Nationwide SAR Initiative

Privacy Fact Sheet

Overview

The Nationwide Suspicious Activity Reporting (SAR) Initiative (NSI) is a collaborative effort led by the U.S. Department of Homeland Security (DHS) and the Federal Bureau of Investigation (FBI) in partnership with state, local, tribal, and territorial (SLTT) law enforcement and hometown partners. The NSI provides law enforcement and homeland security agencies with another tool to help prevent terrorism and other related criminal activity by establishing a national capacity for gathering, documenting, processing, analyzing, and sharing terrorism-related SAR (ISE-SAR) information.

The protection of privacy, civil rights, and civil liberties (P/CRCL) is paramount to the success of the NSI. Given this importance, the NSI has worked with various advocacy groups and other stakeholders to develop protections that, when consolidated, make up a comprehensive NSI Privacy Protection Framework. These efforts have served an important role in successfully shaping NSI policies and processes.

NSI Privacy Protection Framework

The NSI requires each participating fusion center to consider privacy throughout the SAR process by fully adopting the NSI Privacy Protection Framework. The elements of the framework include:

Privacy Policy

The adoption and implementation of a privacy policy that either meets the requirements of the Information Sharing Environment (ISE) Privacy Guidelines (federal agencies) or has been determined to be "at least as comprehensive" as the Guidelines. These policies must also adhere to applicable federal, state, local, or tribal law, as well as agency policies and procedures. Fusion center privacy policies are posted to individual fusion center Web sites and on the National Fusion Center Association Web site.

ISE-SAR Functional Standard

The application of the ISE-SAR Functional Standard (FS), which reinforces constitutional standards, including the protections guaranteed by the First Amendment and limitations on the use of certain factors—such as race, ethnicity, national origin, or religious affiliation—in the gathering, storing, use, and sharing of personally identifiable information about individuals.

Privacy Components in Training

The NSI training strategy is designed to increase the effectiveness of federal and SLTT law enforcement professionals in identifying, reporting, evaluating, and sharing pre-incident terrorism indicators and behaviors. The training is broken down into focus areas for frontline officers, analysts/investigators, executives, and hometown partners, with each training focusing on the various law enforcement professionals, hometown partners, and their respective level of responsibilities and duties, as well as reinforcing the need to protect P/CRCL.

Community Outreach

NSI sites are encouraged to engage in outreach to members of the public, including privacy and civil liberties advocacy groups and private sector partners, in the course of privacy policy development and implementation to help address the privacy concerns of citizens and advocates.

SAR Vetting Process

Before a SAR can move from agency systems to the NSI SAR Data Repository (SDR), two forms of vetting must occur: (1) supervisors at source agencies, which initially receive SARs from law enforcement officers, public safety agencies, private sector partners, or citizens, must initially review each SAR to determine, at a minimum, whether it is appropriate for consideration as a SAR, and (2) trained analysts or investigators at the fusion center or other authorized agency must then analyze the SAR as part of a two-part process against the 16 terrorism preoperational behaviors identified in Part B of the ISE-SAR FS and make a determination, based on all available information (context, facts, and circumstances), whether there is a potential nexus to terrorism. Throughout the vetting process, P/CRCL are vigilantly and actively protected through the training that analysts/investigators and other participating agency personnel receive and through the system attributes that are a part of the NSI.