drug operations. The information collected in support of the AT/FP and counter-drug missions is securely transmitted to analysts and intelligence consumers through the National Guard's information technology resources. National Guard intelligence analysts, trained to the same standard as their active-duty counterparts, have the ideal training background to assess threats to critical infrastructure. The National Guard also has specialized skills and resources in handling weapons of mass destruction, such as chemical, biological, radiological, nuclear, and explosive devices. In addition, because of its trained personnel and resources, the National Guard renders support to civilian authorities by assisting during emergencies and natural disasters, stopping transnational crimes, and providing security during special events.

What is more, the National Guard Bureau<sup>12</sup> has indicated that one of the four areas of the National Guard Homeland Defense and Civil Support missions is critical infrastructure protection through collaborative interagency vulnerability assessments. This mission, of course, is absolutely consistent with the National Guard's traditional domestic mission and with its inherent anti-terrorism/force protection mission.

The National Guard's security partner in the CI/KR Desk is the Michigan State Police. The mission of the state police is to "protect public safety while respecting the rights and dignity of all persons." The specific organizational goal of the MSP pertinent to this desk is to "provide for homeland security and emergency preparedness and response."<sup>13</sup> In addition, one of the guiding principles of the state police's vision involves collaboration: "Enhancing opportunities to collaborate with our partners to develop innovative solutions to address statewide public safety issues."

The Emergency Management and Homeland Security Division (EMHSD) is the specialized division of the state police that is the leader, operationally, on homeland security for the state. Its mission is to "foster, promote, and maintain partnerships to protect our state and homeland from all hazards."<sup>14</sup> The EMHSD Commander serves as the day-to-day leader of homeland security operations, on behalf of the director of state police.<sup>15</sup> This division ensures the coordination of all homeland security-related actions across a broad spectrum of federal, state, local, nongovernmental organizations, and the private sector, and advances the effective development and implementation of a state homeland security strategy.<sup>16</sup>

The recognition of the core mission – protecting CI/KR – is the basis for assigning these two agencies to the CI/KR Desk to increase the capacity of that functional desk. Considering their individual missions and goals, the common element in the organizational purpose of both the National Guard and the MSP is the protection of CI/KR from immediate or emerging threat-related events through development, integration, and dissemination of threat information.

*Sharing of Resources and Expertise.* The *Fusion Center Guidelines: Developing and Sharing Information in a New Era* defines the fusion center as "a collaborative effort of two or more agencies that provide resources, expertise, and/or information to the center

with the goal of maximizing the ability to detect, prevent, apprehend, and respond to criminal and terrorism activity.”<sup>17</sup> The National Guard and the state police recognize that they have a common organizational purpose, and there is a commensurate recognition of the need to share resources and expertise to achieve that shared goal.

Each agency has resources and competencies that the other lacks. The National Guard analysts assigned to this desk have training and expertise in conducting and analyzing risks and vulnerabilities. Other National Guard resources include equipment used in detecting gaps in the security programs of critical infrastructures. The current resources of the state police enable it to gather information and intelligence, using not just contacts in the law enforcement community where the critical infrastructures are located but also from its “boots on the ground” presence throughout the state. Such a networked presence in the community facilitates the analytical work of this desk: the public calls the state police with tips and leads which are funneled to the MIOC; and law enforcement officers, who encounter a lot of suspicious things on the road, can call the MIOC for verification of information. Of course, access to other law enforcement databases allows state police analysts to countercheck the history and patterns of certain groups and individuals under investigation.<sup>18</sup>

The obvious expertise of the state police lies in the collection and analysis of law enforcement information, while the competency of the National Guard is in intelligence analysis and its traditional AT/FP missions. In other words, each agency offers its own distinctive competencies, which are “competencies that are very difficult for others to replicate and therefore are a source of enduring advantage.”<sup>19</sup> As Bryson, Ackermann and Eden point out, linking the competencies of two or more organizations can be a source of distinctive competence.<sup>20</sup> Therefore it is natural for both organizations to collaborate in the MIOC, creating a distinctive competency.

As part of their ongoing collaboration, another resource that both agencies share is access to information databases. Federal agencies and the law enforcement community provide information-sharing services and programs that support CI/KR protection information sharing. The DHS Homeland Security Information Network (HSIN) is a national, web-based communications platform that allows the Department of Homeland Security (DHS), sector-specific agencies, state, local, and tribal government entities, and other security partners to obtain, analyze, and share information based on a common operating picture of strategic risk and the evolving incident landscape.

The network is also designed to provide a robust, dynamic information-sharing capability that supports both NIPP-related steady-state CI/KR protection and the National Response Framework-related incident management activities,<sup>21</sup> and to provide the information-sharing processes that form the bridge between these two homeland security missions.<sup>22</sup> The Homeland Security Information Network<sup>23</sup> may be used to more efficiently share appropriate classified national security information with cleared private-sector owners and operators during incidents, times of heightened threat, or on as-needed basis.

The NIPP explains other mechanisms that support CI/KR information. One of these mechanisms is the Homeland Infrastructure Threat and Risk Analysis Center (HITRAC). It provides tailored risk assessment products for CI/KR sectors, fusing consequence and vulnerability information with threat information. The CI/KR Desk could learn from the operations of this mechanism to strengthen its information-sharing

system and contribute to the whole range of activities in addressing potential threats and hazards.

*The Private Sector.* The private sector is an important member and security partner of the CI/KR Desk. After all, a majority of the critical infrastructure in Michigan is owned and operated by the private sector. While security representatives of the private sector are not detailed in the state's fusion center on a full-time basis, this desk shares its intelligence analysis with its private partners. It forwards cleared intelligence products on a "need to know" basis.<sup>24</sup> The MIOC, in turn, expects the private sector to collaborate with them by sharing information.

The state police and the state National Guard, with their own distinctive competencies, can use the information that the private sector provides and turn it into actionable intelligence and other analytical products. Moreover, the CI/KR Desk collaborates with the private sector to render effective protection to the state's critical infrastructure, as the analysts may lack the specific knowledge or subject matter expertise of sector operations. In contrast, most members of the private sector do not have the information or resources to integrate threat information. Effective protection of the state's critical infrastructure requires the sharing of information and resources between the state government and the state's private sectors and among the agency partners within this desk.

### **Environmental Risk Desk**

The increasing complexity of homeland security issues and the need for the horizontal sharing of information at the state level creates challenges for the states in the design of potential functional desks. This can be a source of difficulty because the concept of security has broadened and become multi-dimensional, yet the fusion center continues to be managed from a law enforcement-centric view. The *Fusion Center Guidelines* recognized the paramount role of law enforcement and public safety. These dominant concerns, however, which still fall within the penumbra of traditional security, are in increasing need of supplementation by non-law enforcement actors due to non-traditional issues of security such as pandemic illness, food supply-chain disruption, multi-drug-resistant strains of bacterial agents, and other environmental risks, all of which could be either intentionally or accidentally caused.

These few examples illustrate the increasing complexity of the emerging security challenges in the domestic environment of the nation. While emergency management and emergency medical services have responded to these issues and can contribute to prevention, a multi-dimensional, non-traditional approach including the full complement of state, federal, and local environmental, public health, and agricultural agencies are needed to confront such non-traditional security challenges.

One of the many environmental considerations is the use of medical intelligence in the field of public health. Traditionally, public health is a field that did not play a primary role in the security of the nation. Even the *Public Health Code of Michigan*<sup>25</sup> did not focus on potential terrorist threats of a health-related catastrophic level. But now the concept of establishing an Environmental Risk Desk highlights the importance of public health and epidemiological data that concern health-related threats and emergencies. In the event of biological terrorism, for example, this desk could provide actionable intelligence on biological terrorism and other medical-related events. If not

detected, the potential cost of economic disruption in the state's commercial areas as a result of biological terrorism is tremendous. The efficient release of a biological agent through much of a major urban area could potentially cost \$750 billion, which includes the economic value of human life.<sup>26</sup>

Conceptually the proposed Environmental Risk Desk would coordinate the collection, analysis, and dissemination of environmental and public health-related data relevant to terrorism and public health and welfare. Security partners of this desk would include state agencies that share the common organizational purpose of protecting the public's health, whether focused on environmental, workplace, food supply, or water systems. These agencies have a common purpose to develop public health and environmental intelligence, a goal which could be achieved by sharing their resources and expertise and collaborating with the state's traditional private and public health-care providers.

*Common Organizational Missions and Goals.* The *Homeland Security Presidential Directive-21* (HSPD-21) "Public Health and Medical Preparedness," establishes a national strategy to create the level of public health and medical preparedness necessary to address a range of possible disasters. Likewise, *Homeland Security Presidential Directive-7* (HSPD-7) defines agency roles and responsibilities in the protection of specific CI/KR sectors. In Michigan, responsibility for public health service and policy rests with the Michigan Department of Community Health.<sup>27</sup> One of the organizational missions of the state's health department is "to take steps to prevent disease, promote wellness, and improve quality of life."

This mission is carried out by three units within the department that work together and share resources. Foremost is the Office of Public Health Preparedness. This unit is charged with protecting the health of Michigan citizens against chemical, biological, and radiological threats. The unit also focuses on minimizing the threat to health from terrorist acts, accidents, and other incidents.<sup>28</sup> The second unit is the Division of Communicable Disease. This unit collects and analyzes data on communicable diseases and provides support and consultation to local health departments and other health care professionals.<sup>29</sup>

The third unit is the Division of Environmental Health. This division is the lead unit in the state's health department for response to chemical events. Of the four organizational units in this division, the Chemical Terrorism and Emergencies Preparedness Section is relevant in carrying out not only the departmental mission but also the purpose of the proposed Environmental Risk Desk in the MIOC. This unit provides services related to planning, preparedness, and response to chemical events that pose a threat to human health including acts of terrorism.<sup>30</sup>

The other sector-specific agency that the Environmental Risk Desk must include, because of its organizational purpose of protection of the food supply, is the Michigan Department of Agriculture. The need for engaging a state's agricultural department in intentional food contamination incidents, albeit with a law enforcement lead, was demonstrated by an incident in Oregon in 1984, when followers of the Bhagwan Shree Rajneesh contaminated the salad bars of ten restaurants and one supermarket with salmonella bacteria; 751 people were affected.<sup>31</sup> Working alone, the police took weeks to discover the health cause of the incident.

The mission statement of Michigan's agricultural department is "to protect, promote and preserve the food, agricultural, environmental and economic interests of the people

of Michigan."<sup>32</sup> Within the department, the Food and Dairy Division, Geagley Laboratory, and Emergency Management are the units that carry out the organization's protection mission: the Food and Dairy Division safeguards Michigan's food supply; the Geagley Laboratory analyzes food products and beverages for drug residues, pathogens, pesticide residues, and toxic substances; and through Emergency Management, the agricultural department responds to reportable animal disease outbreaks, chemical contamination, accidental nuclear contamination/leaks, or any other emergency potentially affecting the food supply.

Besides these two state agencies, there are three other health and welfare organizations considered potential participants to the proposed Environmental Risk Desk: (1) the Michigan Department of Environmental Quality through its Laboratory Services unit; (2) Michigan Department of Labor and Economic Growth through the Michigan Occupational Safety and Health Administration; and (3) the Department of Natural Resources. The Michigan State University Animal Diagnostic Laboratory should also be included – the potential crossover of certain diseases such as strains of influenza from animals to humans mandates the collection and dissemination of information through the Environmental Risk Desk.

These departments, particularly the state's health and agricultural departments, are not traditionally seen as potential security partners by public safety organizations. Albeit non-traditional information gatherers, they are vital to the creation of a complete common operating picture which encompasses all potential threats and potential causative factors. As pointed out by the *Guidelines*:

The public safety component can provide fusion centers with information that will add value to the intelligence and fusion processes.... Entities within this sector represent nontraditional information gatherers and can provide fusion centers with both strategic and tactical information ....<sup>33</sup>

At any rate, based on the two major organizations discussed above, the Environmental Risk Desk compels collaboration. In order for this desk to meet its purpose of detecting threats to the environment, food, agricultural, and public health of the state, it must function to create collaboration between the above-described agencies. The next section discusses how the different agencies share their resources and pool their expertise to increase their capacity in order to address environmental and health-related threats.

*Sharing of Resources and Expertise.* A proposed Environmental Risk Desk in the Michigan fusion center may be lead by the Michigan Department of Community Health, but it would collaborate with other agencies with the necessary resources and expertise to handle an event primarily affecting the public's health. Based on the nature and complexity of an incident, the state's health department now may notify the departments of agriculture, environment, labor, and natural resources, depending on the issue – food-related, pesticide-related, water-related, spills and releases, and others.

A specific example of these agencies working collaboratively might be large-scale illness from chemical exposure. Should such an incident occur, the state laboratory facilities from the departments of health, environment, agriculture, and labor would be used to test for contamination. Hence, the sharing of resources, specifically facilities such as laboratories, illustrates the recognized necessity of state health and welfare departments collaborating with each other. Obviously, each agency will be collecting

and analyzing information which, like pieces to a puzzle, must then be assembled at the Environmental Risk Desk.

It can then be said that because these agencies have a common purpose, they capitalize on their individual competencies to achieve that common purpose. They use their expertise and technologies to detect signs of potential terrorist threats as it relates to health and medical conditions.

*Medical Information from Health Care Providers.* Aside from medical information that comes from the above-stated agencies, the proposed Environmental Risk Desk will also rely on the medical information that the health care providers will share. At present there are two programs that involve the state health department working with private health care providers. One is the Michigan Disease Surveillance System Syndromic Surveillance Project. This surveillance project, launched in January 2005, helps the state provide timely recognition of an emerging infectious disease or deliberate release of a biological agent. The objective of the surveillance project is to rapidly detect unusual outbreaks of illness resulting from either naturally occurring or intentional events that pose potential public health threats and emergencies.<sup>34</sup>

Furthermore, the surveillance project increases the capacity of the state's health department to detect outbreak of diseases in real-time, through collaboration with the health care providers. Currently, the department's server for the project receives approximately 2,500 emergent care registrations per day (primarily emergency department, some urgent care). Consequently, the health department of the state can rapidly detect and track the unusual outbreaks of illness that may be the result of bio-terrorist attacks.<sup>35</sup>

The second cooperative program with private health care providers is the Michigan Influenza Sentinel Providers.<sup>36</sup> Ninety-three Michigan health-care providers have volunteered to participate in the Centers for Disease Control and Prevention (CDC) U.S. Influenza Sentinel Provider Surveillance Network. These clinicians have volunteered to provide the CDC and the state public health department with information on patient visits due to influenza-like symptoms. In turn, the Bureau of Epidemiology charts the data on a weekly basis to determine where and when influenza-like illness activity is occurring in the state, similar to the activities of the Syndromic Surveillance Project. In addition, participating Sentinel Laboratories report all positive test results.

Given the existing systems within the health-related state agencies, the proposed Environmental Risk Desk offers the opportunity for its participating agencies and sectors to initially collaborate through a coordinating partnership. In working towards a common purpose, they do not just share information. They also have linked connections through the sharing of each agency's resources such as personnel and facilities, not to mention time.

In the future, it is expected that such a partnership would gradually evolve into a collaborative partnership, where formal arrangements would allow representatives from each security partner to detail a staff member at the MIOC. Moreover, such future linkage and physical presence in the fusion center of the state would enable this desk to undertake interdependent and strategic actions on environmental and health-related information and intelligence.

## **Border Security Desk**

Unlike the CI/KR Desk, which has the NIPP serving as the blue-print for its operations and a long-term relationship between the National Guard and the MSP, and the planned Environmental Risk Desk with ongoing surveillance projects that will hopefully serve to create the structural embeddedness and formal collaboration between the participating agencies, the proposed Border Security Desk faces complex organizational concerns and varied partners, issues that demand flexibility in its structure.

*Common Organizational Missions and Sharing of Expertise.* The proposed Border Security Desk should be established by those agencies that have the common purpose of securing the state's international border. Whether the public or private agency mission is the prevention of the illegal introduction of humans, cigarettes, or drugs into the state, or the agency mission involves regulation of the mode of transportation of contraband into the state, or the ownership of those transportation modes, the shared focus on the international border begets a common understanding of the security issues. Hence they need to share information and, more importantly, share their experience of the potential trends in security issues.

In this regard, organizations whose core missions concern the identification of contraband can collaborate on their shared goal. In fact, some of the initial federal and state agencies that may work together in a planned Border Security Desk could be as disparate as the Department of Homeland Security's Customs and Border Protection (CBP), and the state's health and agricultural departments.

As guardians of the nation's borders, CBP will be an important federal partner of the planned Border Security Desk. Of the five mission statements of CBP, two of them pertain to the purpose of the planned Border Security Desk. They are: "We safeguard the American homeland at and beyond our borders;" and "We protect the American public against terrorists and the instrument of terror."<sup>37</sup> Its mission of securing the nation's border at the ports of entries, with Michigan having three international land ports of entries, would allow CBP to filter threats.

At the state level, one of the state agencies to be included in the planned Border Security Desk should be the Department of Community Health. As pointed out, there are many complex issues involving the international border that the CBP cannot resolve solely with its own resources. An obvious example is the 2003 SARS epidemic when health officials in Ontario and Michigan shared information on screening and other disease control measures. In a future pandemic, CBP would collaborate with state health department's Bureau of Epidemiology, which has a surveillance section. This section has created the position of border health program coordinator for this purpose.

Another ongoing concern is the danger of agricultural threats or agro-terrorism agents being introduced through the state's ports of entries. Agricultural diseases such as avian flu or bovine spongiform encephalopathy could have debilitating effect on the state's economy. Hence, the subject matter expertise and analytical abilities of the state agricultural department's agents<sup>38</sup> are also needed for the proposed Border Security Desk.

*Other Partners.* One of the challenges for the proposed Border Security Desk is the inherent difficulty in ascertaining intelligence on persons or goods attempting to enter illegally until the attempt to enter results in apprehension. Through the state and federal police agencies, the desk could expand its information capacity on people and goods illegally entering the state by collaboration with Canada. Given that Canada's Security Intelligence Service has identified some fifty known terrorist groups, including al-Qaeda, as having a presence inside Canada's border,<sup>39</sup> representatives of the Canadian government could be important international security partners of this desk. Collaboration through information sharing with CSIS or Ontario Provincial Police could greatly assist this desk's efforts at early detection and warning of potential threats. Project North Star with the Ontario Provincial Police could be a template for further collaboration.

Security partners in the private sector that the planned Border Security Desk could collaborate in information sharing could include the waste and trucking and transportation industries. The waste and trucking industry demonstrates the complexity of border security. Consider that three million containers cross the state's borders from Canada yearly. Many of these containers transport municipal solid waste from Canada and enter Michigan by truck at three ports of entry: Port Huron, Detroit, and Sault Ste. Marie. Each month, at Port Huron alone, approximately 7,000 to 8,000 containers of waste cross the state's border.<sup>40</sup> The state's efforts to detect potential smuggling of any chemical, biological, radiological, nuclear, explosive (CBRNE) weapons through containers could be greatly aided by collaborating with the waste and trucking industry.

The complexity of border security should therefore encourage participating agencies to initially work together and share resources through a different collaborative partnership. The starting arrangement would not be a full-blown collaborative undertaking with the attendant governance structures and other formal arrangements, including mission and vision statements. That kind of arrangement also demands a longer-term process. In her groundbreaking work on collaboration, Barbara Gray points out that collaboration represents a longer-term integrated process "through which parties who see different aspects of a problem ... constructively explore their differences ... search for solutions that go beyond the limited vision of what is possible" and implement those solutions jointly.<sup>41</sup>

Instead, the proposed Border Security Desk could initially work on a different continuum of collaborative effort. Agencies participating in this desk would have interactive contacts or exchange information, or they would conduct ad hoc activities between and among themselves to accomplish the shared purpose of detection of contraband. The whole point is for the different agencies to begin working together and sharing resources, such as exchanging ideas, news, and reports. It is hoped that this initial interaction would lay the groundwork for a future collaborative partnership, one that has a more formal arrangement where the different security partners of this desk detail analysts to the MIOC and collaborate in the detection and analysis of border security-related terrorism information.

## **THE FUTURE OF COLLABORATIVE, FUNCTIONAL DESKS IN FUSION CENTERS**

The foregoing description of the three desks has demonstrated the rationale for the use of functional desks not just in detecting potential threats but also for protection,

preparedness, response, and mitigation of the consequences of an attack. In addition, the different state agencies involved in each functional desk have realized the benefits that collaboration can bring to them: by working together and engaging the private sector they can accomplish jointly an activity that one agency alone could not achieve. Through common organizational missions and purposes, they can gain collaborative advantage and expand their pool of expertise by working together and sharing resources and information.

Functional desks result in the economical use of scarce resources and increase the capacity of each participating agency. Through collaboration, agencies can leverage their limited resources, and agency efforts are not duplicated. In the past, the traditional bureaucratic effort of each agency executing its own programs and services resulted in the duplication of programs and services. Through the functional desks, however, such agency activities are combined with other agencies with the same mission and purpose. As a result, their activities are centralized and their results are consistent. Functional desks become intelligence teams with varied experience and subject matter expertise, providing diverse intelligence insight.

Likewise, collaboration with the private sector adds needed resources for the MIOC when threats are detected regarding that sector. The subject-matter expertise of the private sector provides the MIOC with information and even analytical capabilities to quickly and comprehensively address the threat to that sector.

The functional desks concept may not be the panacea to terrorism. But all homeland security officials recognize that with scarce resources and high demand for results, homeland security spending must be for a system that produces the greatest results for the least amount of money. The goal is to economically yet efficiently increase the capabilities, production, and efficiency of the state fusion center.

Bureaucratic pettiness over the "ownership" of assets in the state fusion center is avoided when the staff are organized around, and focused on, a specific stated outcome. Interdisciplinary rivalries or competition are lessened by structuring multidisciplinary teams towards a common objective. In view of budgetary restrictions and limited trained personnel, we must pool current agency resources through the creation of collaborative, functional desks as a system to collect more critical information.

### Collaboration in the State Fusion Center

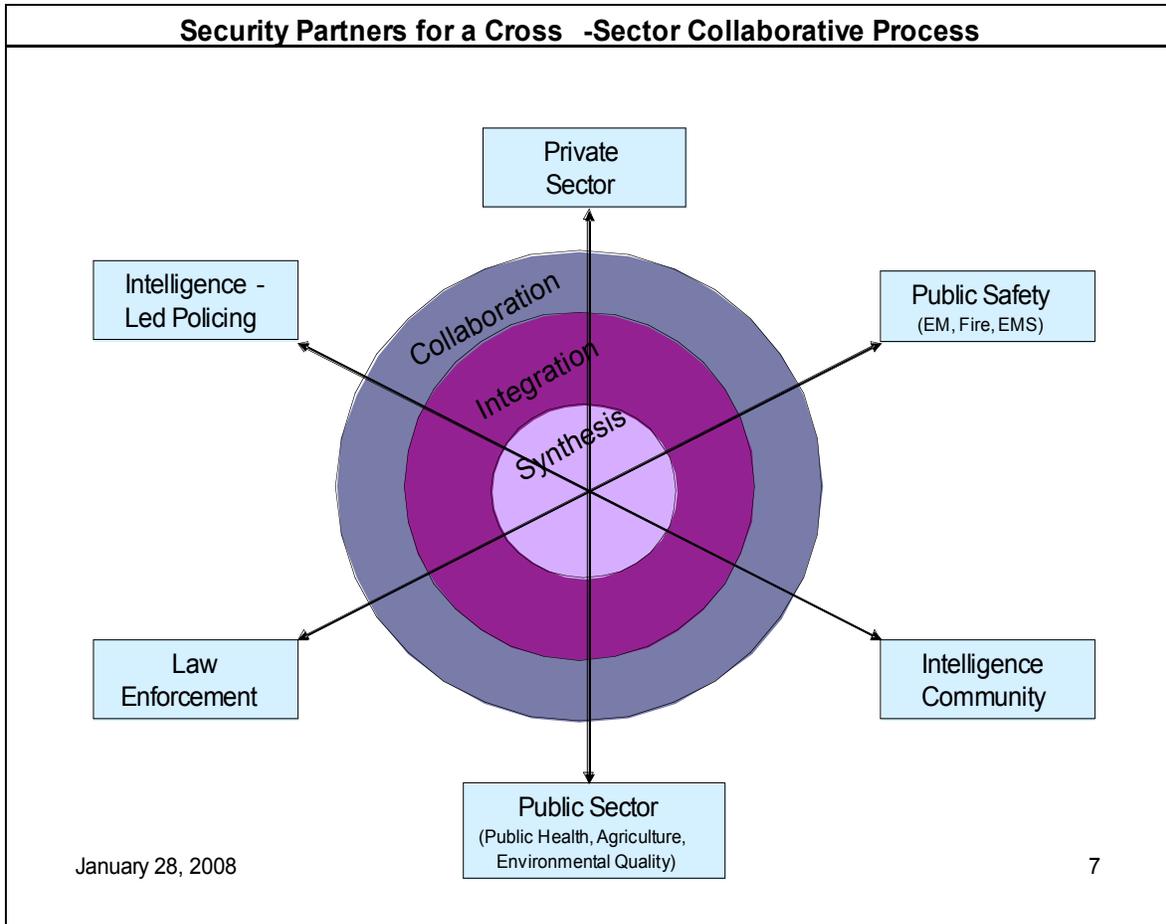


Diagram 1.

## The Michigan Information Sharing Environment

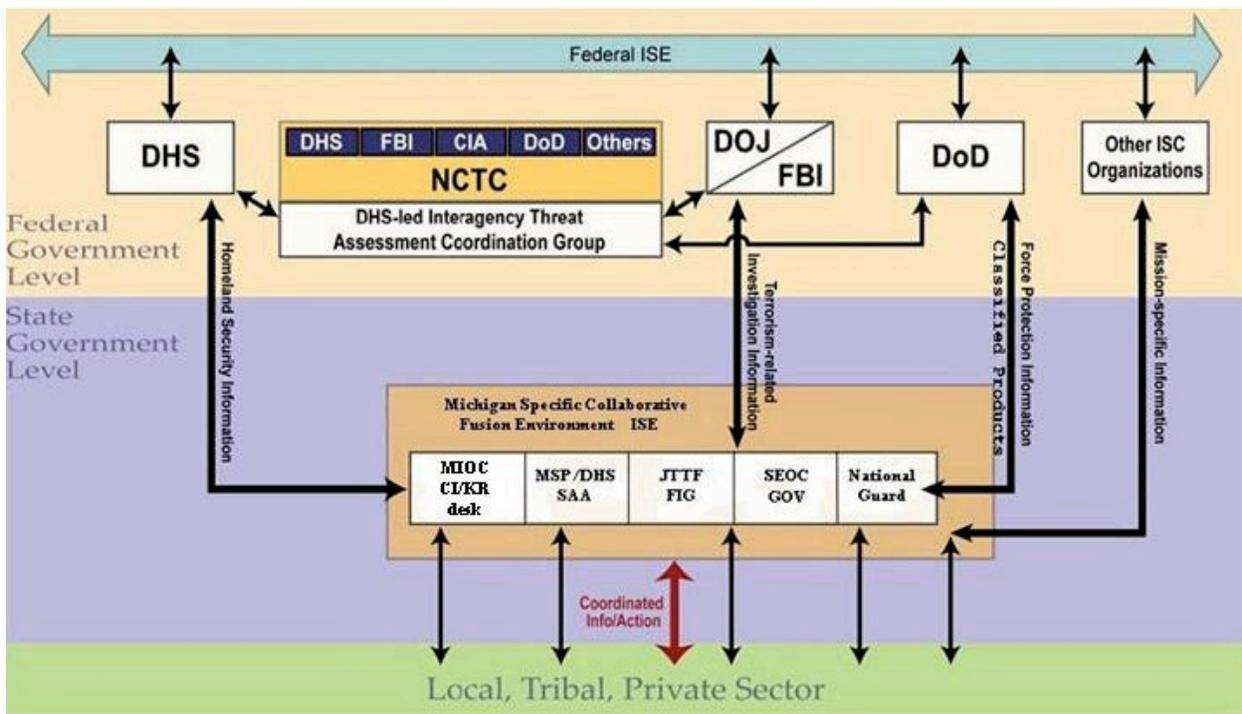
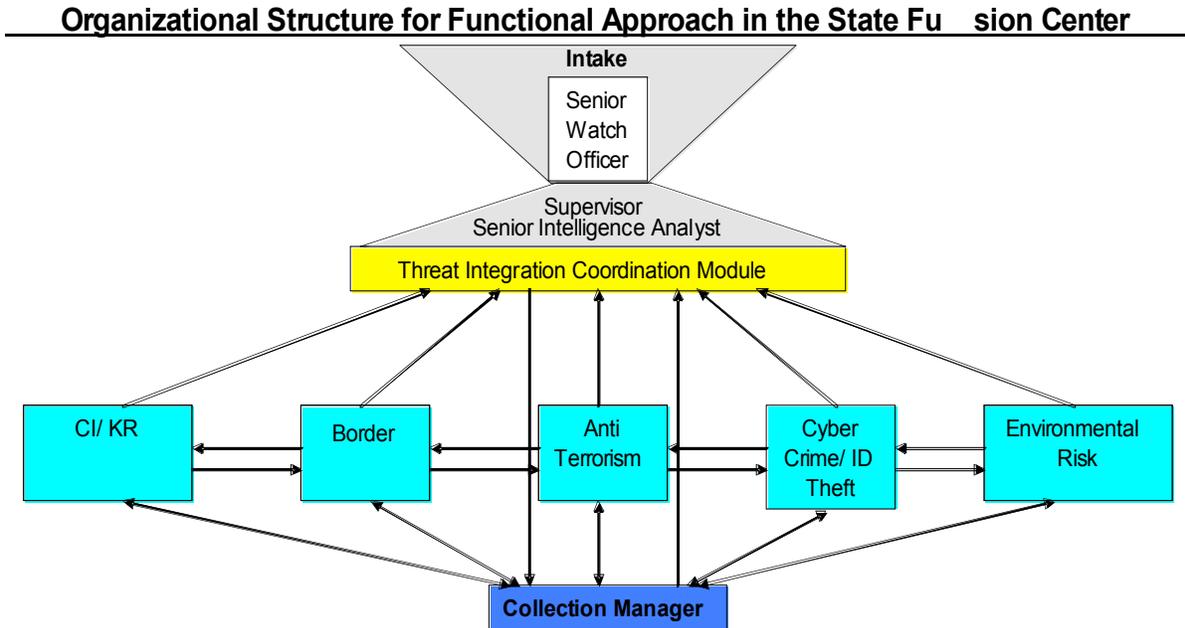


Diagram 2

## Organizational Structure in State Fusion Center



Guidelines	Collaboration Agencies	Security Goals	Goals and Objectives	Functions
<ul style="list-style-type: none"> <li>•All-Crime</li> <li>•All-Hazard</li> <li>•Terrorism</li> </ul>	<ul style="list-style-type: none"> <li>•Law Enforcement</li> <li>•Public Safety</li> <li>•Public Sector</li> <li>•Private Sector</li> </ul>	Protection of: <ul style="list-style-type: none"> <li>•People</li> <li>•Facilities</li> <li>•Institutions</li> </ul>	<ul style="list-style-type: none"> <li>•Early Warning</li> <li>•Tracking &amp; Monitoring</li> <li>•Situational Awareness</li> <li>•Investigative Case Support/ Follow -up</li> </ul>	<ul style="list-style-type: none"> <li>•CI/KR</li> <li>•Border</li> <li>•General Crime</li> <li>•Cyber Crime/ ID Theft</li> <li>•Environmental Risk</li> </ul>

**Diagram 3**

### **About the Authors**

**BG Michael C. McDaniel** is the Michigan homeland security advisor and assistant adjutant general for homeland security, Michigan National Guard. He is a member of the executive committee, National Governors Association's Homeland Security Advisors Council and chair of the Department of Homeland Security, State, Local, Tribal, and Territorial Government Coordinating Council. BG McDaniel holds a juris doctorate degree from Case Western Reserve University School of Law and a master's degree in strategic studies from the Army War College and in security studies (homeland security) from the Naval Postgraduate School.

**Emad (Al) Shenouda** is the protective security advisor for the U.S. Department of Homeland Security assigned in Detroit, Michigan. He has extensive counterterrorism experience with the FBI Joint Terrorism Task Force and has a master's degree in public administration from the University of Michigan. He is currently conducting post graduate work in national security studies.

**M. John Bustria** is a homeland security research fellow in the State of Michigan. He holds master's degrees in strategic studies, international studies, public administration, and public management. Mr. Bustria held a Middle East posting as Philippine diplomat (political officer, 1998-2003); special assistant to the undersecretary, policy officer (European Union), principal assistant (1994-1998); and political science teacher (1989-1993).

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<sup>1</sup> National Commission on Terrorist Attacks upon the United States, *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks upon the United States* (New York: Norton & Co, 2004), 418.

<sup>2</sup> *9/11 Commission Report*, 407.

<sup>3</sup> Public Law 108-458, 1016(b)(2), December 17, 2004.

<sup>4</sup> As used in this paper, "information" is intended to be defined more broadly than "intelligence." Further, "information" as used herein, does not refer to specific information on any individual.

<sup>5</sup> Hal G. Rainey, *Understanding and Managing Public Organizations* (San Francisco: Jossey-Bass, 2003), 196.

<sup>6</sup> See Diagram 1, "Security Partners for a Cross-Sector Collaborative Process," appended hereto.

<sup>7</sup> See Diagram 2, "The Michigan Information Sharing Environment," appended hereto.

<sup>8</sup> The state of Michigan utilized a simple evaluation, an ethnographic study based on interviews and surveys of both the public and private sector. This ethnographic approach was used to determine the mission and objectives of the MIOC and set its security goals as well. The security goals were broadly stated as the protection of people and key facilities, and institutions. A gap analysis yielded three basic, functional modules or desks to first drive the MIOC. Surveys regarding efforts to collect and analyze information focused on three core mission areas: 1) critical infrastructure protection; 2) border security; and 3) environmental health and welfare protection. A study of the unique geographic and asset based risk of the state of Michigan further confirms these core mission areas essential.

<sup>9</sup> Department of Homeland Security, *National Infrastructure Protection Plan* (Washington, DC: Government Printing Office, 2006), 168. Some of the options to be considered and described in State, regional, local, and tribal CI/KR protection plans can include the following: Ensuring collaboration with other government entities and the private sector using a process based on the partnership model outlined under the NIPP or an abbreviated form of the model addressing just those sectors that are most relevant to the jurisdiction; and Instituting specific information-sharing networks, such as an information-sharing

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portal, for security partners in the jurisdiction. These types of networks allow owners and operators, and government entities to share best practice, provide a better understanding of sector and cross-sector needs, and inform collective decision-making on how best to utilize resources.

<sup>10</sup> Michigan Army National Guard, *The Guard's Mission*, <https://www.mi.ngb.army.mil/mission.asp>.

<sup>11</sup> Design-basis threat is the threat against which an asset must be protected and upon which the protective system's design is based. It is the baseline type and size of threat that buildings or other structures are designed to withstand. The National Guard can assist in design by demonstrating the tactics aggressors will use against the asset and the tools, weapons, and explosives employed in these tactics.

<sup>12</sup> National Guard Homeland Defense, *September 11, 2001, Hurricane Katrina, and Beyond* (White Paper, 2005) [http://www.arng.army.mil/Publications/HLD%20White%20Paper\\_11OCT05\\_Final\\_Version.pdf](http://www.arng.army.mil/Publications/HLD%20White%20Paper_11OCT05_Final_Version.pdf).

<sup>13</sup> *Michigan.gov/msp*, [www.michigan.gov/msp](http://www.michigan.gov/msp).

<sup>14</sup> Michigan State Police, *Emergency Management and Homeland Security Division*, [www.Michigan.gov/msp](http://www.Michigan.gov/msp)

<sup>15</sup> Michigan Governor's Executive Order 2003-6, <http://michigan.gov/homeland/o.1607.7-173--66080--oo.html>.

<sup>16</sup> MSP, EMHSD, *Family and Community Emergency Safety (F.A.C.E.S. of Michigan)* August 2007, 8.

<sup>17</sup> *Fusion Center Guidelines: Developing and Sharing Information and Intelligence in a New Era* (Washington, D.C.: U.S. Department of Justice, Global Justice Information Sharing Initiative, n.d.), F-3.

<sup>18</sup> Such information checks are subject to the restrictions of 28 CFR Part 23, Criminal Intelligence Systems Operating Policies.

<sup>19</sup> John M. Bryson, Fran Ackermann, and Colin Eden, "Putting the Resource-Based View of Strategy and Distinctive Competencies to Work in Public Organizations," *Public Administration Review* (July/August 2007), 704.

<sup>20</sup> *Ibid.*

<sup>21</sup> Department of Homeland Security, *National Response Framework* (January 2008), <http://www.fema.gov/pdf/emergency/nrf/nrf-core.pdf>.

<sup>22</sup> DHS, NIPP, 156. (See also 60-61)

<sup>23</sup> Databases to be maintained at the CI/KR Desk, could include ACAMS Constellation, HSIN – Intelligence, HSIN – Critical Sectors, ICAV (GIS) and Guardian.

<sup>24</sup> Interview with SGM Stephen Sargeant, MI ARNG, MIOC Critical Infrastructure Desk Officer, May 9, 2007.

<sup>25</sup> Public Act 368 of 1978.

<sup>26</sup> Michael O'Hanlon, Ed., *Protecting the American Homeland: One Year On* (Washington, DC: The Brookings Institution, 2002), 7.

<sup>27</sup> The MDCH was created in 1996 by consolidating the Department of Public Health, the Department of Mental Health, and the Medical Services Association, the state's Medicaid agency. The Office of Drug Control Policy and the Office of Services to the Aging were later consolidated with MDCH. It should be noted that fusion centers have been conceptualized with the participation of different agencies from all levels of the government. Ideally, an Environmental Risk Desk at a state fusion center would have to collaborate with, among other federal agencies, the Center for Disease Control and Prevention, Agency for Toxic Substances and Disease Registry, Environmental Protection Agency, Department of Health and Human Services and Department of Agriculture.

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- <sup>28</sup> Michigan Department of Health Preparedness, *Office of Public Health Preparedness Mission Statement* (n.d.), [http://www.michigan.gov/mdch/0,1607,7-132-2945\\_21919-63698--,00.html](http://www.michigan.gov/mdch/0,1607,7-132-2945_21919-63698--,00.html).
- <sup>29</sup> Michigan Department of Community Health, [www.Michigan.gov/mdch](http://www.Michigan.gov/mdch).
- <sup>30</sup> Michigan Department of Community Health, *Overview of the Division of Environmental Health*, [www.michigan.gov/mdch](http://www.michigan.gov/mdch).
- <sup>31</sup> Bruce Hoffman, *Inside Terrorism*, Revised and Expanded Edition (New York: Columbia University Press, 2006), 272. One of the international incidents that demonstrate the importance of involving the agriculture department involves a fruit product. In 1979, Palestinian terrorists poisoned Jaffa oranges exported to Europe in hopes of sabotaging Israel's economy.
- <sup>32</sup> Michigan Department of Agriculture, <http://www.michigan.gov/mda/0,1607,7-125-1572-7773--,00.html>.
- <sup>33</sup> *Fusion Center Guidelines*, 17. The *Governor's Guide to Homeland Security* also mentions that information and intelligence shared with state-level intelligence fusion centers can come from other disciplines such as emergency management, public health, transportation, energy, and others. (National Governors Association, *Governor's Guide to Homeland Security*, 2<sup>nd</sup> ed. (2007), 58. These non-traditional members may not be considered part of public safety organizations, but public health information gathered as a function of their public health and welfare mission is equally vital.
- <sup>34</sup> MDCH, *Michigan Disease Surveillance System Syndromic Surveillance Project* (PowerPoint Presentation, January 2005), 3 and 7. This information was provided by Ms. Linda Scott of OPHP in an interview on October 10, 2007.
- <sup>35</sup> *Ibid.*
- <sup>36</sup> MDCH, *Influenza Sentinel Provider Surveillance* (n.d.), [http://michigan.gov/mdch/0,1607,7-132-2940\\_2955\\_22779-121722--,00.html](http://michigan.gov/mdch/0,1607,7-132-2940_2955_22779-121722--,00.html).
- <sup>37</sup> U.S. Customs and Border Protection, *Securing the Nation's Border at the Ports of Entry* (Office of Field Operations, Strategic Plan FY 2007-2011), 25.
- <sup>38</sup> In the October 12, 2007 interview with Brad Deacon, the Emergency Management Coordinator of the State's Department of Agriculture, he discussed the agricultural and food inspection program of the Agricultural Quarantine Inspection of the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS). Agency website reveals that only the border inspection function of APHIS for agricultural concerns was transferred to DHS.
- <sup>39</sup> David Hunt, *On the Hunt: How to Wake Up Washington and Win the War on Terror* (New York: Crown Forum: New York, 2007), 30.
- <sup>40</sup> "Forrester Recommends Corrective-Action Program to Protect Freight Transportation," *Manufacturing Business Technology*, January 1, 2005. In David Hunt, *On the Hunt*, 116-117.
- <sup>41</sup> Barbara Gray, *Collaborating: Finding Common Ground for Multiparty Problems* (San Francisco: Jossey-Bass, 1989). In Ann Marie Thomson and James L. Perry, "Collaboration Processes: Inside the Black Box," *Public Administration Review* (December 2006 – Special Issue): 23.