

DEPARTMENT OF HOMELAND SECURITY

Office of Inspector General

Management of Department of Homeland Security International Activities and Interests



OIG-08-71

June 2008



Homeland Security

June 24, 2008

Preface

The Department of Homeland Security (DHS) Office of Inspector General (OIG) was established by the Homeland Security Act of 2002 (*Public Law 107-296*) by amendment to the Inspector General Act of 1978. This is one of a series of audit, inspection, and special reports prepared as part of our oversight responsibilities to promote economy, efficiency, and effectiveness within the department.

This report addresses the strengths and weaknesses of DHS management of its overseas activities and interests. It is based on interviews with employees and officials of relevant agencies and institutions, direct observations, and a review of applicable documents.

The recommendations herein have been developed to the best knowledge available to our office, and have been discussed in draft with those responsible for implementation. It is our hope that this report will result in more effective, efficient, and economical operations. We express our appreciation to all of those who contributed to the preparation of this report

A handwritten signature in black ink that reads "Richard L. Skinner".

Richard L. Skinner
Inspector General

Table of Contents/Abbreviations

Executive Summary	3
Background.....	4
Overview of DHS International Engagement.....	4
The Basis for DHS International Engagement.....	7
Overview of DHS Management Apparatus	15
Results of Review	19
DHS Should Strengthen Headquarters Management of its International Enterprise.....	19
Systematized, Well-Funded International Training, Technical Assistance, and Information Exchange Activities Would Advance the DHS Mission	40
DHS Should Refine Its Approach to International Field Requirements.....	51
DHS Can Address the Specialized Needs of its International Staff and Their Families More Effectively	67
Management Comments and OIG Analysis	82

Appendices

Appendix A: Purpose, Scope, and Methodology.....	95
Appendix B: Management’s Comments to the Draft Report	97
Appendix C: Recommendations.....	114
Appendix D: DHS International Programs.....	117
Appendix E: Major Contributors to This Report	134
Appendix F: Report Distribution	135

Tables

Table 1: DHS Dotted-Line Authority Comparison.....	38
Table 2: DHS International Field Requirements.....	56
Table 3: Foreign Posts with DHS Representatives	58

Figures

Figure 1: DHS Components with International Activities	15
Figure 2: OIA Organization.....	20
Figure 3: Defense Attaché and Department of Justice Models	53

Table of Contents/Abbreviations

Abbreviations

BTS	Border and Transportation Security Directorate (former)
CBP	Customs and Border Protection, Department of Homeland Security
DEA	U.S. Drug Enforcement Administration, Department of Justice
DHS	Department of Homeland Security
DOD	Department of Defense
EPA	Environmental Protection Agency
FBI	Federal Bureau of Investigation, Department of Justice
FEMA	Federal Emergency Management Agency, Department of Homeland Security
FLETC	Federal Law Enforcement Training Center, Department of Homeland Security
FY	Fiscal Year
GAO	Government Accountability Office
ICASS	International Cooperative Administrative Support Services
ICE	Immigration and Customs Enforcement, Department of Homeland Security
INS	Immigration and Naturalization Service (former)
OIA	Office of International Affairs, Office of Policy, Department of Homeland Security
OIG	Office of Inspector General
SAFE	Security and Accountability for Every Port Act
SHSR	Senior Homeland Security Representative
S&T	Science and Technology Directorate, Department of Homeland Security
TSA	Transportation Security Administration, Department of Homeland Security
TSAR	Transportation Security Administration Representative
T&TA	Training and Technical Assistance
USCIS	United States Citizenship and Immigration Services, Department of Homeland Security
US-VISIT	United States Visitor and Immigrant Status Indicator Technology, Department of Homeland Security

OIG

*Department of Homeland Security
Office of Inspector General*

Executive Summary

The Department of Homeland Security has extensive international activities and interests. Nearly 2,000 staff abroad are based in 79 countries, and a range of international interests and activities are managed out of domestic offices. We reviewed the department's management of its international enterprise with a focus on strategic management, coordination across activities, and representation in international settings. To evaluate work in these areas, we conducted more than 240 interviews with department staff and representatives of other federal agencies. We met with employees in 13 cities in seven countries, and reviewed department guidance and communications.

The department's international activities and interests require management attention at headquarters and at posts abroad. At headquarters, the Office of International Affairs is the only office with a department-wide international focus covering all mission areas. The office has a number of key mandates, but for several years was only able to address one, its responsibility to advise and support senior department officials, due to staffing limitations. The office significantly increased its staff size, and has begun to develop regional engagement plans for different parts of the world and sponsor forums for department-wide exchange on international issues. These efforts do not completely satisfy the office's obligations. Toward that end, the office should also develop an international strategic plan and prepare guidance on training and technical assistance abroad. Even so, the office will require more support from component international affairs units and some authority over them to fully execute its responsibilities.

Department of Homeland Security international efforts also require management attention in the field. The department has pursued two approaches to address its international field management needs. In some locations, it has designated component staff to represent the department on a part-time basis. In other areas, it has selected and assigned full-time department attachés. Neither approach has been completely successful and we are recommending corrective actions to address those issues. The department must also improve its systems for preparing, supporting, and redeploying international staff. Overall, we are making 18 recommendations to improve the management of the DHS international affairs enterprise. Department managers generally agreed with our findings, concurred with 16 recommendations, and required more time to consider the remaining two.

Background

In this section, we discuss the broad outlines of Department of Homeland Security (DHS) international activities and interests, the basis for the department's current international engagement, the configuration of the management apparatus presiding over DHS international activities, and the management decisions that have shaped this apparatus.

Overview of DHS International Engagement

DHS has nearly 2,000 staff abroad and a range of international interests and activities managed out of domestic offices.¹ DHS international staff are based in 142 cities in 79 countries. The department's international programs are expansive. DHS staff assess the security condition of international airports and foreign air carriers. They combat fraudulent travel documents and counterfeit U.S. currency coming from abroad. They work against international dimensions of credit card scams and computer-based crimes. They pursue international leads and information on human trafficking and child exploitation cases. They prescreen maritime containerized cargo and request examinations from host governments. They materially support U.S. military deployments, and naturalize foreign nationals who are serving in our armed forces. They work to protect critical infrastructures that span borders, and play an integral role in the adoption of children from other nations by American families. Among a number of other international functions, DHS staff abroad interdict shipments of illegal drugs and migrants on the high seas.

Eleven DHS agencies and offices maintain staff abroad. Of these, Customs and Border Protection (CBP) has the largest international presence. Five other DHS agencies, Immigration and Customs Enforcement (ICE), the Coast Guard, U.S. Citizenship and Immigration Services (USCIS), Secret Service, and Transportation Security Administration (TSA), each have more than 60 staff abroad.

Customs and Border Protection

CBP has more than 1,000 staff abroad, more than half of whom support its preclearance operations. Staff in CBP preclearance units abroad perform immigration and customs screening on airline, cruise ship, and ferry passengers bound for the United States. CBP maintains preclearance operations at 15 international airports in Bermuda, Canada, the Caribbean, and Ireland.² CBP also has deployed staff abroad to four countries to prevent the

¹ DHS officials sometimes cite a lower DHS international staff figure of approximately 1,700 employees. This figure does not account for Coast Guard personnel abroad under Department of Defense operational command.

² CBP units in Ireland only perform immigration pre-inspection activities, and do not conduct customs screening.

movement of high-risk travelers identified as potential national security threats and to reduce the number of improperly documented passengers arriving in the United States. Through this program, the Immigration Advisory Program, CBP trains and assists air carriers and host country authorities in identifying high-risk passengers and works to enhance related immigration information sharing partnerships.

In addition to its passenger screening programs, CBP has several hundred officers who support its Container Security Initiative.³ CBP personnel associated with the Container Security Initiative prescreen shipping containers at ports around the world before they arrive in the United States. The Container Security Initiative currently operates out of 58 ports in 33 countries.

In addition, CBP conducts a significant amount of training and technical assistance abroad and is fielding CBP attachés to a number of posts. These CBP attachés are intended to serve embassies as in-house specialists for CBP issues, support CBP operations in country, and address CBP-related issues from the trade community, industry, and the traveling public.

Immigration and Customs Enforcement

ICE has 350 staff stationed abroad to coordinate with local law enforcement in foreign countries on information sharing and investigative matters. Most are special agents trained in criminal investigation. Many of these agents assist domestic field offices with the international dimension of U.S.-based cases and relay host country law enforcement requests for case information to ICE domestic offices. In the process, they address the full range of ICE investigative missions, from alien smuggling and child exploitation to intellectual property rights infringement cases and money laundering. Under the Visa Security Program, one group of special agents reviews visa applications, initiates visa security investigations, and provides related advice and training to Department of State consular officers.

Coast Guard

The Coast Guard has staff in a number of embassies and port cities around the world in support of its varied missions. The Coast Guard engages in port and maritime security efforts, conducts inspections of U.S.-flagged ships, and provides training and technical assistance to foreign counterparts. In addition to these missions, the Coast Guard is forward deployed overseas to support the Department of Defense's (DOD) national security mission. Coast Guard personnel are involved in both Operation Iraqi Freedom and Operation Enduring Freedom. The Coast Guard has about 300 employees abroad.

³ ICE Special Agents are also deployed abroad in support of the Container Security Initiative.

U.S. Citizenship and Immigration Services

USCIS has almost 200 staff abroad in three district offices and 27 suboffices. They adjudicate citizenship and immigration applications and petitions filed overseas, process applications for international adoptions, and perform military naturalizations. USCIS also sends personnel abroad to assist in the processing of refugees and their families.

Secret Service

The Secret Service protective and investigative missions are served by more than 90 staff abroad. In fulfilling the protective mission, Secret Service staff abroad investigate international threats against protectees, work with foreign law enforcement to plan security around future protectee visits, and serve on protective details abroad. In addition, Secret Service agents abroad support counterfeit and financial crimes investigations, and work with foreign law enforcement and financial institutions to combat criminal activity in these areas.

Transportation Security Administration

TSA has approximately 65 employees overseas, and dozens of domestic staff with major international activities. TSA staff abroad liaise with foreign governments and air carriers to strengthen information sharing and promote aviation and transportation security. TSA transportation security specialists assess the implementation of security measures by foreign airports and air carriers with flights to the United States. Finally, Federal Air Marshals provide security on international flights and provide training to foreign air marshals.

Other DHS Offices

In addition to the six agencies discussed above, a number of other DHS organizations have an international presence. The following DHS entities have small international presences of one to two staff each:

- Federal Emergency Management Agency (FEMA),
- Office of International Affairs,
- Science and Technology Directorate,
- Federal Law Enforcement Training Center (FLETC), and
- United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program Office.⁴

⁴ The US-VISIT Program Office is a unit of the National Protection and Programs Directorate.

DHS also has an array of international interests that are advanced by staff based in the United States. The following DHS organizations pursue international activities with Washington-based staff:

- National Protection and Programs Directorate,⁵
- Office of Counternarcotics Enforcement,
- Office of Health Affairs,
- Office of Intelligence and Analysis
- Operations Coordination Office, and
- Privacy Office.

The Basis for DHS International Engagement

DHS International Engagement Has a Broad Legal and Policy Foundation

DHS international engagements stem from a broad mandate rooted in several congressional initiatives, international agreements, federal strategic directives, the vision of DHS leadership, and the execution of the international dimensions of core operational responsibilities.

Congress Has Mandated Many DHS International Programs

Several DHS international engagements are associated with congressionally mandated activities. These activities span all major DHS mission areas, including transportation, visa and traveler, cargo, and port security.

Congress forged international roles and responsibilities for DHS in the department's enabling legislation. Section 428 of the *Homeland Security Act* required DHS to assign staff abroad to review visa applications, conduct investigations into consular matters, and advise and train consular officers on security threats related to visa applications.⁶ The *Homeland Security Act* also made the department responsible for promoting "information and education exchange with nations friendly to the United States in order to promote sharing of best practices and technologies relating to homeland security."⁷

Other congressional mandates for DHS international programs and activities predate the department. The presence of the department's TSA Representatives abroad, for example, can be traced back to a legislative

⁵ Two units in the National Preparedness and Programs Directorate have international activities and interests, but no international staff presence: the Office of Cyber Security and Communications, and the Office of Infrastructure Protection.

⁶ *Homeland Security Act of 2002* (P.L. 107-296), § 428(e)(1); codified at 6 U.S.C. § 236. For more on DHS visa security activities, see DHS OIG Report *An Evaluation of DHS Activities to Implement Section 428 of the Homeland Security Act of 2002*, OIG-04-33, available at http://www.dhs.gov/xoig/assets/mgmt/rpts/OIG_04-33_Aug04.pdf.

⁷ *Homeland Security Act of 2002* (P.L. 107-296), § 879(b)(1); codified at 6 U.S.C. § 459.

response to the 1988 bombing of Pan Am 103 over Lockerbie, Scotland.⁸ Following that disaster, Congress mandated the establishment of the Civil Aviation Security Liaison Officer program within the Federal Aviation Administration. These Civil Aviation Security Liaisons later transferred to TSA when it was formed in 2001. They were later renamed TSA Representatives, and became DHS employees when Congress included TSA among the federal agencies that joined DHS in 2003.

Through the *Maritime Transportation Security Act of 2002*, Congress required the Coast Guard to assess the effectiveness of antiterrorism measures at foreign ports that host U.S.-bound vessels, and other ports deemed a risk to international maritime commerce. As part of its port assessment process, Congress required the Coast Guard to assess the effectiveness of cargo and baggage screening, measures to restrict unauthorized access to cargo and vessels, security on board vessels, compliance with security licensing and certification, other antiterrorism measures, and ports' overall security management program.⁹ For countries found not to be maintaining effective security measures, Congress required that the Coast Guard conduct port security training to assist them and set conditions for entry for vessels arriving from those countries.¹⁰

In the four years since the establishment of DHS, Congress further expanded the department's international mandate through select laws and appropriations.

Congress, with the approval of the President, formed the National Commission on Terrorist Attacks Upon the United States, more commonly known as the 9/11 Commission.¹¹ The 9/11 Commission made a series of recommendations, many of which related to DHS. Among its recommendations was an appeal for the U.S. government to do "more to exchange terrorist information with trusted allies, and raise U.S. and global border security standards for travel and border crossing ... through extensive international cooperation."¹²

A recent law, the *Implementing Recommendations of the 9/11 Commission Act of 2007*, relates the congressional finding that the "United States and its allies in the global war on terrorism will mutually benefit from the sharing of technological expertise to combat domestic and international terrorism."¹³

⁸ Statement of Jane Garvey to the National Commission on Terrorist Attacks Upon the United States, May 22, 2003, available at http://www.9-11commission.gov/hearings/hearing2/witness_garvey.htm.

⁹ *Maritime Transportation Security Act of 2002* (P.L. 107-295), § 102; codified at 46 U.S.C. § 70108.

¹⁰ *Maritime Transportation Security Act of 2002* (P.L. 107-295), § 102; codified at 46 U.S.C. § 70109 and 46 U.S.C. § 70110.

¹¹ *Intelligence Authorization Act for Fiscal Year 2003* (P.L. 107-306), §§ 601-611.

¹² National Commission on Terrorist Attacks Upon the United States, *9/11 Commission Report*, p. 390. (<http://www.gpoaccess.gov/911/pdf/fullreport.pdf>).

¹³ *Implementing Recommendations of the 9/11 Commission Act of 2007* (P.L. 110-53), § 1901(a)(5).

The Act builds on this finding and 9/11 Commission recommendations by establishing a new office in DHS responsible for “promoting anti-terrorism through international cooperation.”¹⁴ This office, based in the Science and Technology Directorate (S&T), is to promote international exchanges, information sharing, and joint research initiatives. Under the law, the director of this office is responsible for developing agreements to promote international homeland security-related cooperative activity. In addition, the director is charged with facilitating international cooperative research activities, and matching U.S. entities engaged in homeland security research with foreign partners.¹⁵

Another piece of landmark legislation for DHS, the 2006 *Security and Accountability for Every (SAFE) Port Act*,¹⁶ created the legal foundation for several DHS international programs, authorized funding for the programs, and established new program requirements. The *SAFE Port Act* set legal parameters for the Container Security Initiative and granted DHS the authority to provide technical assistance, equipment, and training to foreign ports and governments in support of the initiative.¹⁷ In addition, it formally recognized the establishment of the CBP-managed Customs-Trade Partnership Against Terrorism, a public-private sector partnership to improve supply chain security through the voluntary adoption of security measures in exchange for trade processing benefits.¹⁸ The *SAFE Port Act* also authorizes appropriations for both the Container Security Initiative and Customs-Trade Partnership Against Terrorism through Fiscal Years 2010 and 2012, respectively.¹⁹ Furthermore, through this legislation, Congress mandated that the Coast Guard conduct foreign port assessments on a regular cycle, and that DHS develop a plan to inspect U.S.-bound ferry passengers and vehicles.²⁰

The 2004 *Intelligence Reform and Terrorism Prevention Act* further extended the scope of DHS international activities. Among its provisions were findings that the federal government “should work with other countries to ensure effective inspection regimes at all [foreign and domestic] airports,” and “develop and implement an outreach program to educate the public in the United States and abroad about the penalties for bringing in and harboring aliens.”²¹ In addition, the law provided authorization for DHS federal air marshals to train foreign law enforcement personnel, and mandated the

¹⁴ *Implementing Recommendations of the 9/11 Commission Act of 2007* (P.L. 110-53), § 1901(b)(1).

¹⁵ *Ibid.*

¹⁶ *SAFE Port Act of 2006* (P.L. 109-347).

¹⁷ *SAFE Port Act of 2006* (P.L. 109-347), §§ 205, 233; codified at 6 U.S.C. § 945 and 6 U.S.C. § 983, respectively.

¹⁸ *SAFE Port Act of 2006* (P.L. 109-347), § 211; codified at 6 U.S.C. § 961.

¹⁹ *SAFE Port Act of 2006* (P.L. 109-347), §§ 205, 233, 223; codified at 6 U.S.C. § 945 and 6 U.S.C. § 973, respectively.

²⁰ *SAFE Port Act of 2006* (P.L. 109-347), §§ 122, 234; codified at 6 U.S.C. § 922 and 46 U.S.C. § 70108, respectively.

²¹ *Intelligence Reform and Terrorism Prevention Act of 2004* (P.L. 108-458), § 7210(b)(4), and § 5401(e); codified at 8 U.S.C. § 1225a note and 8 U.S.C. § 1324, respectively.

expansion of passenger immigration admissibility preinspection activities to 25 additional foreign airports by 2008.²²

Congress has compelled DHS to pursue some international activities by allocating funds for this purpose and otherwise directing action through DHS appropriations. The DHS Fiscal Year (FY) 2004 appropriation, for example, calls for FLETC to provide training for "foreign law enforcement officials on a space-available basis."²³ Meanwhile, all recent appropriations for the Secret Service anticipate limited Secret Service spending on the provision of technical assistance and equipment for foreign law enforcement agencies to combat currency counterfeiting.²⁴

In the department's FY 2007 appropriation, Congress charged DHS with implementing a pilot program (under the Secure Freight Initiative) at three foreign ports through which all U.S.-bound containers undergo radiation screening and internal imaging scans, and are scrutinized by CBP analysts for potential threats. Through appropriations language that year, Congress also mandated that DHS require a passport or similar document for all individuals entering the United States, including Canadians, Mexicans, and U.S. citizens, under an initiative known as the Western Hemisphere Travel Initiative.²⁵

DHS Is Committed to Other Actions in Support of International Agreements and Organizations

DHS is party to a number of international agreements that stimulate departmental action. Its representation of U.S. government interests in a number of international forums also propels DHS onto the international stage.

Some DHS international responsibilities stem from bilateral and multilateral arrangements with Mexico and Canada. Among other topics, these agreements govern the joint security of our shared border, shared waterways, and shared aviation systems.

Along with a host of other treaties and agreements, the United States and Canada have signed a critical infrastructure protection and border security science and technology cooperation agreement. In a manner characteristic of some other bilateral arrangements, this agreement spawned a binational organization to oversee and direct implementation of its provisions. The DHS S&T Under Secretary is the principal U.S. representative to this Public

²² *Intelligence Reform and Terrorism Prevention Act of 2004* (P.L. 108-458), § 4018 and § 7210(d); codified at 49 U.S.C. § 44917 and 8 U.S.C. § 1225a(a)(4), respectively.

²³ DHS Appropriations Act, 2004 (P.L. 108-90).

²⁴ Each of the DHS appropriations acts for the past four fiscal years (Public Laws 108-90, 108-334, 109-90, and 109-295) have capped Secret Service expenditures in this area at \$100,000.

²⁵ DHS Appropriations Act, 2007 (P.L. 109-295).

Security Technical Program. His staff, in association with other U.S. and Canadian scientists, make up the working elements of the group.

Likewise, the United States has entered into a number of DHS-related understandings and agreements with Mexico. Under one such arrangement, DHS provides information to Mexican authorities for them to prosecute DHS-identified smugglers whose crimes do not meet U.S. Attorney Office thresholds for prosecution.²⁶ In an effort to curb violence along our shared border, DHS and the Mexican Ministry of Interior have entered into a series of Border Violence Protocols that specify responsibilities and accountability systems for responding to border incidents, such as shootings, violence against law and border enforcement officers, and border incursions.

DHS is also a primary federal executor of the trilateral Security and Prosperity Partnership with Mexico and Canada. Initiated in March 2005, the Partnership was created “to increase security and enhance prosperity ... through greater cooperation and information sharing.” DHS is the federal coordinator for the Partnership’s Security Agenda, and participates in ministerial and working-level events in support of the Partnership.

In addition to supporting the implementation of agreements with other nations, DHS helps represent the U.S. government in a number of multilateral organizations. Two full-time DHS staff are present, for example, at the U.S. Mission to the North Atlantic Treaty Organization where they coordinate U.S. government work with the organization on civil emergency planning issues.²⁷ In addition, DHS is active in the Four Country Conference,²⁸ Group of Eight Lyon-Roma Group to Combat Cross-National Crime,²⁹ and Asia-Pacific Economic Cooperation forum.³⁰ Similarly, DHS has a major role in the

²⁶ Under the Operation Against Smugglers (and Traffickers) Initiative on Safety and Security (OASISS), DHS representatives supply Mexican prosecutors in its Procuraduría General de la República with information we have gathered on cross-border smugglers and traffickers. Between August 2005 and November 2007, Mexican authorities prosecuted 576 individuals in association with DHS under this program.

²⁷ The North Atlantic Treaty Organization (NATO) is an alliance of 26 countries from North America and Europe committed to fulfilling the goals of the North Atlantic Treaty for mutual defense and mutual aid, signed on April 4, 1949. Further information is available at: <http://www.nato.int/>.

²⁸ The Four Country Conference draws together officials from the United States, the United Kingdom, Canada, and Australia, to address shared immigration and border management interests.

²⁹ The Group of Eight (G-8) Lyon-Roma Group was formally established in 2001 by the Group of Eight countries (the United States, the United Kingdom, Russia, Germany, Japan, Italy, Canada, and France), to combat international crime and terrorism. Additional information on the group is available at: http://www.cybercrime.gov/g82004/g8_background.html.

³⁰ The Asia-Pacific Economic Cooperation forum is an intergovernmental group that discusses economic growth, cooperation, trade, and investment in the Asia-Pacific region. The group’s 21 member states include Australia, Russia, Canada, Mexico, and the United States. Further information is available at: http://www.apec.org/content/apec/about_apec.html.

World Customs Organization, International Civil Aviation Organization, and International Maritime Organization.³¹

Strategic Guidance on Different DHS Mission Areas Affirms a DHS International Role

A series of federal strategies set the strategic underpinnings for DHS international activities in priority areas for the executive branch.

The *National Strategy for Homeland Security* observes that, “[s]ecurity at home ultimately is related to security abroad: as partners protect and defend their homelands, the security of our own Homeland increases.”³²

For its part, the *National Strategy for Combating Terrorism* projects international imperatives for DHS. It declares, for example, that: “We will expand our global capability for detecting illicit materials, weapons, and personnel transiting abroad or heading for the United States or U.S. interests overseas ... [and] use our global partnerships, international agreements, and ongoing border security and interdiction efforts.”³³ Just as the previous iteration of the *National Strategy for Combating Terrorism* recognized DHS “Smart Border” and “Third Border” initiatives with Canada, Mexico, and Caribbean nations as key features of the effort to ensure the integrity of domestic infrastructures, the new strategy highlights the need for the U.S. government to provide foreign assistance in areas of DHS expertise.³⁴ It underscores our commitment, for example, to work with some countries to help establish effective cross-border control.³⁵

The *National Strategy to Combat Terrorist Travel* calls for DHS to train foreign partners on identifying fraudulent travel documents and preventing unauthorized access to aircraft.³⁶ In addition, it requires DHS to work with “US [*sic*] trading partners to better align maritime security programs and protocols and to share best practices.”³⁷ Further, it establishes the strategic

³¹ Currently representing 171 members, the World Customs Organization is an intergovernmental organization that focuses primarily on customs matters. Its initiatives include developing global standards, harmonizing customs procedures and trade supply chain security, facilitating international trade, and enhancing customs enforcement and compliance activities. Further information on the organization is available at: http://www.wcoomd.org/home_about_us.htm.

The International Civil Aviation Organization and the International Maritime Organization are United Nations agencies. The International Civil Aviation Organization provides a global forum for civil aviation. The International Maritime Organization sets the regulatory framework for international shipping by establishing rules, regulations, and standards that govern the maritime environment. Further information on these United Nations agencies is available at: http://www.icao.int/icao/en/strategic_objectives.htm and <http://www.imo.org/>.

³² Homeland Security Council, *National Strategy for Homeland Security*, October 2007, p. 5.

³³ *National Strategy for Combating Terrorism*, September 2006, p. 14.

³⁴ *National Strategy for Combating Terrorism*, February 2003, p. 27.

³⁵ *National Strategy for Combating Terrorism*, September 2006, p. 16.

³⁶ *National Strategy to Combat Terrorist Travel*, May 2, 2006, p. 15.

³⁷ *Ibid.*, p. 16.

importance of DHS visa security, visa waiver, and western hemisphere travel programs and initiatives by linking them to key objectives.³⁸

Other federal strategic documents lay out international operational and policy thrusts for DHS as well. Areas of DHS international focus are evident, for example, in the *National Infrastructure Protection Plan*, *National Strategy to Secure Cyberspace*, and the *National Drug Control Strategy*. DHS international roles are further noted in the *National Money Laundering Strategy*, *National Strategy to Combat Weapons of Mass Destruction*, and *International Outreach and Coordination Strategy for the National Strategy for Maritime Security*.

DHS Leadership Has Envisioned an International Role for the Department

DHS leadership has relayed a vision for international engagement through key speeches, statements, and the department's strategic plan.

In January 2006, Secretary of State Condoleezza Rice joined with Secretary Chertoff to express their shared vision for "Secure Borders and Open Doors" for the United States. This 3-part vision called for "renewing America's welcome" by using improved technology and efficiency to demonstrate openness to business travelers, tourists, and students; developing 21st century travel documents; and performing "smarter screening."

In May 2007, Secretary Chertoff expanded on this vision. At a speech before the Johns Hopkins University School of Advanced International Studies, the Secretary said that DHS works "internationally to identify potential threats well before they reach our shores, strengthen our perimeter defenses, and then partner with the international community to build resiliency into our shared systems of commerce and travel so that we can have these systems secure without undermining the fundamental fluidity which is the basis of the 21st century global system."³⁹

The DHS strategic plan also signals the importance of international work in the department's mission. The *Department of Homeland Security Strategic Plan* states that the DHS strategy is to extend "our zones of security beyond our physical borders identifying, prioritizing and interdicting threats to our nation before they arrive."⁴⁰ Overall, the strategic plan acknowledges the international dimensions of objectives supporting five of seven DHS strategic goals.⁴¹

³⁸ *Ibid.*, pp. 18, 27.

³⁹ Remarks by Michael Chertoff to the Johns Hopkins University, Paul H. Nitze School of Advanced International Studies, May 3, 2007.

⁴⁰ DHS, *Securing Our Homeland: U.S. Department of Homeland Security Strategic Plan*, 2004, p. 14.

⁴¹ *U.S. Department of Homeland Security Strategic Plan*, pp. 12, 14, 17, 18, 20, 22, 30, and 42.

Since the department issued its strategic plan, Secretary Chertoff has enumerated several other goals for the department. In February 2007, the Secretary announced five near-term goals for DHS, including protecting the nation from dangerous people and goods, and protecting critical infrastructure.⁴² Initiatives in these areas have significant implications for foreign governments and their citizens. The Western Hemisphere Travel Initiative is a secretarial priority under the goal of protecting the nation from dangerous people, and implementation of this initiative had the effect of requiring Canadian nationals traveling to the United States to present passports or submit to other, more stringent identification requirements, before crossing the border. Whereas the Western Hemisphere Travel Initiative also has major domestic dimensions (e.g. passport requirements for Americans returning from Canada and Mexico), other DHS secretarial priorities are more squarely focused on work with international partners and allies. The Secretary's objective of establishing a "Secure Virtual Perimeter," for example, has associated initiatives to work more closely with Canada, Mexico, and Caribbean nations on air passenger screening.

Operational Imperatives Contribute to DHS International Activities

In addition to the legal and strategic basis for a DHS overseas presence, there is an operational need to have DHS staff abroad. One of the benefits of stationing staff overseas is the fostering of relationships with foreign counterparts. Through a continuing presence abroad, DHS can expand its relationships with foreign counterparts into fruitful partnerships. Because U.S. law is not applicable in a foreign country, and U.S. law enforcement officers do not have the investigative authorities they enjoy domestically, partnership with foreign law enforcement is essential to the investigation of cases that reach outside the United States. Foreign law enforcement can help provide leads in domestic cases, develop links between suspected criminals, and provide other vital information on the international dimensions of a case.

DHS components also are overseas to provide key services. Among other work, USCIS staff abroad process adoptions for U.S. families, and provide for the naturalization of foreign nationals serving in the U.S. military abroad. For its part, the Coast Guard assists U.S. flagged vessels and other ships bound for U.S. ports. For a fee, Coast Guard staff abroad inspect U.S. flagged vessels, and certify the compliance of a select group of other vessels bound for U.S. ports with Coast Guard safety and security guidelines. By submitting themselves to Coast Guard inspections and certifications abroad, shipping and cruise lines can save time and money in accessing U.S. ports, where they may otherwise be delayed while awaiting their inspection or certification.

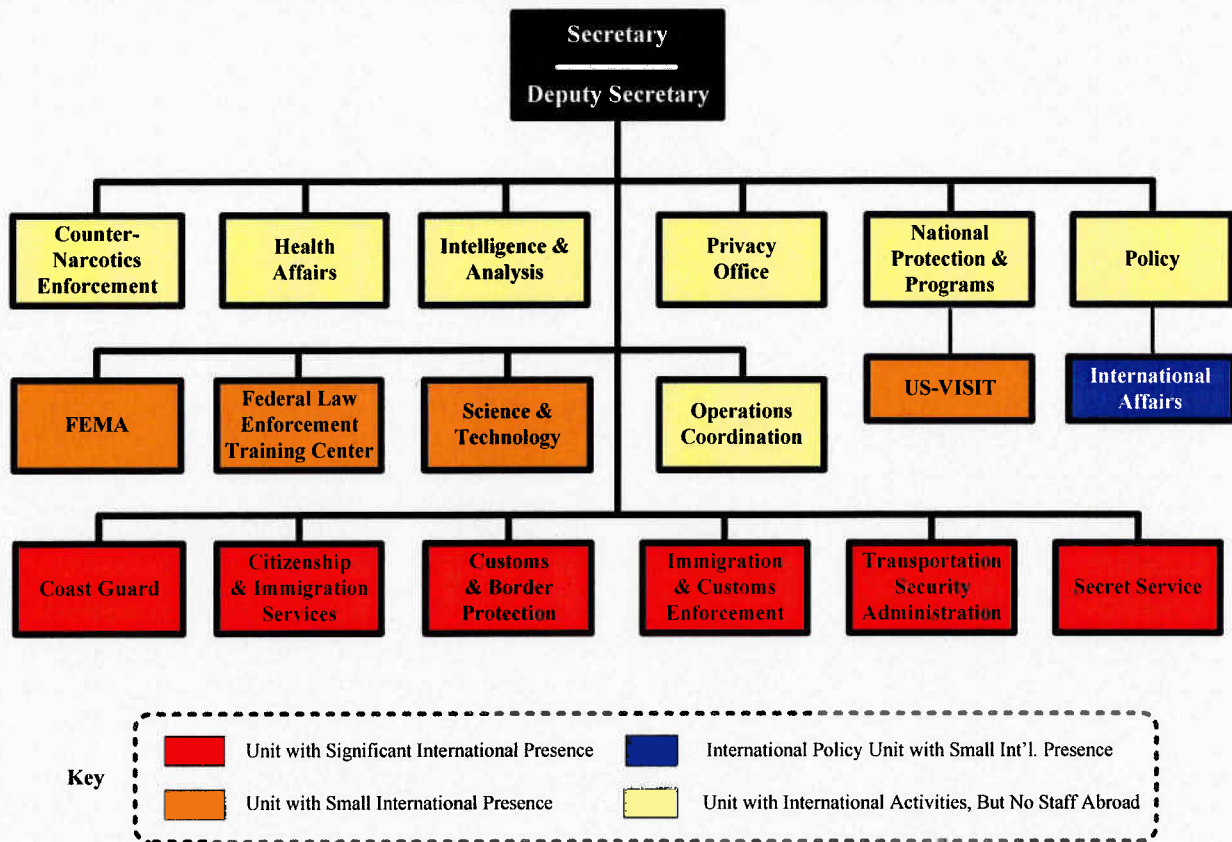
⁴² Testimony of Secretary Michael Chertoff before the U.S. House of Representatives Subcommittee on Homeland Security, Committee on Appropriations, February 8, 2007, available at http://www.dhs.gov/xnews/testimony/testimony_1170954411014.shtm.

Together, these congressional mandates, international agreements, federal strategic guidance, DHS leadership vision for the department, and the support and execution of primary operational responsibilities provide an imperative for active DHS engagement abroad.

Overview of DHS International Management

DHS has a complex, decentralized international management structure.

Figure 1: DHS Components with International Activities



Source: OIG Analysis

Several DHS components maintain their own offices of international affairs to support their international staff or international efforts. In a number of cases, particularly for the components with a larger overseas presence, these offices are sizeable, provide guidance and support for overseas staff, manage training programs, and develop international policies and plans.

In some DHS components, other offices outside of their primary international affairs office preside over the day-to-day operations of international programs

and set related policy. For example, four different Coast Guard directorates and both of its area commands support international efforts. Similarly, five CBP units manage international efforts: the Office of International Affairs and Trade Relations, Office of Field Operations, Office of Border Patrol, Office of Air and Marine, and the Office of Intelligence and Operations Coordination.

DHS component international affairs offices and other offices presiding over component international programs report through their respective chains of command to their component manager. These different lines of authority do not converge until they reach the DHS Deputy Secretary.

This was not always the case. Four DHS components (CBP, ICE, TSA, and FLETC) formerly reported to an Under Secretary for Border and Transportation Security. The organizational unit he presided over, the Border and Transportation Security Directorate (BTS), maintained its own international affairs management staff. The BTS Office of International Enforcement had general oversight of BTS international policy matters and was responsible for ensuring that BTS components implemented international policy according to DHS and BTS policy guidance and directives.

After completing his Second Stage Review of the department, on July 13, 2005, Secretary Chertoff announced the restructuring of DHS.⁴³ In reorganizing the department, the Secretary eliminated BTS and folded some of its international management staff into the newly formed DHS Office of Policy. This office was intended to serve as the primary department-wide coordinator for policies, regulations, and other initiatives; ensure consistency in these areas across the department; and perform long-range strategic policy planning.⁴⁴ The Office of International Enforcement has become the Visa Waiver Program Office, and is now a subunit within the Policy Office's Office of Policy Development. The current function of the office is to develop policy for, and monitor implementation of, the Visa Waiver Program. This program allows citizens of select countries to travel to the United States for business or tourism for up to 90 days without a U.S. visa.

The DHS Office of International Affairs, formerly part of the Office of the Secretary, was integrated into the Office of Policy following the Second Stage Review, as well. Established in the *Homeland Security Act of 2002*, the Office of International Affairs is to "manage international activities within the [d]epartment."⁴⁵ Further, OIA is to play a "central role in developing the Department's strategy for pushing the Homeland Security mission overseas

⁴³ Secretary Michael Chertoff, U.S. Department of Homeland Security, Second Stage Review Remarks, Ronald Reagan Building, Washington, DC, July 13, 2005, Available online at: www.dhs.gov/xnews/speeches/speech_0255.shtm.

⁴⁴ Department Six-point Agenda, U.S. Department of Homeland Security, last modified February 21, 2008, available online at: www.dhs.gov/xabout/history/editorial_0646.shtm.

⁴⁵ *Homeland Security Act of 2002* (P.L. 107-296), § 879(b); codified at 6 U.S.C. § 459.

and actively engages foreign allies to improve international cooperation for immigration policy, visa security, aviation security, border security and training, law enforcement, and cargo security.”⁴⁶

Evolution of the DHS International Affairs Management Arrangement

Many of the international management issues addressed in this report have been previously considered by DHS managers, with varying results. Collectively, these decisions have fashioned the department’s current international affairs management arrangement.

In early 2003, the BTS Under Secretary constituted an International Affairs Working Group to consider the configuration of BTS units’ international operations and management. The Working Group drew together a number of representatives of future DHS components, including the Immigration and Naturalization Service (INS), Customs Service, TSA, and the Coast Guard, as well as officials from the Department of State, and the White House Office of Homeland Security. The Working Group considered multiple options for consolidating the legacy agencies’ international activities, including co-locating international affairs offices, bringing international affairs offices under a direct line of authority to the BTS Under Secretary, and designating BTS attachés from among senior immigration and customs staff abroad to provide BTS representation, as well.

On October 31, 2003, the DHS Secretary signed an international organization plan for the department that pre-empted the BTS Under Secretary’s consideration of his working group’s proposals.⁴⁷ The memorandum set off a realignment of functions and staff that removed the BTS Office of International Enforcement’s operational role in visa security, and established an ICE Office of International Affairs to, among other matters, manage the department’s visa security program. Perhaps more significantly, the reorganization shifted operational control of hundreds of former Customs Service criminal investigators, many of whom had been working to roll out the CBP-managed Container Security Initiative, from CBP to ICE, and the former INS Office of International Affairs from BTS to ICE. In addition, the reorganization called for the designation of DHS attachés at several posts abroad “to coordinate all activity at the post, provide oversight reporting to DHS headquarters, and ensure that all DHS chains of command are informed appropriately regarding operational activity.”⁴⁸ The new international organization plan also strengthened the Office of Secretary’s role in

⁴⁶ Office of International Relations Mission and Responsibilities, Department of Homeland Security, last updated February 8, 2008, available online at: www.dhs.gov/xabout/structure/editorial_0874.shtm.

⁴⁷ Due to the date of the Secretary’s decision to reformulate the department’s international organization, the associated memo is sometimes referred to as the Halloween memo.

⁴⁸ Memo from Lucy Clark, Counselor to the Secretary, and Scott Boylan, Office of Chief of Staff, to Secretary Tom Ridge, “DHS International Organization Plan,” October 31, 2003, p. 1.

coordinating international affairs questions for the department by defining certain international functions for that office. It also created an International Coordinating Committee under the leadership of the Deputy Secretary. In January 2005, the BTS Under Secretary announced his resignation and the mid-2005 DHS reorganization abolished BTS.

Another significant management decision affecting DHS international activities came in 2004 with the issuance of a management directive on the review and approval of DHS positions abroad. Under National Security Decision Directive 38, the Secretary of State has final approval on the size, composition, and mandate of all U.S. government civilian staff abroad. To comply with this requirement, DHS must submit all proposed staffing changes to U.S. ambassadors for consideration. For the first year of the department's existence, DHS components submitted their staffing change proposals separately. DHS Management Directive 3400 modified this arrangement, such that all DHS component requests for new positions abroad are approved by the DHS Deputy Secretary before they are submitted to the Department of State. The directive provides OIA the opportunity to review requests and recommend that the Deputy Secretary approve or deny them.⁴⁹

Another earlier management directive could have important implications on DHS international engagements, but has been unheeded. Issued in March 2003, Management Directive 3160 requires approving officials to consult with OIA on staff requests for participation in meetings and conferences held outside of the United States.⁵⁰ During our fieldwork, however, no DHS component representatives ever indicated compliance with this requirement, and OIA representatives told us that they were not regularly consulted on component requests to attend meetings and conferences abroad.

As an outgrowth of the above decisions and practice, DHS-level programs and initiatives with an international bearing continue to be distributed across several offices. Regular DHS-wide international affairs gatherings are now chaired by OIA, instead of the Deputy Secretary, but a recent effort to develop a DHS international strategic plan was managed by the Office of the Secretary. The OIA-sponsored gatherings have tended to be informal affairs at which the representative of each component offers information about his or her organization's current international activities. The department's participation in the Committee on Foreign Investment in the United States is managed by a separate office in the Policy Office.⁵¹ This is the case with the

⁴⁹ DHS, Management Directive 3400: Review and Approval of Foreign DHS Positions, October 30, 2003.

⁵⁰ DHS, Management Directive 3160: Attendance at Meetings and Conferences, March 2003.

⁵¹ The Committee on Foreign Investment in the United States is an interagency committee that reviews acquisitions of U.S. assets by foreign persons to determine whether the acquisitions pose a risk to national security. DHS is an active participant on the committee.

Visa Waiver Program policy development and oversight, as well.⁵² Still another unit in the Policy Office, the Office of Screening Coordination, leads the DHS working group on implementation of the Western Hemisphere Travel Initiative.

Results of Review

DHS Should Strengthen Headquarters Management of its International Enterprise

The DHS Office of Policy's OIA has four primary mandates. Set out in *Homeland Security Act* and guidance from DHS leadership, these responsibilities are classed into the following categories:

- Advise and support the Secretary and Deputy Secretary on international matters,
- Manage the department's international enterprise,
- Engage other nations and international organizations in support of the DHS mission, and
- Plan and promote international information and educational exchange.

In this section, we discuss OIA performance in its first three areas of responsibility. The following section on International Training and Technical Assistance addresses OIA work in its last major area of responsibility.

Since the inception of DHS, OIA has focused most of its energies on satisfying its responsibilities in the first area. The focus on this effort has diminished its ability to address the other aspects of its mandate. To satisfy its responsibilities in these areas, OIA will require more information from, and authority over, components.

The Office of International Affairs and Its Responsibilities

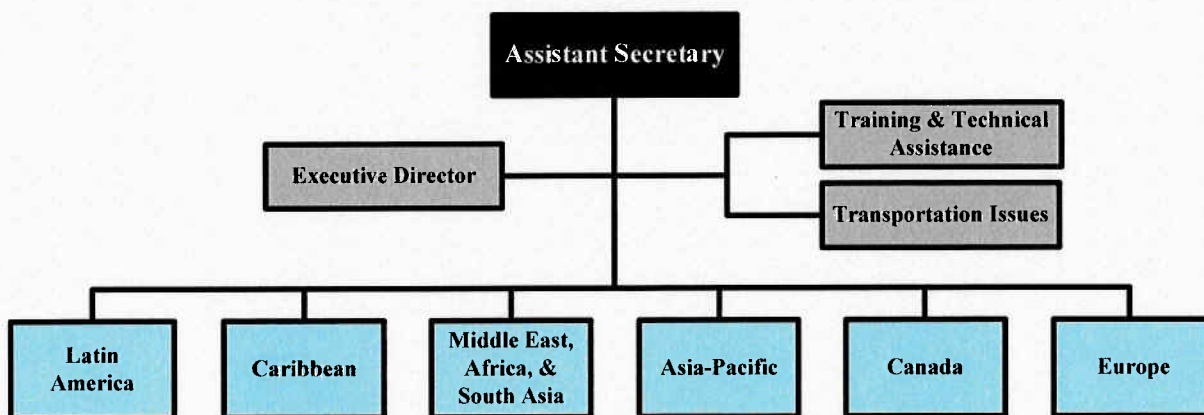
While international policy and activities are attended to by units throughout DHS, the DHS Office of International Affairs is the only office with a department-wide international focus covering the full range of DHS missions. In this regard, OIA is best placed to be the linchpin in DHS management of international efforts.

Presided over by the DHS Assistant Secretary for International Affairs, OIA is a unit within the department's Office of Policy. The office has 29 staff who are primarily organized along regional lines; each of its six regional directors

⁵² These functions are handled by the Policy Office's Visa Waiver Program Office, within its Office of Policy Development.

and subordinate staff have geographic areas of responsibility. In aggregate, these regionally aligned staff provide global coverage. Three other OIA senior staff operate outside of the office’s regional framework. The office has an executive director, a training and technical assistance coordinator, and a special advisor on transportation issues.

Figure 2: OIA Organization



Source: DHS Office of International Affairs

OIA Has Concentrated on Its Responsibility to Support DHS Leadership

The DHS website indicates that OIA is to advise, inform, and assist the Secretary and Deputy Secretary on “strategies, foreign policy matters, and the department programs and operations that impact U.S. international relations.”⁵³

These responsibilities have been the primary focus for OIA. Preparations for international travel by the Secretary and Deputy Secretary, and for meetings they host for foreign visitors, absorb a significant amount of OIA time and resources. During the first six months of 2007, the two officials had 16 major international meetings and trips, each requiring advance coordination, scheduling, policy discussion, and the preparation and vetting of briefing materials. One OIA employee estimated that the office prepares an average of three event briefs per day for DHS senior staff.

Current and former OIA staff reported that OIA support of the DHS Secretary and Deputy Secretary dominated its agenda from 2003 until late in 2006. OIA managers said that, in the past, the office had engaged almost exclusively in

⁵³ http://www.dhs.gov/xabout/structure/editorial_0874.shtm.

secretarial support activities, especially in preparing talking points and event briefs for the Secretary.

The focus on DHS executive office support in OIA contributed to the view among many in DHS that this was the office's only purpose. More than one DHS component international affairs manager described OIA as an event-planning office for DHS leadership. A number of headquarters and component staff expressed disappointment that OIA had not devoted more effort to address other responsibilities, such as providing strategic guidance and coordination.

Most component staff we interviewed had a favorable perspective on the work of OIA employees. Interviewees attributed the office's lesser attention to policy matters to staffing limitations. OIA was formed in early 2003 with three personnel. It had fewer than ten employees by the end of 2005. Present and former OIA employees expressed the view that this small staff size constrained the office's ability to serve as much more than event planners. In the past two years, however, OIA staffing has increased. The number of OIA staff more than tripled from late 2005 to October 2007.

OIA Needs Additional Tools to Effectively Manage the Department's International Enterprise

The *Homeland Security Act* charges OIA with the responsibility "to manage international activities within the Department."⁵⁴ It is unclear, however, how OIA is to execute this management responsibility. Among DHS staff working in the international affairs arena, there are different views on the proper shape of the OIA management role. Some staff believe that OIA should be involved in operational matters, influence international program budgets, and have direct line authority over some component staff abroad. Others say that because component international programs have their own management teams, the role of OIA should be limited.

While there were diverse views on how precisely OIA should manage the department's international enterprise, there was little question that it was appropriate for OIA to engage in two types of department-wide management activities: strategic management and coordination.

OIA Needs to Enhance its Strategic Management of DHS International Affairs

DHS international staff we met with widely regarded the provision of strategic guidance as an appropriate role for OIA. They said that OIA should embrace a strategic management approach in executing its international affairs management responsibility.

⁵⁴ *Homeland Security Act of 2002* (P.L. 107-296), § 879(b)(4); codified at 6 U.S.C. § 459.

Strategic management is generally understood to include at least two types of activities: strategic planning and implementation. In the strategic planning process, organizations present their future vision, define a mission, and set associated goals and objectives. Strategic implementation efforts often include assigning responsibility for fulfilling objectives, tracking progress on initiatives, and ensuring that resources are allocated to support priorities.

DHS staff we spoke with observed shortcomings in OIA efforts in these areas. OIA has made some progress in providing strategic guidance on a regional basis, but has not provided a framework to guide the DHS international enterprise at large. A broad international strategy is needed, in part, because current department-wide guidance does not address international engagement with sufficient depth or breadth to drive action meaningfully across the department. Limitations in current department-wide strategic guidance make it difficult to ensure that the international undertakings of different units in the department are proceeding cohesively. Once an overarching strategic framework has been paired with regional guidance, OIA can turn to monitoring its implementation.

Many DHS international staff said that they had not encountered any DHS strategic guidance on international affairs matters. One TSA representative abroad, for example, said that she had never seen any guidance from DHS headquarters, whatsoever. Asked about DHS international strategies and priorities, a U.S.-based component international affairs manager said that he “was not aware of one.” A DHS component manager in Frankfurt, Germany expressed frustration that he had not received information on DHS strategic plans, and did not have a sense for the department’s international priorities.

A number of DHS international staff speculated that DHS-level international strategic guidance had been incorporated into the international strategic guidance their component managers had provided. This has not been the case, however, because DHS has not issued any such guidance.

Several senior DHS component international affairs managers perceived that OIA could do more in this area. A manager in the CBP international affairs office said that DHS should prepare international affairs strategies and see to it that component activities aligned with these strategies. Another CBP manager said that the department had assumed a reactive rather than proactive posture abroad because DHS had not articulated clear international goals. A senior Coast Guard international affairs manager stressed that there has to be strategic direction from DHS if its component agencies are to work together toward a unified goal. FEMA representatives we spoke with said that they would like to see a set of department-wide international priorities, and said that because there had not been more DHS-level guidance of this type, the

department may have missed opportunities to use outreach in emergency management to help build partnerships with other nations.

At the time of our fieldwork, OIA had prepared draft strategic engagement plans for some, but not all regions of the world. Draft engagement strategies for the Asia-Pacific region and Canada provided strategic direction, strategic and tactical goals, and discussed some related objectives. They also provided information on approaches for accomplishing identified goals and objectives, and presented a general timeline to do so. OIA strategic planning in other regions had not advanced as far when we concluded our fieldwork. As of September 2007, OIA had not begun to develop draft regional engagement plans for the Middle East, Africa, and South Asia.

While the development and approval of these engagement plans was a priority for the incoming Assistant Secretary of International Affairs, none had been finalized by the end of our fieldwork.

These DHS-level international strategic planning efforts have lagged behind those of several DHS components. As a result, some components have proceeded with international strategic planning efforts without a clear perspective on DHS international goals and objectives. The Coast Guard Commandant signed and issued an international strategic plan in August 2006. ICE and TSA have developed draft international strategic plans.

While these component plans address component goals and objectives that are linked to the *DHS Strategic Plan*, the connection between component plans and DHS-level guidance of any sort is very remote. This is at least in part because the *DHS Strategic Plan* provides no guidance on how to engage specific international counterparts on particular issues.

The ICE draft strategic plan for the agency's Office of International Affairs provides a good illustration of the divide between DHS guidance and component international initiatives. Under its draft plan, ICE describes a noteworthy initiative to (1) develop a template for immigration mutual assistance agreements with other nations, and (2) negotiate such agreements. These *immigration* agreements would parallel the *customs* mutual assistance agreements CBP and ICE already have with 61 countries. Despite the fact that this major initiative could have implications for a number of other DHS units, it is not driven or shaped to a significant extent by any published DHS guidance. Consider how it ties into the *DHS Strategic Plan*: the initiative is an ICE Office of International Affairs initiative, linked to an ICE Office of International Affairs strategy for implementing an ICE Office of International Affairs objective. The objective is tied to five ICE strategic goals that are connected to several high-level DHS objectives. Because the initiative is so far removed from DHS guidance, other affected DHS offices cannot be

assured that their interests will be addressed in ICE-negotiated immigration agreements.

Limitations in DHS international strategic guidance prompted the Coast Guard to leverage more heavily the guidance from outside the department in developing its international strategy. Rather than referencing any DHS guidance, the Coast Guard's *International Strategic Guidance* indicates what *National Strategy for Maritime Security* objectives and actions each Coast Guard international strategic objectives is linked to. By contrast, the Coast Guard guidance does not establish how Coast Guard international objectives relate to DHS strategic aims.

Limited strategic planning progress at the DHS level was cited as a challenge in ICE, TSA, and Coast Guard international strategic planning efforts. Senior staff in the ICE Office of International Affairs said that their strategic plan had not been finalized in part because DHS had not provided guidance that they could "cascade off of." A senior TSA manager said that departmental guidance provides less clarity than optimal for strategic planning purposes. Meanwhile, a Coast Guard international affairs manager said that DHS had not provided sufficient guidance on its priorities and objectives to inform Coast Guard international strategic planning.

Other major international planning efforts have been undertaken by DHS component agencies without the benefit of clear guidance from DHS on the department's international priorities. Perhaps most significantly, several components have studied and reconsidered their international staff footprints without formal DHS guidance on priorities. In the past year, CBP deployed dozens of CBP attachés to international posts that had no prior CBP presence. The analysis underpinning the CBP decision to deploy staff to these additional locations accounted for the local workload associated with CBP responsibilities, but did not clearly address DHS interests and obligations outside of CBP. Similarly, ICE, USCIS, and the Secret Service reconsidered and realigned their international staffing recently, and all have done so without formal DHS strategic direction on their decisions to shift staff around the globe.

While OIA is proceeding with the development of regional, and in the case of Canada, national, engagement plans, it has no plans to prepare overarching strategic guidance for the DHS international enterprise. Such comprehensive, broad-based guidance on how DHS plans to advance policy and operational aims abroad is missing. As discussed, the *DHS Strategic Plan* does not contain sufficient refinement on international issues to drive component action in anything but the most remote way. While the Secretary's near-term goals and initiatives provide more specific direction for a few international efforts, they are not sufficiently comprehensive or broad-based to drive the larger enterprise.

To drive the department's international engagement more effectively, DHS should develop an associated strategic plan. Without a plan of this kind, it will be difficult to ensure that OIA regional engagement strategies reflect global priorities. And as long as DHS has not provided a panoramic vision of where the department intends to advance on international issues, DHS component international affairs offices will not have ready access to meaningful departmental guidance on their major international policy and operational thrusts.

The department's international strategic plan should reflect the department's international mission and associated goals, objectives, and initiatives. It should provide a high-level discussion of the department's current international engagements, homeland security-related conditions abroad, and project a future vision in these areas. In addition, it could present international aims along functional lines for the range of DHS policy and operational areas by defining international engagement objectives along a continuum of exchange including international assessment, capacity building, harmonization, information sharing, and joint operations.

Such a plan should be closely tied to the overall *DHS Strategic Plan*. It should also be consistent with applicable U.S. government-wide strategic guidance, congressional mandates, and our commitments to other nations and international organizations. In developing the plan, DHS should coordinate with the Department of State to ensure that it is consistent with U.S. foreign policy goals, and to ensure that it fully leverages U.S. resources overseas.

For the plan to influence international activities across the department, DHS must monitor and enforce compliance. At minimum, this will entail assigning responsibility for implementing initiatives, and setting related benchmarks and milestones. Ideally, it would also include periodic assessments of the extent to which international resources are allocated in line with the strategy.

Consistent with this view, we recommend that the Assistant Secretary for Policy:

Recommendation #1: Develop, in consultation with all major DHS components, a DHS international strategic plan and establish a process for managing implementation of this plan.

OIA Has Had Some Success in Coordinating International Activities Across DHS, But More Could Be Done

In addition to strategic management, another recognized international management role for OIA is coordination. Office of Policy and component

international affairs staff, as such, suggested that this was an appropriate role for OIA. In particular, DHS international staff underscored the value of an OIA role in facilitating multicomponent initiatives, deconflicting potentially overlapping efforts by DHS components, and coordinating the larger enterprise.

The department's description of OIA also reflects the view that the office is responsible for coordinating DHS international affairs. According to the department, OIA "coordinates all aspects of Department international affairs including developing, coordinating, and executing department international policy, including reviewing departmental positions on international matters, ... developing policy and programs...."⁵⁵

OIA has taken some steps to coordinate international affairs activities, but its efforts are limited by its access to information and its authorities with respect to other parts of the department involved in international activities.

OIA Sponsors Useful Forums for Exchange

OIA hosts DHS component international affairs staff on a regular basis to help coordinate the international activities of DHS component offices. For the past several years, OIA has sponsored a monthly meeting of senior component international affairs managers. OIA has structured discussion at these sessions around a wide range of topics. Some monthly gatherings have concentrated on ways to expand Department of State familiarity with DHS activities abroad, while others addressed how to provide field support for DHS-level efforts in countries where the department has staff representing only a few components. On one occasion, the group discussed how DHS should approach efforts to shore up the security and operating environment in "failing states."

OIA also co-chairs a quarterly gathering of DHS component international affairs managers with the Department of State's Office of Rightsizing. This gathering chiefly focuses on addressing interdepartmental issues related to the DHS footprint abroad, but also has touched on issues such as access to information systems.

In addition to these senior staff sessions, several OIA regional directors have hosted regionally focused meetings for working-level staff in the department. OIA staff use these sessions as forums to share up-to-date information on component international programs, help develop agendas for DHS senior staff travel, and gather input into regional engagement strategies. Some regional working groups have operated for several years, while others have scarcely met at all or have only done so intermittently. Component international

⁵⁵ http://www.dhs.gov/xabout/structure/editorial_0874.shtm.

affairs staff at headquarters were generally aware of OIA working group sessions, and participation in some of the sessions was broad based.

Most component staff we spoke with regarded the senior staff meetings and regional working group sessions favorably, although some perceived that few benefits accrued to them as a result of their participation. A Secret Service international operations manager described the monthly OIA gatherings as "great." She said that the sessions had provided her with key information about important Department of State processes and opened doors to other component international affairs offices. An international affairs manager in ICE said that the sessions helped him identify some redundancy and overlap between different components' activities abroad. Meanwhile, an international affairs manager for another DHS office said that he had participated in all of the regional working groups, and characterized them as valuable and time efficient. Finally, the S&T international program director reported that the working groups had helped her identify component international S&T requirements, priorities, capability gaps, and areas for potential collaboration with foreign partners.

Other DHS component international affairs representatives acknowledged the value of the meetings for OIA, but questioned whether they benefit enough to continue to attend in the future. One Coast Guard manager said that the OIA-led monthly gatherings may provide OIA with information on component activities, but that the sessions were of little value to the Coast Guard. A USCIS manager said that the utility of attending the regional working groups was not very high for USCIS because many of the topics discussed related to DHS component missions are not relevant to USCIS. An international affairs manager for a smaller office in the department said that the regional working group sessions had the positive effect of bringing different components together, but were very time consuming to attend regularly. Another international affairs manager reported that her office accrued limited operational benefit from attending the regional working groups, and as a result received little return on investment from participating in the 2-hour sessions.

Several DHS international employees suggested that DHS engagement with them on a functional basis may be more productive. One component international affairs manager said that the regional working group of greatest value for her office was the South Africa working group, which focused on combating immigration fraud; a topic germane to her office's mandate. Another component manager said that immigration-focused meetings addressing international issues would be more useful to her office than the current regional meetings.

Although OIA outreach to component international affairs staff could be improved, its efforts to date have yielded some of the only forums in which interested parties can gather and share information on international activities.

Other than working groups addressing aspects of the Secure Border and Western Hemisphere Travel Initiatives managed by other Policy Office units, no other international affairs coordinating bodies in the department draw together representatives from more than two components.

To address the interests of some key DHS component international affairs staff more precisely, OIA should consider sponsoring a series of regular department-wide gatherings on the international dimensions of functional issues. These sessions could be held quarterly or semiannually, and address the international aspects of crosscutting issues such as immigration fraud, maritime and cargo security, or alien smuggling.

We recommend that the Assistant Secretary for International Affairs:

Recommendation #2: Host, in collaboration with policy staff in other Office of Policy units, periodic meetings with international affairs staff from other DHS components on the international dimensions of different functional aspects of the DHS mission.

Other OIA Coordination Efforts Are Limited by Information and Authority Constraints

In addition to providing forums for exchange, OIA has sometimes coordinated and facilitated component international activities. However, OIA activity in this area is subject to a few significant constraints that limit the office's ability to perform with full effectiveness.

When OIA has been able to coordinate international efforts outside of the forums for exchange discussed earlier, it has done so with some success. We heard favorable assessments, for example, of OIA work informing policy discussions in other parts of the Policy Office when pressing international issues arose. We also heard positive feedback on the office's role in coordinating DHS efforts in multilateral gatherings, and in advancing some key bilateral agreements. OIA staff provided examples of their work in support of DHS component initiatives in countries in which that component had no permanent representative.

While OIA has coordinated some DHS international efforts outside of its forums for exchange, component staff reported that OIA efforts in this regard were insufficient. Some key component international affairs representatives said that OIA had not fulfilled its coordination mandate to the extent necessary. One Coast Guard representative said that, as yet, OIA was not seen as a coordinating body within DHS. Other component staff wished that OIA had been more active in coordinating and deconflicting cross-component activities.

We were told of a number of cases in which OIA coordination would have been helpful, but was absent. The office's shortcomings in this respect can be seen as a product of two factors:

- OIA is limited in its access and ability to disseminate valuable international information, and
- OIA has little authority to direct action by other components.

OIA Access to and Ability to Disseminate Information Is Limited

One key to effective coordination is good situational awareness. OIA cannot effectively coordinate international activities if it is not apprised of them.

OIA has had difficulty obtaining even basic information about component activities abroad. Until July 2007, for example, OIA did not have an accurate tally of the number of DHS component staff abroad or their operating locations. Despite OIA calls for components to routinely update this international staffing data, the information remains incomplete. One OIA regional director said that he could not tell exactly how many DHS staff were in his region or where they were in the region because the staff numbers DHS components provided were incomplete or inaccurate.

Although OIA staff have developed informal networks of contacts throughout the department, the office does not have organizational telephone and email lists for all of the major international affairs units in DHS. OIA staff also said that the office does not have program descriptions for all of the department's international programs.

Further underscoring the limits of OIA familiarity with component international affairs operations is the fact that OIA is not always apprised of high-level international visitors to DHS components, or of component senior officials' foreign travels. Given advance notice of these high-level international contacts, OIA can help coordinate to ensure that senior officials from one component speak to the interests of other components. Because OIA has not been consistently informed of these exchanges, however, it has not been able to provide this advance coordination in all cases.

Some OIA staff we spoke with said that they were sometimes caught off guard by significant international efforts on the part of DHS components. OIA learned, for example, that ICE had developed a draft strategy to combat the threat of gangs from Central America and Mexico and was at the point of distributing it to other federal departments for comment without having first cleared it with DHS headquarters or other components. OIA staff said that they learned of noteworthy component international activities from representatives of other departments or other governments before hearing about them from component staff. One OIA employee said that he was caught

flatfooted at a meeting with officials from a Southeast Asian nation when he learned from them about noteworthy exchanges between ICE and a Southeast Asian nation on the arming of U.S. commercial pilots; exchanges ICE had not noted earlier.

OIA staff we spoke with said that they sometimes had difficulty obtaining information from DHS components on their international programs after making requests. Asked to rate the responsiveness of different DHS components to OIA requests for information, one OIA employee described two components as "not responsive," adding that he would give one of them "an F" in this regard.

Because OIA has no direct tasking authority vis-à-vis DHS components, its requests for information are most often handled through the Executive Secretariat process. Several OIA employees we spoke with said that this process did not satisfy their informational needs. They described the Executive Secretariat process as cumbersome, and said that responses they received through it were often late and sometimes of poor quality. One OIA employee said that when he sends materials for clearance through the Executive Secretariat process they disappear. In response to the perceived shortcomings of the process, OIA staff frequently seek component advice and information informally, through personal connections. Component managers and OIA staff both regarded this informal approach as less than optimal, and at least one component sought to stop informal queries from OIA.

OIA also faces limitations on its visibility into the international elements of the activities of senior policymakers. Component international affairs staff said that they received little information from OIA about the outcome of meetings between senior DHS officials and representatives of foreign governments. OIA staff said that they could not provide information on the outcome of all of these meetings because they were not always invited to attend, and because they did not always receive reports about what was discussed.

OIA was not always informed about key leadership decisions on matters affecting the department's international activities. For example, OIA was not made aware of a significant international reorganization approved by the Secretary. When DHS was created and the INS was restructured into three separate agencies, the function of paroling improperly documented immigrants into the United States for humanitarian purposes was assigned to ICE. In January 2007, the Secretary notified Congress of plans to transfer this function from ICE to USCIS. Because OIA was not informed of the transfer, the office did not relate this information to international affairs units in ICE and USCIS. Coupled with other missed opportunities to communicate, this resulted in ICE and USCIS international affairs offices learning of the transfer two weeks before it was scheduled to take place.

A few current and former OIA employees told us that the office had been excluded from some policy deliberations with a significant international bearing. Two former OIA employees said that their office's exclusion from international policy deliberations was intentional. One said that international affairs was seen as a nuisance to the domestic security agenda, and that, as a result, OIA was sometimes left out of the clearance process on key policy documents with international dimensions. Another former employee believed that OIA had been excluded from key discussions because DHS policymakers perceived that OIA often came down on the Department of State side of the issues or advocated for the interests of other nations. And, indeed, one Policy Office employee we spoke with outside of OIA shared her perception that OIA staff tended to advocate for an overly conciliatory approach in dealing with other nations on security questions, and said that a more tough-minded, national security approach was required.

We could not determine whether OIA staff had, in fact, been deliberately excluded from policy discussions with an international bearing. No one outside of OIA acknowledged having intentionally excluded the office. It was apparent, however, that DHS staff did not have a shared understanding of what policy questions were appropriate for OIA engagement. The office's policy purview is not clearly defined or uniformly understood.

A large proportion of DHS work has international implications. These implications are wide ranging, from immigration admissibility decisions affecting foreign nationals, infrastructure protection and export control matters involving foreign firms, and matters of trade law or security policy with foreign governments. Some DHS staff we spoke with took an expansive view of which of these issues should fall under OIA purview, while others imagined a more narrow focus for OIA. One OIA representative sought notification of domestic worksite immigration raids because the raids usually result in a large number of deportations affecting other nations. By contrast, two Policy Office officials outside of OIA said that they sought to involve OIA in policy discussions only if the matter directly involved a foreign government.

OIA access to information is also confounded by limits on its access to key communications. The Diplomatic Telecommunications Service is a secure system of integrated data networks that serves as the primary information link between U.S. missions abroad and U.S.-based foreign affairs policymakers. Subscribers to the system communicate with each other in writing via "cable traffic." Domestic foreign affairs staff and embassies use the system to circulate draft policy materials for comment; provide reporting on significant political and economic developments, and meetings; and sign off on the travel of U.S. government representatives on official business abroad.

OIA staff who are cleared to access classified cables cannot do so in their primary workspace because it is not properly secured or wired to support system access. Instead, they search for Department of State cables using computer terminals elsewhere in the building. When using these terminals, OIA staff cannot receive cables or other message traffic directly and cannot transmit it because they have not been provided accounts to do so through the Automated Message Handling System that DHS uses for those purposes.

This has unfortunate effects on other departments' perception of DHS as a serious player in the international affairs arena. DHS prestige was adversely affected, for example, when a cable was sent to the DHS Secretary but never received by OIA. When Department of State counterparts asked about the cable at a later date, OIA had to acknowledge that it had no knowledge of it. Without ready access to cables, OIA relies on others, sometimes those in other departments, to alert it of transmissions of interest.

The office's limited access to the system also has a crippling effect on its ability to disseminate information in support of its coordinating function. Until recently, OIA could not readily request clearances from U.S. embassies for senior DHS officials to visit counterparts abroad.⁵⁶ When DHS is preparing to publicize a major policy decision affecting other nations, OIA cannot effectively send a message to alert affected embassies and Department of State bureaus. Nor can OIA use the system to relay to embassies what transpired in meetings between senior DHS officials and their foreign counterparts.

At least two other DHS component international affairs offices have access to Department of State cables and the ability to transmit cables of their own through the department's Automated Message Handling System. OIA should have this access as well.

We recommend that the Assistant Secretary for Policy:

Recommendation #3: Ensure that all cleared Office of International Affairs staff have regular access to the Automated Message Handling System or a similar system with the capability of sending and receiving cables or other message traffic.

OIA Has a Limited Ability to Direct Components

OIA has little authority to direct DHS component international affairs offices. Component requests to alter their international footprint must be provided to OIA for review. OIA, in turn, provides a recommendation to the Deputy

⁵⁶ The Department of State recently created an online portal for government agencies to submit country clearance requests as an alternative to the traditional submission of country clearance cables.

Secretary for him to approve or deny requests before they are submitted to the Department of State.⁵⁷ According to a DHS management directive, component managers are also to seek the office's recommendation before approving staff attendance at international meetings and conferences, however, OIA consideration has not, in practice, been requested.⁵⁸ Other than these two notification requirements, one of which has not been observed, OIA has no formal authorities with respect to component international affairs offices. Limits on OIA authority with respect to these offices have undercut its viability as a coordinator of the department's international enterprise on several occasions.

In one area in which OIA has some limited authority, it has exercised that authority to positive effect. As noted earlier, DHS components must submit planned changes to their international staff footprint to OIA for review and comment. These submissions were initially made on a piecemeal basis. To ensure that components planned international staffing changes for the year ahead, OIA required component submissions be provided annually. OIA also asked DHS components to perform rightsizing reviews of their staff footprints and project their deployments three years out. With a single submission coming in from each of the components simultaneously, OIA has been able to broker a few embassy personnel swaps such that one component can move into embassy slots being vacated by another component.

In other areas, where OIA has no authority over component international affairs offices, the office has not been able to provide needed coordination. OIA coordination was absent in the apportioning of legacy INS international functions among USCIS, ICE, and CBP. In 2003, a tribureau commission consisting of representatives of these three agencies reportedly arrived at a consensus about how to apportion immigration responsibilities abroad. This consensus was not formalized, however, until four years later, when the international affairs managers of USCIS, ICE, and CBP jointly sent a cable to U.S. embassies around the world documenting the final distribution of international immigration responsibilities. In the intervening years, the consensus view of what immigration functions components were to perform abroad was not always observed. USCIS and ICE international staff, as well as staff in embassy Consular Affairs offices, routinely performed immigration functions now ascribed to CBP. CBP and ICE staff sometimes assumed responsibility for what are now USCIS functions, and USCIS staff abroad performed immigration duties that ICE had agreed to do.

While OIA staff were aware of these issues, they did not work to resolve them because they did not believe that they had the authority to do so. The office did not push the agencies to formalize their commitments to perform particular international immigration functions. Nor did OIA see to it that the

⁵⁷ DHS, Management Directive 3400: Review and Approval of Foreign DHS Positions, October 30, 2003.

⁵⁸ DHS, Management Directive 3160: Attendance at Meetings and Conferences, March 2003.

three agencies assumed day-to-day responsibility for the immigration functions they had committed to perform. While DHS component international affairs managers rarely advocate for more DHS involvement in their work, more than one said that this was an area in which DHS leadership would have been helpful.

OIA staff believed that they could not effectively intervene when confronted with international staffing and space disputes between DHS components, either. Communication between USCIS, ICE, and CBP managers at one embassy reportedly broke down over disagreements on office space and which component manager would have the DHS attaché title. When CBP later sought to deploy a representative to another embassy, the ICE attaché in country reportedly fought the deployment even after the CBP representative had arrived.

OIA Needs More Information to Engage Other Nations and International Organizations Constructively

OIA is responsible for expanding foreign country and international organization support for DHS. According to the department's website, OIA "engages foreign allies ... in guiding security agreements that further support the mission of the Department" and "builds strong support for actions against global terrorism among nations and international organizations."⁵⁹

In line with these responsibilities, OIA has participated in coordinating DHS engagement international organizations and forums such as the Asia Pacific Economic Cooperation, Group of Eight, Four Country Conference, North Atlantic Treaty Organization, or the European Union. It also has worked to advance international agreements in DHS mission areas. OIA has been particularly active with Russia in this regard, with which it has pursued memoranda of understanding in connection with the work of the Secret Service, FEMA, and Federal Air Marshals. Component representatives characterized OIA work in this area as "excellent" and instrumental in bridging gaps.

OIA staff, however, perceived that they could do more on behalf of DHS in this area. Several staff said that OIA is not as engaged in multilateral organizations as desirable. These and other DHS international affairs representatives recognized the benefits that participation in these organizations can have for DHS. Component offices have, for example, been able to work with other nations to improve security in global industries such as aviation and shipping by assisting them in meeting security standards established by multilateral organizations. OIA representatives perceived that there were other similar opportunities for DHS in other mission areas and

⁵⁹ Office of International Relations Mission and Responsibilities, Department of Homeland Security, last updated February 8, 2008, available online at: www.dhs.gov/xabout/structure/editorial_0874.shtm.

anticipated that more involvement in multilateral organizations would help them identify such opportunities. In particular, they cited ambitions to extend the department's engagement with the United Nations, Organization for Economic Cooperation and Development, Organization of American States, and International Organization on Migration. Recent increases in OIA staffing have put such multilateral engagement within reach.

Another area OIA staff identified for future improvement related to the office's awareness of international negotiations and agreements. DHS components have no obligation to obtain OIA concurrence with international security agreements, or to notify OIA of their intent to pursue such agreements. As a result, OIA staff said their office sometimes finds out about international agreements negotiated by DHS components after they have been finalized or when they are in late stages of development, after primary negotiations have been completed. Some present and former OIA representatives told us that in cases in which components had involved OIA in the development of security agreements with other nations, they had typically done so as an afterthought.

OIA representatives said that component-negotiated draft agreements they learned about sometimes did not fully address the interests of other components. As an example, one OIA employee observed that the Coast Guard had recently negotiated an agreement with Panama on fly-over and landing rights for its aircraft. Although CBP has an interest in fly-over and landing rights in Panama as well, the Coast Guard did not initially address CBP interests in its draft agreement. A similar dynamic played out for several years with Customs Mutual Assistance Agreements. Between 2003 and late 2006, newly signed mutual assistance and information sharing agreements with foreign customs administrations identified CBP, and not ICE, as a party to the agreements. According to some ICE representatives abroad, this hampered their ability to obtain information from foreign customs officials.

A recent DHS policy is likely to reduce the number of component-negotiated international agreements that neglect other DHS interests. The DHS February 2007 Policy for Internal Information Exchange and Sharing requires that all future "information-access and -sharing agreements with outside entities will be negotiated and entered into on behalf of the Department as a whole, not on behalf of an individual DHS component."⁶⁰

While this policy change affects many international agreements negotiated by DHS components, it does not affect agreements and provisions of agreements that do not relate to sharing information within the department. Because the Coast Guard agreement with Panama discussed earlier primarily relates to operational matters rather than information sharing, for example, it is not

⁶⁰ DHS, "DHS Policy for Internal Information Exchange and Sharing," February 1, 2007, available at http://www.dhs.gov/xabout/laws/gc_1171048715234.shtm.

covered under the policy. While components are now required to address DHS-wide information sharing equities, they may continue to neglect other DHS policy interests in negotiations with other governments. Under the current arrangement, one DHS component could thus agree to activities in support of a foreign government that thwart vital efforts on the part of another component.

At the moment, there are no assurances in place to prevent this from happening. OIA could conceivably vet international agreements with these considerations in mind, but cannot do so now in all cases because it is not made aware of all ongoing negotiations. Just as OIA does not have a complete picture of present negotiations, it operates without a comprehensive list of past international agreements to which DHS is a party.

Under an arrangement called the "Circular 175 Procedure," all U.S. government entities must obtain advance authorization from the Department of State to negotiate or sign agreements with foreign governments.⁶¹ This arrangement allows the Department of State to fulfill its obligation to inform Congress of all international agreements signed by U.S. government agencies.⁶² DHS component international affairs offices reported that they comply with this procedure. DHS could enhance the ability of OIA to coordinate such agreements by ensuring that all DHS component requests for Circular 175 authorization are vetted by OIA before they are submitted to the Department of State.

We recommend that the Assistant Secretary for Policy:

Recommendation #4: Require components to notify the Office of International Affairs of their intent to pursue negotiations with foreign governments and review resulting draft agreements.

DHS Should Consider Existing Authority Models in Determining What Authorities to Provide OIA

As we have noted, at present, OIA has very little authority over component international programs, has constrained visibility into pertinent policy development and operational matters, and is not well-positioned to ensure that component-negotiated international agreements advance departmental interests. These limitations impede the office's efforts to fulfill its role as a coordinator of the department's international enterprise and its responsibility to guide security agreements that support the department's mission. DHS leadership can remedy this condition by providing OIA with expanded authorities.

⁶¹ 22 C.F.R. § 181.4.

⁶² 1 U.S.C. § 112b.

DHS could provide OIA with expanded authorities over and involvement in the international activities of other DHS offices in many different ways. More than one of these approaches will satisfy the department's interest in providing the basis for a better coordinated international enterprise. Although, we do not offer an exact prescription for change in this area, we do submit information on past solutions to similar questions of authority to the Assistant Secretary for Policy for his consideration in identifying an appropriate solution.

The question of what authorities DHS-level units are to exercise in overseeing and managing the related activities of other offices in the department has been addressed before within DHS. DHS management directives and delegations have established the "dotted-line" authorities that a number of DHS-level offices exercise over relevant portions of other units in the department. Management Directive 8110, "Intelligence Integration and Management," for example, sets out the authorities the DHS Chief Intelligence Officer can use to direct and manage the intelligence units in other parts of the department, such as CBP and ICE. Under this arrangement, the Chief Intelligence Officer participates in the selection and evaluation of senior intelligence officials in other components, and sets training standards for intelligence officers throughout the department. Similar authority arrangements are in place for the DHS managers for information technology, security, human capital, and procurement. Table 1 below summarizes some of the authorities these officials wield. As is evident below, these officials have significantly more authorities at their disposal than the Assistant Secretary for International Affairs.

Table 1: DHS Dotted-Line Authority Comparison

DHS Dotted-Line Authority Models						
Authorities of Office Holder	CIO	CSO	CINT	CHCO	CPO	A/S OIA
Advises Secretary and/or Deputy Secretary	•	•	•			
External Relations	•	•				
➤ Represents DHS in external forums		•				
➤ Coordinates with non-DHS agencies	•	•				
Chairs Internal DHS Council	•	•	•			
General Direction of Programs	•	•	•	•	•	
➤ Performs strategic planning	•			•	•	
➤ Sets priorities	•	•	•	•	•	
➤ Sets guidelines and standards	•	•	•	•	•	
➤ Sets processes and procedures	•	•	•	•	•	
➤ Funds programs and activities	•			•		
Reviews and/or Advises on Component Budgets	•					
Component Organizational Structure	•	•				
➤ Notified of organizational changes in area	•	•				
Component Directors in Area	•	•	•		•	
➤ Sets qualification standards for position	•	•	•		•	
➤ Recruits candidates		•	•			
➤ Interviews candidates	•	•	•			
➤ Participates in selection	•	•	•		•	
➤ Provides input into performance objectives	•	•	•			
➤ Provides input into performance rating	•	•	•			
Other Component Staff in Area	•	•	•	•	•	•
➤ Approves designation of staff or staff changes		•		•		
➤ Reviews & advises on number of staff	•	•	•	•		•
➤ Receives reporting on staff roles & functions				•		•
➤ Sets training or qualification requirements for staff		•	•		•	
➤ Sets training program standards & policies	•	•	•	•	•	
➤ Performs education & awareness programs for staff		•				
Reviews and/or Approves Component Policies & Procedures	•	•	•	•	•	
Component Information	•			•	•	
➤ Receives requested reporting	•			•		
➤ Collects information regularly	•				•	

CIO – Chief Information Officer; CSO – Chief Security Officer; CINT – Chief Intelligence Officer; CHCO – Chief Human Capital Officer; CPO – Chief Procurement Officer; A/S OIA – Assistant Secretary for International Affairs.

Past DHS approaches to establishing dotted-line authorities over aspects of component operations can be instructive, but the unique features of international work merit special consideration in determining what authorities to assign OIA. Certain standard features of international work, such as the use of cable and message traffic for communications or the preparation of trip and meeting reports, may be considered as avenues for OIA to gather needed information or exert appropriate authorities. In the cases of cables, for example, DHS could require that all cable traffic between DHS component offices and embassies abroad be distributed to OIA for informational purposes.

Other departments have faced the challenge of managing their international affairs operations and interests. The management solutions they developed also can be weighed in determining what authorities to provide OIA in managing the department’s international enterprise.

In early 2007, the Environmental Protection Agency's (EPA) OIG conducted an informal review of international affairs programs in seven other cabinet departments to identify common practices for managing and coordinating international activities that EPA could adopt. The EPA OIG identified the following four practices common to the departments it studied:

- First, each department had established a formal, department-wide definition of "international activities" to provide consistency in determining what activities fell under the purview of their offices of international affairs.
- Second, the international affairs offices of these departments all chair regular meetings of international program staff from other major divisions.
- Third, international affairs offices in the seven departments each reviewed or had signatory power over all departmental international agreements, and maintained a database of these agreements.
- Finally, all of these departments' international affairs offices maintained visibility into the international travel of employees in other offices in the department.

OIA should be provided the tools necessary to perform strategic management and coordination functions. Whatever international management arrangement the department embraces, it should at minimum:

- Address OIA needs for enhanced situational awareness by providing for OIA authority to require some component international affairs reporting;
- Establish a process for OIA to direct component action in some circumstances, such as to: facilitate multicomponent international initiatives, deconflict potentially overlapping efforts abroad, and resolve cross-component disagreements related to international operations; and
- Ensure that components advise OIA in advance of any official travel to foreign countries on the part of senior component executives, and any visits of foreign officials who are received by senior executive officials within the component.

In addition, departmental direction in this area should clearly establish what international matters are to trigger OIA notification, consultation, or approval. For component activities requiring OIA consultation or approval, consideration should be given to ensure that OIA input and decisions are timely and do not produce excessive delays. Establishing a fixed, but reasonable timeframe for OIA comment or approval would be one approach to mitigate such delays.

The authorities conferred on OIA should be limited in other respects, as well. OIA does not have the staff or expertise to direct DHS component

international activities on a day-to-day, operational basis. This function should continue to be the responsibility of component international affairs units.

We recommend that the Assistant Secretary for Policy:

Recommendation #5: Clearly define the Office of International Affairs' purview and provide it with some authorities vis-à-vis DHS component international programs and offices to include, at minimum, the authority to: solicit component reporting; ensure that the office receives notice of component senior executive official travel to foreign countries and high-level foreign official visits; and direct component action in some circumstances.

Systematized, Well-Funded International Training, Technical Assistance, and Information Exchange Activities Would Advance the DHS Mission

The U.S. government provides international training and technical assistance (T&TA) to, and pursues information exchange with, foreign counterparts to help build and sustain well-governed states abroad. Coordinated through the Department of State foreign assistance process, these exchanges build on existing partnerships and open the door to new relationships. Such exchanges can also enhance security cooperation, promote coordination of activities in support of shared aims, and indirectly strengthen our security posture by bolstering that of other nations.

Exchanges with U.S. government agencies are often prized by other nations. As the U.S. government's third-largest department, DHS brings together an enormous breadth of operational experience and technical expertise. Other governments value the opportunity to gather operational and technical insights in areas of DHS core competency. Indeed, DHS is a global leader in a number of areas of public administration and a repository for many types of information valued by its international counterparts.

Likewise, other nations have much to offer DHS. They face many of the same security challenges confronting the United States and have, in many cases, adopted sophisticated and well-considered solutions to these challenges. DHS can use information about these solutions to help shape security policies. Moreover, other countries have access to information about some of the same risks that apply to DHS operations and the security of the country as a whole.

Consistent with an awareness of the shared benefits of engagement in international T&TA and information exchange, DHS components are active in this area. DHS components, however, have little independent authority or resources to pursue international T&TA and exchange, and thus usually rely on other departments to initiate related efforts. As a result, the department's

approach to international engagements of this kind tends to have a reactive character. Component activities are further constrained by the fact that DHS components do not always set aside resources for international T&TA activities, and staff best positioned to identify T&TA opportunities are not always familiar with potential funding sources. Finally, international T&TA and exchange activities that are undertaken by DHS components are not sufficiently directed.

DHS Involvement in International T&TA and Information Exchange Activities

DHS components participate in a number of international T&TA and information exchange activities. CBP and the Coast Guard have extensive international T&TA programs, while ICE, Secret Service, FEMA, and TSA all have significant engagements of their own. US-VISIT, S&T, and FLETC are also involved in noteworthy international exchanges.

CBP international T&TA programs address screening for weapons of mass destruction, counter-narcotics activities, port security, customs processing, border enforcement, and immigration inspection, among other matters. CBP performs border control capacity building activities in more than two-dozen countries to prevent the proliferation of nuclear and radiological materials. CBP has deployed 19 employees to Iraq to train on border management techniques.

CBP is particularly active in the Western Hemisphere. Its Border Patrol has sponsored a number of longstanding bilateral training efforts, such as with Honduras, where it works with the National Police. CBP maintains an information sharing relationship with Mexico through which its National Targeting Center receives advance information on airline passengers bound for Mexico. The National Targeting Center uses this information to help Mexican authorities identify high-risk travelers. The National Targeting Center cultivated a similar information sharing arrangement with Caribbean nations during the Cricket World Cup. Along the northern border, CBP works through International Border Enforcement Teams. These teams operate in Canada and the United States to promote information sharing on mutual threats, and participate in joint training on intelligence and investigative techniques. CBP also works with the Canadians through Project North Star, an initiative that draws together law enforcement personnel from both sides of the border to share information on terrorism threats, organized crime, money laundering, and drug and firearms trafficking.

Coast Guard international T&TA activities are primarily provided through mobile training teams that deliver training abroad. These teams engage in about 100 international training missions per year on a wide array of Coast Guard disciplines. The Coast Guard also offers several hundred courses a

year to foreign nationals at its facilities in the United States. In addition, it maintains a technical assistance team in Puerto Rico to assist Eastern Caribbean nations to maintain their naval and coast guard fleets. Coast Guard personnel operating in the Persian Gulf also provide training. Coast Guard law enforcement detachments riding on Iraqi naval vessels, for example, train counterparts on vessel boarding and search techniques. Sometimes the Coast Guard participates in joint exercises with foreign counterparts. Last year, for example, the Coast Guard exercised with the Mexican Navy on oil platform security in the Gulf of Campeche. Further, as part of its Foreign Military Sales agreements with other countries' navies and coast guards, the Coast Guard sometimes provides training and technical assistance on vessel operation and maintenance.

ICE and the Secret Service participate in a number of international T&TA activities, as well. These activities are geared to improve the law enforcement and investigative capabilities of foreign counterparts, and build relationships with local authorities. Some ICE offices abroad have extensive T&TA engagements with their counterparts. In Mexico City, for example, ICE has provided T&TA to Mexican counterparts on intellectual property rights enforcement, cybercrime, antismuggling operations, and staff integrity checks using polygraphs. In addition, ICE sponsors several local law enforcement units abroad staffed by officers who have been trained and equipped by ICE to support efforts to combat human trafficking and money laundering in collaboration with ICE. For its part, the Secret Service trains foreign counterparts on investigative techniques they can apply to currency counterfeiting and computer crimes-related cases.

FEMA and TSA pursue international T&TA activities in emergency management, airport security, and transportation security. FEMA provides incident command training to India and has a cooperative emergency management relationship with Canada and Mexico. TSA representatives overseas have provided T&TA to foreign counterparts in Indonesia and Sri Lanka, and its Federal Air Marshals have hosted U.S.-based training for foreign air marshals. These efforts are not as extensive as those of CBP, the Coast Guard, ICE, and Secret Service.

US-VISIT and S&T are pursuing international exchanges, as well. The US-VISIT program office has developed a relationship with the United Kingdom's Visa and Immigration Services bureau by detailing a biometrics technical expert to the United Kingdom. The technical expert is co-located with United Kingdom counterparts developing a system similar to US-VISIT. S&T has posted an employee to London to identify research partners in Europe and Eurasia and spot technological breakthroughs that can be applied to DHS S&T challenges. S&T has created institutional frameworks to monitor and promote cooperative homeland security research efforts with Canada, the United Kingdom, and Australia; and signed homeland

security S&T exchange agreements with Sweden and Singapore. In addition, it has participated in and hosted international conferences and workshops to promote information sharing on homeland security research and development.

FLETC provides limited foreign law enforcement access to its U.S.-based courses, and actively supports Department of State-funded International Law Enforcement Academies overseas in Botswana, El Salvador, Hungary, and Thailand. These academies provide training and technical assistance to foreign officials to enhance their law enforcement capabilities. FLETC coordinates with ICE, CBP, and the Secret Service to provide subject matter experts to deliver training to foreign counterparts at the international academies. In addition, FLETC program managers are posted to the academies in El Salvador and Botswana.

DHS components participate in a wide range of international T&TA and information exchange activities. Despite their breadth, these exchanges cumulatively represent a small proportion of the overall U.S. government commitment to international training and exchange. A federal working group that maintains an inventory of international exchanges, The Interagency Working Group on U.S. Government-Sponsored International Exchanges and Training, observed in its most recent program inventory that DHS international training and exchange reached only 2% of foreign participants in U.S. government activities of this kind.⁶³

DHS Primarily Depends on Other Departments to Authorize and Fund International T&TA and Exchange Activities

DHS international T&TA and information exchange activities are most often initiated by other federal departments. Generally, DHS does not have the authority or funding to independently pursue these activities. DHS international T&TA activities are primarily funded by DOD and the Department of State.⁶⁴

DHS has limited authority to pursue international T&TA activities outside of Department of State or DOD programs. CBP has authority to provide international T&TA that relates to its efforts to support its foreign Container Security Initiative partners and promote international implementation of port security antiterrorism measures at select ports abroad.⁶⁵ Within TSA, the

⁶³ Interagency Working Group on U.S. Government-Sponsored International Exchanges and Training, *FY 2006 Annual Report*, p. 14. (http://www.iawg.gov/rawmedia_repository/426ce8ac_156c_4af1_891e_b6fa33a1d2cc)

⁶⁴ The bulk of Department of State support for DHS international T&TA programming is provided through its International Narcotics and Law Enforcement Affairs bureau, the U.S. Agency for International Development, and its Export Control and Border Security and Anti-Terrorism Assistance programs.

⁶⁵ CBP T&TA authorities are defined in the *SAFE Port Act of 2006* (P.L. 109-347), § 233; codified at 6 U.S.C. § 983 and 46 U.S.C. § 70110.

Federal Air Marshal Service is authorized to provide air marshal training to foreign law enforcement personnel.⁶⁶

The Coast Guard was constrained in its ability to provide international T&TA to the extent that, until 2006, it was not authorized to provide training or technical assistance to foreign states during normal Coast Guard operations.⁶⁷ Its new authority in this area permits the Coast Guard to provide technical assistance, including law enforcement and maritime security training, to foreign navies, coast guards, and other maritime authorities in conjunction with normal operations.⁶⁸ While the Coast Guard now has the authority to provide this type of basic assistance, it still does not have the authority to host international conferences without Department of State or DOD participation. The DHS Office of International Affairs, S&T, and Secret Service also have limited authorities to conduct international T&TA activities.

These limited authorities bring little in the way of dedicated funding. DHS appropriations and associated committee reports do not allocate any funds to the department specifically to provide for international T&TA or exchange. Instead, DHS appropriations actively cap Secret Service expenditures on the provision of technical assistance and equipment to foreign law enforcement agencies in counterfeiting investigations at \$100,000.⁶⁹

DHS Faces Three Constraints in Conducting International T&TA and Information Exchange Activities

We observed three constraints on DHS international T&TA and information exchange activities.

First, DHS participation in international T&TA is typically limited to engagements of interest to its primary funders, DOD and the Department of State. Several DHS staff said that because DOD and Department of State priorities are not always consistent with DHS priorities, this dependence has the effect of leaving some DHS international interests unserved.

The second constraint is the result of insufficient information about available sources of funding. DHS international orientation programs for staff bound for international assignments provide little information on funding available to support T&TA. As a result, DHS staff have not taken advantage of that funding to the fullest extent.

⁶⁶ Federal Air Marshal Service authority to provide international training was provided through the *Intelligence Reform and Terrorist Prevention Act* (P.L. 108-458) § 4018; codified at 49 U.S.C. § 44917.

⁶⁷ 14 U.S.C. § 149.

⁶⁸ *Coast Guard and Maritime Transportation Act of 2006* (P.L. 109-241), § 202.

⁶⁹ See P.L. 108-90, 108-334, 109-90, and 109-295.

Third, as a feature of their own internal resource planning efforts, several DHS components do not specifically allocate sufficient technical and staff resources to international T&TA and information exchange. In fact, some DHS components have not specifically dedicated any such resources to international T&TA and exchange. FEMA and CBP, for example, pull subject matter experts from their domestic operational divisions to support international T&TA commitments. The TSA Training Division has no resources specifically devoted to training or delivering foreign technical assistance. Meanwhile, TSA staff in some locations abroad reported that they were aware of many T&TA opportunities and had received a large volume of requests, but could not properly address their foreign counterparts' needs.

Because several DHS components do not allocate resources to international T&TA and exchange, vital staff and subject matter expertise support for these activities are often solicited on an as needed basis. As a result, international initiatives compete for resources that have already been programmed to support DHS components' domestic efforts, sometimes without success. One manager explained that CBP had received funding to support a counter-narcotics initiative in Afghanistan, but did not have enough staff available to provide needed training.

Resource Constraints Result in Missed Opportunities for DHS

Resource constraints on the department's international T&TA and exchange efforts appear to have resulted in missed opportunities for DHS. These missed opportunities can be appreciated in several ways.

A few international training programs valued by DHS components have lapsed due to resource constraints. For example, a key Coast Guard program in the Caribbean expired as a result of a combination of declining external funding for the program and a shortage of dedicated Coast Guard resources. The Coast Guard provided training and technical assistance to Caribbean navies and coast guards between 1999 and 2006, when the vessel it employed for these operations, the Caribbean Support Tender, was decommissioned. Because external funding for the program is no longer available and because the Coast Guard has not replaced the vessel, related training and technical assistance efforts have ceased.

Meanwhile, some CBP staff attributed the decline of a significant program in Mexico, Operation Halcon, to difficulties competing for aviation resources. A collaborative binational narcotics interdiction effort that began in 1990, Operation Halcon had long engaged CBP Air and Marine pilots and aircraft to track small planes in Mexico suspected of transporting narcotics to the U.S. border. CBP Air and Marine resource contributions to the program have declined. At one time, Operation Halcon activities in Mexico had drawn on CBP staff and aircraft support from six different Air and Marine Air

Branches. By 2006, however, Air and Marine contributions to the effort had ceased from all but one Air Branch. Recently, the inability to arrive at an agreement with Mexican authorities on the renewal of aspects of the program has effectively put Operation Halcon activities on hiatus.

The effect of resource constraints on DHS international T&TA and exchange activities is evident from cases in which DHS components are interested in an exchange, but have no choice but to turn it down. A FLETC program manager, for example, estimated that FLETC denies about 10% of international T&TA requests because of limitations in class space or access to subject matter experts. CBP also reported denying T&TA requests because there was no funding associated with the request. A senior training official in CBP attributed his agency's limited commitment to immigration-related T&TA to CBP's lack of control over any associated funding resources. A TSA representative abroad reported similar difficulties.

The adverse effect of DHS resource constraints on its international T&TA and information exchanges is evident in those activities in which it has not been included. Some DHS-related international T&TA activities occur without DHS involvement. Although this was not an issue in most of the embassies we visited, at one mission we encountered several T&TA efforts that could have benefited by more DHS engagement. At that mission, DOD and the Department of State had initiated several programs that linked to DHS missions without seeking sufficient DHS input. While DOD and the Department of State are entitled to do so, the resulting T&TA activities may not represent U.S. government best practice and do not do all they could to promote the spread of DHS-compatible security practices.

One example of such a missed opportunity at that mission was the U.S.-sponsored development and implementation of an inbound immigration system for the host nation that captures information about travel documents and takes a photograph of individuals coming into the country. Unfortunately, CBP and US-VISIT were not consulted in the development of the system, and it does not capture biometric information that could have served as the basis for future sharing with U.S. immigration systems.

Other similar cases were evident at the same post. The U.S. embassy had recently funded a border waterway patrol effort without consulting CBP or the Coast Guard. DOD had conducted a security exercise at a major seaport without engaging the Coast Guard, the designated DHS lead for port security. The embassy funded Trafficking-in-Persons programs, developed by local organizations, without significant input from ICE. Remarkably, even though the host government considered reorganizing its border and security units into a department similar to DHS, the embassy did not arrange for DHS officials to meet with local officials to share information on how DHS is structured, or the challenges it faced in reorganizing.

The effects of resource constraints on DHS international T&TA and information exchanges is evident in T&TA and information sharing gaps identified by DHS staff. DHS staff provided examples of areas where DHS was missing opportunities to effectively engage other countries. One manager said that Southeast Asia is inundated with fraudulent documents, and T&TA programs to assist local authorities counter the proliferation of fraudulent documents could be valuable. International affairs managers in the department observed opportunities for TSA, ICE, CBP, and the Coast Guard in the Caribbean region.

Several ICE and Secret Service representatives said they believed their organizations were missing valuable opportunities to build relationships with foreign law enforcement counterparts by not pursuing more international T&TA. They noted that other U.S. law enforcement agencies such as the Federal Bureau of Investigation (FBI) and the U.S. Drug Enforcement Administration (DEA) performed extensive T&TA activities, and expressed the view that these exchanges had helped those agencies develop key contacts that provided valuable assistance when those agencies needed it. These local contacts are often vital in the international setting, where U.S. law enforcement officers generally do not have the authority to conduct investigations.

Further, some ICE and Secret Service staff perceive that the disparity between their agency's T&TA activities and those of the FBI and DEA placed them at a disadvantage. They believe that their agencies' lesser commitment to international T&TA may have prompted some counterpart law enforcement agencies to provide less case support to their agencies than they would to the FBI and DEA. An ICE attaché described the DEA international annual drug enforcement conference as an effective venue for promoting DEA missions and activities, and building contacts with foreign counterparts. He said that ICE should do something similar on money laundering and customs investigations to help publicize his agency's profile in these areas.

DHS International T&TA and Information Exchange Activities Are Not Sufficiently Directed

While DHS has experienced some noteworthy international T&TA resource constraints, the department has not effectively directed its limited international T&TA resources.

Most component staff we spoke with could not identify international T&TA priorities for their component, or DHS as a whole. Although we encountered a few staff in DHS components who had considered what the T&TA priorities might be for their component and had sought to advance T&TA activities in those areas, there was no concerted effort to do the same at the component

level. A senior international affairs manager in TSA, for example, said that his organization does not have a formal plan for its international T&TA activities, just a general awareness that it should be doing more in certain countries. An ICE attaché we spoke with reported that his headquarters office had made “no concerted effort” to advance ICE aims through T&TA.

Some DHS staff viewed the absence of component planning on international T&TA as an outgrowth of Department of State and DOD command of these efforts. One OIA representative said that he thought DHS components had fallen into a “service-provider’s mindset” on international T&TA as a result of their dependence on outside authorities and funding; DHS components had become accustomed to simply responding to requests, rather than proactively considering what they could do to further their interests. A Coast Guard representative said that because of the Coast Guard’s limited planning in this area, his organization was being more responsive to the priorities of other departments than to those of his agency.

Some DHS staff linked the need for international T&TA planning to the fact that the department has not articulated its international goals and priorities clearly. DHS has not provided strategic guidance that reflects an interest in promoting international T&TA and information exchange.

Since it moved to create DHS, Congress has appreciated the need for management efforts to advance DHS involvement in international T&TA and information exchange activities. The *Homeland Security Act* provided for several DHS OIA responsibilities in this area, such as promoting the sharing of homeland security best practices and technologies, joint first responder training exercises, and exchanges of expertise on terrorism prevention, response, and crisis management.⁷⁰

Despite its responsibilities to promote information and educational exchange, OIA has made only modest gains advancing this aim. DHS staff we spoke with cited the OIA involvement in Passenger Name Record negotiations with the European Union as the office’s most significant contribution in this area. Beyond this, OIA staff provided few examples of T&TA activities and information exchanges they had facilitated.

Nonetheless, some of the smaller offices in the department, such as US-VISIT, the National Cyber Security Division, Office of Infrastructure Protection, and Office of Operations Coordination, as well as the Federal Air Marshal Service in TSA, reported that OIA had been helpful or instrumental in facilitating international T&TA and information exchange activities. Large DHS components with major international T&TA commitments, however, said that they had little to no contact with OIA on their primary international

⁷⁰ *Homeland Security Act of 2002* (P.L. 107-296), § 879; codified at 6 U.S.C. § 459.

T&A engagements. At the time of our fieldwork, OIA did not have a catalog of major ongoing DHS component international T&TA and information exchanges, and was not regularly informed of upcoming activities of this nature.

Perhaps more critically, OIA has not developed a full perspective on priorities for DHS engagement in international T&TA and information exchange. The Secretary has placed a priority on airline passenger information sharing with Europe, Mexico, and Caribbean nations, and exchanges with Canada on approaches to passenger vetting. Despite the breadth of component engagement in international T&TA and information exchange, DHS has not relayed priorities in any other areas, though OIA has begun to consider what some associated departmental priorities may be. OIA draft engagement plans with Canada and the Asia Pacific region, for example, note several areas in which DHS could increase information sharing and exchange.

While OIA has yet to make major progress in this area, Congress remains interested in the development of DHS priorities for international exchange. This interest was underscored in recent legislation implementing recommendations of the 9/11 Commission. The law established an S&T Office of International Cooperative Programs to develop, among other activities, “strategic priorities for international cooperative activity for the Department in support of homeland security.”⁷¹

DHS Should Continue to Increase Oversight and Direction of International Training and Technical Assistance and Information Exchange Activities

DHS has made some recent progress toward more active stewardship of DHS international T&TA and information exchange. OIA recently hired a Director of T&TA and has plans to add additional staff in this area in the future. The new OIA T&TA Director has met with component international T&TA staff with the goal of inventorying the department’s related efforts. OIA is currently studying ways to track future T&TA engagements so that staff across the department have more awareness of the activities of their colleagues. Finally, OIA has started a dialogue with other DHS offices to help identify international T&TA priorities.

Continued progress on this last point is critical. We encourage OIA to develop an international plan for T&TA activities that identifies capacity building and information sharing priorities for the various organizational units in the department. Because Congress has directed S&T to develop strategic priorities for international cooperative activity, OIA should closely monitor S&T efforts and ensure that S&T priorities are consistent with the priorities identified at the department level.

⁷¹ *Implementing Recommendations of the 9/11 Commission Act of 2007* (P.L. 110-53), §1901(b)(1), codified at 6 U.S.C. § 195c.

We recommend that the Assistant Secretary for International Affairs:

Recommendation #6: Develop, in collaboration with the Science and Technology Directorate and consultation with DHS component international offices, an international training and technical assistance and information and education exchange plan. The plan should account for DHS informational and educational requirements, and be consistent with an overarching DHS international affairs strategy.

DHS Should Do More to Address International Training and Technical Assistance Constraints

More extensive and directed DHS international T&TA and information and educational exchange could improve the security posture of DHS by:

- Enabling DHS to leverage the knowledge and experience of other nations to address domestic security weaknesses,
- Improving information sharing with international partners on threats and risks to shared infrastructures, and
- Helping fashion security layers abroad before dangerous people and goods reach our borders.

As noted previously, DHS faces three primary constraints to conducting international T&TA activities. These constraints are DHS dependence on other departments to fund international T&TA activities, insufficient information on available sources of funding, and inadequate internal resource planning by DHS components for these activities. DHS is taking steps to address one of these three constraints. OIA has proposed a legislative change to expand the department's authority to initiate international T&TA activities. If adopted, the proposed legislative change will authorize DHS to provide T&TA to foreign police, and military or civilian officials, who collaborate with DHS on homeland security matters. Provided funding for this purpose, DHS will be able to address T&TA priorities outside of the scope of DOD and Department of State international T&TA interests more readily.

DHS needs to do more, however, to address other constraints on its international T&TA and information exchange activities. Component managers expressed the sense that DHS had not sufficiently leveraged available funding streams to support international information and educational exchange. They attributed shortfalls in this area to insufficient staff familiarity with available avenues for funding. DHS components with significant international T&TA activities should therefore educate staff positioned to identify international T&TA opportunities on funding available to support these efforts.

We recommend that the Commissioner of Customs and Border Protection, the Assistant Secretary of Immigration and Customs Enforcement, the Commandant of the Coast Guard, the Director of the Secret Service, the Assistant Secretary for Transportation Security Administration, the Administrator for the Federal Emergency Management Agency, the Under Secretary for Science and Technology, the Director of the Federal Law Enforcement Training Center, and the Director for US-VISIT:

Recommendation #7: Ensure that appropriate staff are able to identify international training and technical assistance and information exchange opportunities and provide guidance on how to link those opportunities to available funding sources.

The department's internal resource commitment to international T&TA and information exchange is often administered without the benefit of advance planning. As a result, DHS coordinators of international T&TA efforts must vie with domestic operations for key T&TA support, such as training development assistance and the time and travel of subject matter experts. To improve this dynamic, DHS components with significant international T&TA and information exchange activities should engage in more advance planning for international T&TA activities and dedicate specific resources to them.

We recommend that the Commissioner of Customs and Border Protection, the Commandant of the Coast Guard, the Assistant Secretary of Immigration and Customs Enforcement, the Director of the Secret Service, and the Under Secretary for Science and Technology:

Recommendation #8: Periodically submit a plan to the Office of International Affairs that specifies agency international training and technical assistance and information exchange goals and priorities, and that clearly indicates what internal resources will be dedicated to the achievement of those goals.

DHS Should Refine Its Approach to International Field Requirements

DHS international staff and interests are associated with certain requirements in the field. The department has attempted to address those requirements with a few different staff solutions. The department's efforts in this regard leave room for improvement.

DHS International Staff and Activities Created New Field Requirements

DHS international activities and staff created some significant field requirements in the past. These requirements stemmed primarily from three

Management of DHS International Activities and Interests

factors. First, the international aspects of the reconfiguration of INS and the Customs Service into CBP, ICE, and USCIS required management attention to facilitate a smooth transition and help define the operational relationships between the resulting units abroad. Second, new homeland security initiatives overseas required management attention to foster positive working relationships with foreign governments, and launch the operational features of these initiatives. Third, the creation of DHS, the result of the largest federal government reorganization in more than 50 years, created new opportunities for exchange, official travel support obligations, and management expectations in the field.

Changes in these areas imposed certain burdens on U.S. missions abroad, such as staff reallocations, and realignments of workspaces and work functions after the reformulation of INS and the Customs Service into three DHS agencies. The launching of new homeland security initiatives abroad prompted international public relations campaigns and led to efforts to operationalize these initiatives on the ground. Finally, the formation of DHS elicited foreign governments' interest and opened new avenues of travel and exchange.

The Department of State Office of Inspector General determined that the responsibility these changes imposed on embassies merited a report on the subject. Following its inspections of nine embassies, the Department of State OIG reported that ambassadors faced a series of "common problems" in coordinating DHS activities.⁷² The Department of State OIG wrote that the DHS staff expansion in embassies that serve as regional hubs "resulted in significant management complexities that have increased costs" for the Department of State.⁷³

Alongside these new field requirements, international affairs staff across the U.S. government developed different expectations about how DHS should manage and coordinate its activities abroad. Some believed that DHS should adopt a consolidated approach to managing activities at posts abroad. They believed that the Department of Defense Attaché System is the model for DHS to emulate, and said that DHS should select a single representative to manage all of the department's activities in a given country. Advocates of this arrangement suggested that it would improve coordination for DHS by helping to ensure that component agencies were working in unison. They also maintained that it would ease post management burdens by consolidating multiple DHS agencies under a single departmental representative.

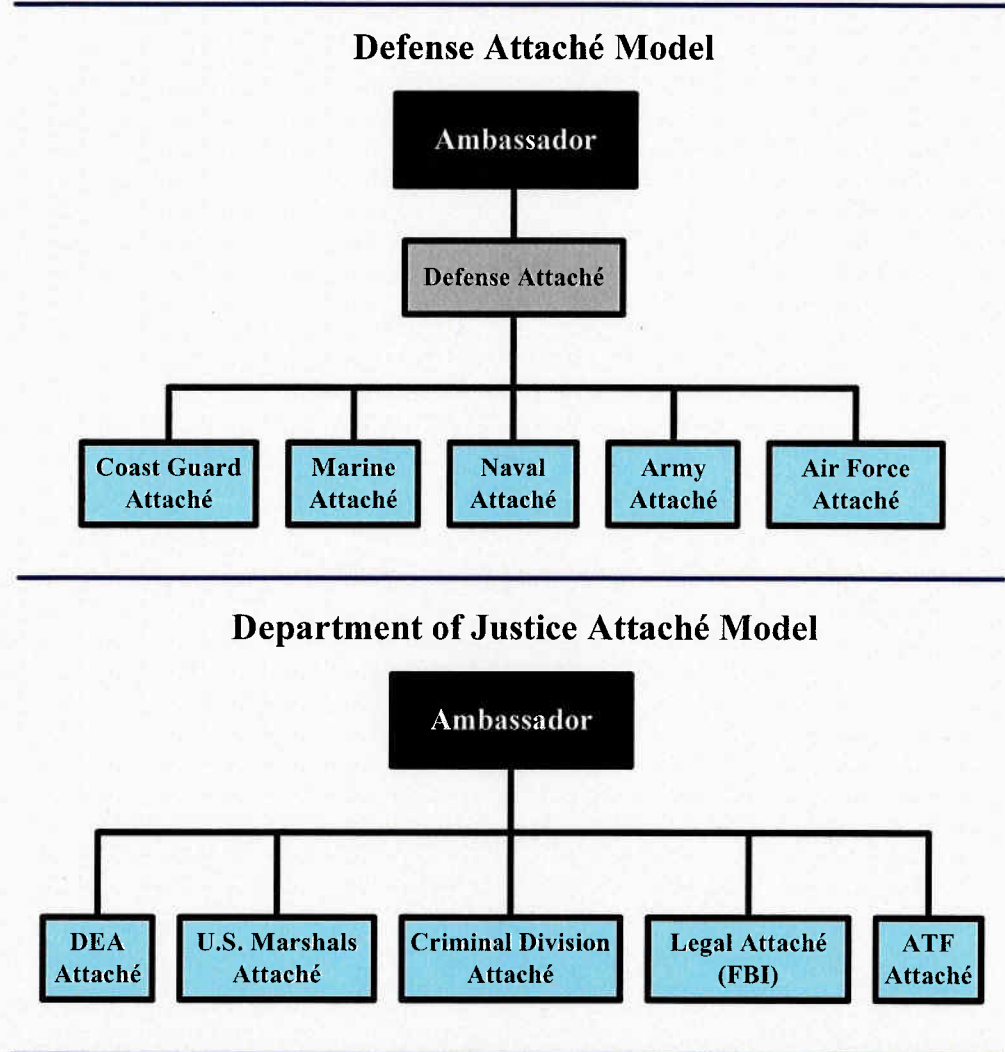
Other international affairs representatives across the government contended that a more limited DHS management role was appropriate. They pointed to

⁷² Department of State Office of Inspector General, *Impact of Department of Homeland Security Expansion Overseas on Chief of Mission Authorities*. ISP-1-06-26, May 2006. p. 11.

⁷³ *Ibid.*, p. 7.

the Department of Justice’s current field management structure abroad as a more appropriate model for DHS. Under the current Department of Justice arrangement, different components with staff abroad operate under separate chains of command in the field. They suggested that the broad base of DHS international activities was better suited to this approach.

Figure 3: Defense Attaché and Department of Justice Models⁷⁴



Some DHS international field management challenges have since diminished. Although they had not been fully resolved at the time of our fieldwork, management challenges resulting from the reconfiguration of the INS and Customs Service had declined significantly from those reported in previous

⁷⁴ These graphics are intended to represent a composite view of possible DOD and DOJ representation at embassies abroad. Neither of the graphics is intended to reflect the actual reporting arrangement in any particular embassy. Only a limited number of embassies abroad have Coast Guard attachés, for example, and these attachés are not generally stationed alongside Marine and Naval attachés. Similarly, all DOJ agencies with staff abroad are not represented in any single mission.

years. Following the creation of DHS, a large proportion of the difficulties U.S. missions reportedly experienced related to challenges in obtaining information about the admissibility of individuals and goods to the United States. The DHS component charged with making determinations of admissibility is CBP, which has since deployed scores of representatives to international posts to address this information shortfall. As a result, DHS field requirements abroad are more modest than in the past, though some remain.

We identified five ongoing international field requirements for DHS, each of which is more acute in some locations than others. The first of these is trip and meeting support. DHS officials travel to meet with foreign counterparts to share information and promote future exchanges. At times, visiting DHS officials represent a component that has no staff in the country he or she is visiting. The coordination of travel and meeting arrangements for this official may thus fall to the staff of another DHS component with representatives stationed in country, or to other U.S. embassy employees.

Second, U.S. missions abroad require information about DHS structure and activities, and assistance linking to domestic DHS offices. Foreign governments, organizations, and businesses sometimes seek information about DHS from U.S. embassies and consulates. So too do individual citizens of the United States and other nations. U.S. missions attempt to address these information requests, and have their own needs for information about DHS programs and activities. Sometimes related questions or requests are of a technical or specialized nature that cannot be addressed by DHS staff at the mission. To fulfill their responsibility to the President to provide policy coordination overseas, senior embassy officials therefore often require assistance finding the appropriate domestic contact in DHS to respond to their needs.

Third, interest in DHS and its missions abroad sometimes requires representational efforts. At times, foreign governments, businesses, and associations seek a DHS presence at receptions or to deliver speeches or presentations about aspects of the department's operations that affect them. DHS benefits by participating in such activities because the department can use these opportunities to promote departmental priorities and develop closer relationships with host country counterparts and international stakeholders.

Fourth, some DHS policy interests benefit by active representation and advocacy in international settings. New international programs and initiatives in particular, often require such policy support abroad. While some aspects of this engagement can be handled by component staff in country, some initiatives require a higher level of host government engagement than component staff can provide. In certain cases, DHS international policy initiatives stem from departmental units that do not have a representative in country. Furthermore, in some international settings, DHS policy interests

could be better served with overseas staff assigned to identify new opportunities for DHS engagement with host governments, and alert DHS headquarters to issues of policy concern.

Finally, DHS programs and activities abroad require some limited operational cross-component coordination. This operational coordination requirement is extremely limited, however. For the most part, DHS component operations abroad are performed independently of one another to no ill effect. The Secret Service's protective detail work abroad, for example, can proceed smoothly without any coordination with USCIS staff in country. But there are some exceptions. DHS components jointly participate in a few programs such as the Container Security Initiative, which includes staff from CBP and ICE, and the International Border Enforcement Team effort with Canada, which involves CBP, ICE, and the Coast Guard. The need for cross-component field coordination is the product of relations between of some DHS component operations. Because CBP and ICE both address customs issues, and because CBP, ICE, and USCIS all touch on different facets of immigration, from time to time international immigration and customs work draws in more than one DHS component. Finally, some limited operational coordination between DHS components is occasionally necessary because they sometimes work with the same foreign government counterparts. TSA and Coast Guard staff abroad sometimes share the same ministry of transportation contacts in the host government, for example.

Table 2: DHS International Field Requirements

DHS' International Field Management Requirements	
1 Trip and Meeting Support	
➤	Coordinate travel and meeting arrangements for senior DHS officials and representatives of components with no staff in country.
2 Information Needs	
➤	Provide information about DHS structure and activities to U.S. missions abroad, foreign governments, organizations, businesses, and the public.
➤	Link U.S. missions abroad to appropriate domestic DHS offices.
3 Representation	
➤	Represent DHS at receptions, deliver speeches and presentations on the DHS operations that may affect foreign governments, businesses, and associations.
➤	Promote DHS priorities and develop relationships with host country counterparts and international stakeholders.
4 Policy Interests	
➤	Promote and advocate for DHS policy interests; particularly new international programs and initiatives.
➤	Engage high-level host government counterparts.
➤	Represent the international policy initiatives of DHS components that do not have staff in country.
➤	Identify new opportunities for DHS engagement with host governments, and alert DHS headquarters to issues of policy concern.
5 Cross-Component Coordination	
➤	Perform limited operational cross-component coordination.

In considering how DHS can best address its international field management requirements, it is important to consider the unique coordination and management structures that U.S. missions have. In some locations where there are major DHS policy thrusts and cross-component operational coordination requirements, these can be addressed through existing management systems in the embassy. Department of State political and economic section officers abroad often have policy portfolios that include areas of DHS focus, such as aviation and maritime security, and are responsible for addressing DHS policy interests abroad. Senior embassy officials meet daily with high-level counterparts in foreign governments and sometimes raise issues of interest to DHS.

Embassies have built-in coordination and management procedures and processes that are not available domestically. These procedures and processes sometimes support DHS cross-component operational coordination. Chiefs of Mission abroad, in the person of either ambassadors or chargés d'affaires,

represent the President of the United States and have authority over all U.S. civilian staff in country. The President's letter of instruction to the Chief of Mission gives him full responsibility for the direction, coordination, and supervision of all U.S. government executive branch employees within the host country except those personnel under an area military commander or on the staff of an international organization. Chiefs of Mission can apply this authority to resolve coordination issues they observe. Embassies also typically host a number of forums for exchange and coordination, participation in many of which is mandatory for agencies represented at post. Ambassadors and deputy chiefs of mission generally bring together all the major units in the embassy for weekly country team meetings to discuss items of general interest. In addition to these meetings, embassies usually have regular working groups that draw together embassy staff working in a particular area. Most embassies have law enforcement working groups for U.S. law enforcement personnel at the mission. Some have counterterrorism working groups; others have working groups focused on border issues, money laundering, and visa fraud, as well. In addition, they have working groups and boards to assist in the management of shared services and housing.

Current DHS Approaches to International Field Management

DHS has pursued three approaches to address its international management requirements in the field. In most countries, DHS has relied on embassies to address its field management requirements. In a small subset of nations, DHS has appointed one of two types of representatives to provide field management support.

Most U.S. missions operate with no formal on-site designee serving as a representative of the full range of DHS interests. Many of these missions have no DHS staff. Others have at least one employee from one of the department's major constituent agencies. While that employee may be authorized to represent his or her agency's interests within the mission, that individual has not been selected by DHS to represent departmental interests. Although DHS has not formally selected these employees to serve in this capacity, they are sometimes asked to do so by embassy managers such as the ambassador or deputy chief of mission. This was the case at two missions we visited, and we were told that DHS component staff had been asked to represent the department elsewhere, though they had not been authorized to do so by DHS headquarters.

DHS has authorized 16 staff at different U.S. missions abroad to serve as representatives of the department. Some of these staff have been designated Senior Homeland Security Representatives (SHSR), while others are referred to as DHS attachés.

Table 3: Foreign Posts with DHS Representatives⁷⁵

Foreign Posts with DHS Representatives	
SHSRs	DHS Attachés
Abu Dhabi, United Arab Emirates	Baghdad, Iraq
Bangkok, Thailand	Brussels, Belgium
Beijing, China	London, United Kingdom
Frankfurt, Germany	Ottawa, Canada
Manila, Philippines	
Moscow, Russia	
Panama City, Panama	
Paris, France	
Port au Prince, Haiti	
Rome, Italy	
Tokyo, Japan	
Singapore, Singapore	

OIA selects SHSRs from among individual component staff at a mission. SHSRs represent larger DHS interests as a collateral duty to their primary responsibility to represent and support their component agency. The SHSR title is conferred upon the individual selected for this role; it is not vested in the position the individual holds in the embassy. There are currently 12 SHSRs.

DHS attachés are to represent departmental, as opposed to component, interests as their primary responsibility. DHS attachés are usually full-time employees of OIA. There are currently three DHS attachés.⁷⁶

DHS Should Move Away from the SHSR Model Toward a More Distributed Approach

DHS Senior Homeland Security Representatives were not provided clear guidance on their roles and responsibilities, and they interpreted their roles differently. Most endeavored to address a subset of the department’s international field management requirements. DHS, however, did not properly prepare SHSRs to conduct related activities. Furthermore, other DHS staff abroad perform similar functions for the department without any

⁷⁵ The DHS attaché in Brussels is the DHS representative to the U.S. Mission to the European Union, as well as the U.S. Mission to the North Atlantic Treaty Organization.

⁷⁶ Technically, the “attaché” designation can be only conferred by the Department of State. It is, thus, possible that DHS could select and deploy a full-time employee to represent departmental interests in a given country, but not be permitted to refer to this individual as a DHS attaché. All of the currently deployed DHS attachés have been officially designated as attachés by the Department of State. The Coast Guard, ICE, and CBP all, likewise, have accredited attachés at U.S. embassies. Coast Guard attachés serve in the Defense Attaché System and support the Department of Defense.

formal designation as SHSRs, and like the SHSRs, they have not received the support they require to execute these functions with full effectiveness.

A number of SHSRs said that they had not received sufficient guidance. In many cases, the only information they received on their roles and responsibilities came when they were notified that they had been designated SHSR. One SHSR said that he received only informal verbal notification of his designation as an SHSR, and no subsequent written guidance. Several other SHSRs we spoke with received a letter signed by the DHS Secretary designating them SHSR. With respect to their new role, these letters indicated that SHSRs were "to serve as the single focal point for both my Department and your Chief of Mission for homeland security matters." SHSRs who received these letters observed that they provided very little information about what responsibilities SHSRs were to take on as a result of their designation, and said that they received little or no subsequent guidance on what the position entailed. Moreover, in many cases other DHS component managers at post who had not been selected as SHSRs received no notice that an SHSR had been designated, what the designation entailed, or what effect it would have on their operations. OIA staff recognized the limitations of this initial guidance, and sought to issue more detailed information on the roles and responsibilities of the SHSR, but were unable to secure DHS front office approval for their more expansive characterization of the SHSR role.

With little formal guidance on their roles and responsibilities, SHSRs interpreted their position differently. The composition and volume of work associated with the SHSR mantle thus varied significantly from one post to another. Some SHSRs interpreted their mandate narrowly, while others understood it to encompass a broad range of activities. One SHSR said that he did not know what was expected of him apart from preparing for the Secretary's visits, and did not otherwise engage in DHS activities outside of those on behalf of his component agency. In sharp contrast, another SHSR consulted with OIA on DHS policy questions, represented the department at speaking engagements, and hosted small receptions for foreign counterparts on behalf of DHS. Two SHSRs we met with abroad considered it their responsibility to provide travel and meeting planning assistance for our visits, while two others did not.

Similarly, the time SHSRs devoted to this position differed from one post to the next. One former SHSR said that his associated responsibilities absorbed half of his time. Another said that his responsibilities grew to account for 30% to 40% of his. Others reported that they did not do much as SHSRs, and devoted only a few hours to the position from time to time.

Of the six current and past SHSRs with whom we met, most reported that they sought to address a subset of DHS international field management requirements in their capacities as SHSRs. All but one believed that it was

their duty to serve as the embassy's primary point of contact for requests for information about DHS programs and activities, and a link to domestic DHS offices. Most perceived that it was their responsibility to provide travel and meeting planning support for DHS visitors whose component offices were not represented at the post. Most also interpreted the SHSR role to include some representational responsibilities on behalf of DHS. By contrast, none of the SHSRs understood their position to involve any management or coordination of the operations of any other DHS component in country.

SHSRs noted, however, that they received little or no support from DHS to perform the duties they understood came with the position. Although their designation letters informed SHSRs that OIA staff would be "reaching out to them shortly" and were at their "full disposal," most had little contact with OIA staff. Those who had contact with OIA said that most of this contact related to trip planning for DHS officials.

SHSRs we spoke with were provided no training for the position and no related reference materials. One SHSR said that OIA had not provided other valuable information when needed, and had not done a good job of keeping him informed about major upcoming DHS policy announcements affecting his mission. When some SHSRs needed information about unfamiliar parts of DHS, they relied on personal contacts or their component chains of command, rather than OIA staff.

Not only did SHSRs describe a dearth of information from DHS, they also said that DHS provided no additional resources to support their new responsibility. SHSRs received no funding to provide for SHSR-related costs, and no administrative support to assist them in executing their SHSR functions.

OIA staff understood that SHSR duties amounted to an unfunded mandate to components from DHS, and requested funds to reimburse parent agencies for costs SHSRs incurred providing departmental support. Further, OIA recognized that SHSRs should receive training for the job, and requested funds for such training. OIA requests for funding for these efforts were not approved by the Assistant Secretary for Policy, and have not been included in congressional budget requests.

Recognizing that an excessive concentration of SHSR designations on the staff of few components could adversely affect those components' operations abroad, OIA sought to balance the SHSR designation across the DHS components. Staff in OIA reasoned that one or two components should not be asked to bear this collateral duty in all locations; that the responsibility for supporting departmental interests should be shared by all components with staff abroad. At the time of our fieldwork, however, three-quarters of SHSR designations had been given to ICE or USCIS. The Coast Guard had two

SHSRs, while CBP had one. This was, in part, because OIA needed components' approval before designating any of their staff an SHSR. None of the SHSRs came from the Secret Service, according to OIA, because the Secret Service resisted the designation of any of its international staff as SHSRs.

Because the SHSR designation is not transferable, the OIA SHSR balancing act and associated negotiations with components are often repeated. Every time a designated SHSR leaves a post, OIA considers whether there is an appropriate successor at the post or on the way, and then seeks the approval of the prospective successor's agency before designating him or her SHSR.

The consideration that OIA devotes to SHSR designation is largely wasted because the designation does not have a major effect on DHS activities abroad. The kind of work that SHSRs perform for the department is also handled by DHS staff who have not been designated SHSRs. There are several reasons for this.

First, other DHS staff at missions where an SHSR has been designated sometimes perform functions typically handled by the SHSR, because SHSRs have prior commitments or responsibilities they regard as more important. Some SHSRs spoke of difficulties juggling DHS responsibilities with their component workloads. One SHSR who spoke of challenges balancing SHSR responsibilities with component obligations, said that he tended to emphasize component activities because he was paid by the component and component managers evaluated his performance. Sometimes the regional responsibilities of DHS component representatives chosen to be SHSRs reportedly interfered with their ability to devote more continuous attention to this role.⁷⁷ Indeed, senior ICE, USCIS, CBP, TSA, Secret Service, and Coast Guard staff abroad frequently have regional responsibilities that require them to travel extensively, sometimes to up to a dozen neighboring countries in the region. SHSRs we spoke with sometimes pointed to these travels as the justification for handing off what might otherwise be considered SHSR responsibilities to other embassy staff.

Second, while many embassy managers appreciate having a DHS employee on staff to whom they can address inquiries about DHS, they do not always follow the DHS lead in identifying someone to serve in this capacity. In practice, ambassadors and deputy chiefs of mission determined who was to fill this role regardless of whom DHS designated for the job. As noted earlier, embassy managers identified DHS employees to serve in this capacity at missions where DHS had not designated anyone as the department's representative. Moreover, at two posts we visited with designated SHSRs,

⁷⁷ Department of State Office of Inspector General, *Impact of Department of Homeland Security Expansion Overseas on Chief of Mission Authorities*. ISP-I-06-26, May 2006. p. 10.

embassy managers did not exclusively seek them out to address non-component specific DHS issues.

Third, DHS sometimes requires travel and representational support in countries where it has not designated an SHSR. Sometimes the work that DHS component representatives at these posts perform on behalf of the department eclipses that of some SHSRs. The ICE Attaché in Bern, Switzerland, for example, provided substantial assistance to OIA in coordinating the DHS Secretary's participation in the 2006 World Economic Forum, expending half of his office's annual operating budget on travel in the process.

Finally, DHS component international staff do not distinguish between SHSRs and other embassy staff in seeking support at missions where they have no permanent representation. For one, each of the six DHS components with a significant international footprint provides global coverage of its international operations by dividing responsibilities for different parts of the world among staff abroad. Thus, the ICE Attaché in Singapore provides coverage for a host of other nations in the region, including Australia and Indonesia, and the Secret Service office in Paris provides investigative and protective support for most of Africa.

When they absolutely need in-country support, staff from these components do not make a point of involving the SHSR; instead, they reach out to the embassy office that deals most closely with their area of interest. For example, Coast Guard port security liaisons we spoke with generally contacted embassy economics section officers or defense attaché offices for assistance rather than anyone from DHS. Secret Service and ICE staff abroad voiced a preference for dealing with law enforcement counterparts such as embassy Regional Security Officers and FBI Legal Attachés; and USCIS representatives tended to work through embassy consular sections.

We believe that the return on the SHSR model is too small to justify the attention required to maintain it. The designation of SHSRs by DHS appeared to be the source of more confusion than meaningful field management assistance. Due to deficiencies in the administration of the SHSR effort, and the tendency for DHS and Department of State personnel to bypass the SHSR, the SHSR program should be abandoned in favor of a more distributed approach that relies on all component senior staff at post. Because other DHS staff abroad performed functions similar to SHSRs, DHS should focus on providing this larger complement of employees with the training and resources necessary to address the basic DHS field management functions that most SHSRs perform.

To ensure that senior component representatives abroad can properly support the department's basic field management requirements, DHS should develop

and administer predeployment training to this end. OIA has made initial strides in this area by coordinating the development of a “DHS 101” international training module that USCIS delivered to staff preparing for deployment abroad. OIA should build on this training effort by providing the training to the senior representatives of other components before they are deployed abroad, and ensuring that the curriculum prepares them properly for the functions they may be asked to perform on the department’s behalf.

In addition, DHS should develop a system for assigning component staff abroad the responsibility for department-level tasks that require attention in the field, such as coordinating meeting arrangements for visiting DHS officials. This system should track component staff time commitments to these tasks, so that headquarters-based component managers can assess the extent to which their staff abroad are engaged in activities on behalf of the department. In addition, DHS should budget for costs associated with these field activities, and reimburse component field staff for justifiable costs they incur on behalf of the department.

We recommend that the Assistant Secretary for International Affairs:

Recommendation #9: Coordinate with component international affairs managers to provide all senior component representatives abroad training and information to prepare them to provide trip support to visiting DHS staff, serve as a DHS information resource for the embassy, and perform basic representational functions on behalf of the department.

Recommendation #10: Develop a process for assigning component staff abroad responsibility for department-level tasks that require attention in the field, and monitor component staff time commitments to these tasks and other DHS-level obligations assigned by embassy managers.

Recommendation #11: Budget for the cost of field activities conducted by component staff on the department’s behalf, and reimburse component field staff for justifiable costs incurred in the conduct of requested activities.

DHS Should More Clearly Define DHS Attaché Roles and Responsibilities Prior to Deployment

DHS plans for deploying DHS attachés abroad are more ambitious than its SHSR-related efforts. Unlike SHSRs, DHS attachés are expected to address the full scope of DHS international field management requirements in the country to which they have been deployed. With one exception, they attend to these responsibilities full-time and report directly to OIA.

There are currently four DHS attachés. One DHS attaché is deployed to Baghdad, Iraq. Another works out of London, where he also serves as the TSA Representative, and performs both DHS attaché and TSA duties. The third DHS attaché arrived in Brussels in March 2007 and serves both the U.S. mission to the European Union, and to the North Atlantic Treaty Organization. In early 2008, a fourth DHS attaché deployed to Ottawa.

OIA plans to increase its complement of DHS attachés. Another DHS attaché is scheduled to deploy to Mexico City later in 2008. This attaché is to be followed by one in Singapore later in 2009. OIA plans for all future attachés to serve the office on a full-time basis.

DHS attachés are the DHS Secretary's personal representative to the American embassy, and are to act as the embassy's principal DHS point of contact for the ambassador and deputy chief of mission. Their primary mission is to promote DHS goals and objectives through dialogue with foreign counterparts and identify DHS priorities for the use of DHS resources. They are also expected to assist and accompany DHS senior-level officials on visits, and are responsible for coordinating all DHS activities and personnel in their assigned country.

International affairs staff from DHS and other departments expressed concern about two aspects of this mandate: DHS attachés' policy role, and the means through which they are to coordinate DHS component activities at the mission.

Several officials we spoke with abroad expressed difficulty imagining a productive policy role for a DHS attaché at their posts. While some international affairs staff could envision a positive policy coordination role for DHS attachés, many did not think that DHS had identified goals and objectives that component staff already in country did not or could not address.

International affairs staff in DHS and other departments expressed reservations about bringing aboard a DHS attaché to address as yet undefined policy objectives, in part because they anticipated that the addition of a DHS attaché would have the effect of reducing DHS component staffing at some missions. Several international affairs representatives reported that both DHS and the U.S. mission would lose out if a policy-oriented attaché were substituted for a working-level subject matter expert. Efforts to "rightsizing" the U.S. government's overseas footprint, combined with space and security restrictions, have put pressure on the number of U.S. government employees overseas. As a result, the addition of a DHS attaché at some embassies might indeed mean the loss of a component billet there. Some international affairs staff questioned whether either DHS or the embassy would be well served by the addition of a policy generalist, if this generalist replaced an employee with

specialized expertise in a key DHS international mission area. This was a view shared by one deputy chief of mission who said that his mission would use its National Security Decision Directive-38 authority to resist the deployment of a DHS attaché for this reason.

To address doubts about the need for DHS-level policy engagement in a given location, DHS should ensure that each DHS attaché has a clear policy agenda from which to operate before he or she is deployed. These policy agendas should reflect DHS aims and priorities in the country or region for which the attaché is to be responsible. DHS will be able to use such policy agendas to support its attaché deployment decisions, and ultimately assess the successfulness of the deployment.

We recommend that the Assistant Secretary for International Affairs:

Recommendation #12: Establish clear policy aims and priorities in the theater to which all DHS attachés are to be deployed prior to their deployment. These policy aims and priorities may be articulated in regional or national engagement plans and should include cross-component policy efforts or policy engagements that cannot be otherwise addressed by DHS component representatives currently in the theater.

The second area of concern for international affairs staff relates to uncertainty about how DHS attachés are to carry out their coordination responsibilities. Indeed, discussion of this point of responsibility for DHS attachés caused consternation among many DHS component staff abroad. A number of DHS staff said that, in this regard, the presence of a DHS attaché would simply create another layer of bureaucracy. Many international affairs staff questioned the need for a DHS attaché to provide such coordination, at all. Component staff abroad already report to a manager in-country, the chief of mission, and also report through chains of command to superiors in their component headquarters in Washington, DC.

To many DHS staff abroad, the addition of a DHS attaché came with more risks than potential benefits in the area of operational coordination. Several said that the operational oversight of all component operations at a large mission would be counterproductive because there was simply too much information and activity for one person to manage. Some DHS staff expressed concern that an operationally engaged DHS attaché would diminish the standing of the component leaders in the embassy and with foreign counterparts.

Moreover, component staff were concerned that if a DHS attaché became involved in operational matters, the attaché would eventually come to replace them at country team meetings, in law enforcement working groups, and in

other instances in which they interact with the ambassador or deputy chief of mission. They maintained that a DHS attaché could not represent their interests in these settings as effectively as they did, and perceived that they would lose access to valuable information shared in these meetings.

These concerns have proliferated, in part, because DHS has provided little guidance on the matter. Additionally, some of the information available from DHS appears to have inconsistencies. The position description for the Mexico City-based DHS attaché indicates that he will supervise the DHS component staff at post. There is no formal process for that attaché to supervise those staff, however, as all other DHS staff in Mexico City report to their component managers, rather than the attaché.

DHS attachés could maintain situational awareness to facilitate coordination through visibility into communications between components and the host government. Indeed, according to the designation letter for the DHS attaché in Baghdad, “all communications regarding DHS issues, whether into or out of Iraq, are to be coordinated through” him. While his designation letter indicates that this requirement will help DHS “speak with one clear, consistent, and coordinated voice,” DHS staff in Brussels and London are not mandated to do the same. DHS attachés in those locations do not have an opportunity to review or clear all component communications with foreign counterparts.

By not providing more clarity about how DHS attachés are to coordinate DHS staff and activities, DHS has contributed to anxiety among staff in the field. Component staff are concerned that the deployment of a DHS attaché to their mission will needlessly add to their reporting obligations. To address these concerns, DHS should clearly set forth how it intends DHS attachés to coordinate the activities of component staff, and what authorities are associated with this role. Establishing a direct reporting relationship between component staff and the DHS attaché may place an excessive burden on staff who are already responsible to their component managers and the chief of mission. Other measures to ensure that DHS attachés have the operational visibility they need to determine whether coordination is needed, however, may be appropriate. DHS should consider adopting a requirement that component staff share regular reports to their Washington-based managers with the DHS attaché, and provide the attaché with advance review of formal correspondence with foreign governments.

We recommend that the Assistant Secretary for International Affairs:

Recommendation #13: Develop clear guidelines on how DHS attachés are expected to coordinate DHS staff and activities, and communicate these expectations to embassies and affected component staff.

DHS Can Address the Specialized Needs of its International Staff and Their Families More Effectively

DHS employees who are assigned to foreign countries live and work in environments profoundly different from those they encounter domestically. Along with their families, these staff face challenges unique to a foreign environment and, as such, have distinctive needs. DHS has not addressed these specialized needs uniformly or effectively in all cases.

Other federal agencies that operate abroad have a corps of personnel dedicated to international work, many of whom are generalists. In order to meet the needs of these personnel, several foreign affairs agencies offer staff rigorous training before they are deployed overseas, and have administrative support structures dedicated to managing all phases of a multiyear international assignment. They also have redeployment systems in place that leverage their employees' specialized skills and experience, and provide for satisfactory rotation arrangements and procedures for personnel who commit to a career in the field.

DHS employees abroad, on the other hand, tend to be subject matter experts and functional specialists, most without prior experience abroad, many of whom are unlikely to ever have a second overseas assignment. DHS employees receive varying levels of training in preparation for their international assignments, depending on the component or program they represent. Once abroad, they sometimes perceive shortcomings in the support they and their family members receive. They often return to domestic positions similar to those they filled before their foreign assignment. For many it is a struggle to obtain a satisfactory domestic assignment to which to return.

Several international staff we met within DHS and other departments suggested that the formation of a DHS foreign service would most effectively address the difficulties DHS staff abroad face. Many other DHS staff opposed the idea of creating a DHS foreign service, asserting that the department was ill-suited to a foreign service arrangement.

The federal government currently has four foreign services – the Department of State, the U.S. Agency for International Development, the Foreign Commercial Service (in the Department of Commerce), and the Foreign Agricultural Service (in the U.S. Department of Agriculture). Members of these foreign service organizations are governed by different personnel and administrative rules than their civil service counterparts. Foreign service employees are, for example, obliged to serve abroad for substantial portions of the careers, and must meet foreign language proficiency requirements to fill many positions. Further, unlike civil service employees who can remain at the

same rank indefinitely, foreign service employees must be promoted to retain their appointments. Foreign service personnel generally rotate among positions that are excepted from competitive service, and reserved for members of the foreign service. They are generally restricted from serving more than eight consecutive years in domestic assignments, or more than 15 years in a row abroad. These and other requirements prompt foreign service staff to shift between assignments frequently and develop general, broadly applicable analytical, reporting, intercultural, and linguistic skills in place of more specialized expertise.

Advocates for a DHS foreign service suggest that by forming a service, the department could improve its international posture. They contend that a foreign service corps would be better prepared for and more suited to international work than our current international workforce. Proponents of the concept added that international staff in a foreign service would have a more natural job rotation process, and would find with less effort relevant follow-on assignments back in the United States. Finally, proponents maintained that a foreign service system would necessitate designating certain specific domestic billets to be filled by returning staff and that these officers, enriched by their international experience, would better equip their components for international activities.

While DHS has room to improve on the international front, there are two primary reasons why the formation of a DHS foreign service is not the best way to bring about needed improvements at this time. First, the DHS international footprint is not sufficiently homogeneous to support a viable foreign service. DHS staff abroad are drawn from 11 components. Most are functional experts who perform specialized work in support of their respective U.S. missions. These functional specialists cannot be substituted for one another: a USCIS adjudicator cannot serve as an ICE criminal investigator or as Coast Guard officer, no matter how much international experience he or she obtains. And a DHS foreign service generalist could not be expected to perform the array of functions the department's current complement of international staff perform. Second, shortcomings that exist in the department's international configuration can be addressed by more succinct and economical means than creating a parallel personnel system. DHS can improve international staff conditions by:

- Enhancing staff predeployment preparedness,
- Improving specialized support provided to staff,
- Leveraging international staff knowledge and experience, and
- Identifying basic return rights principles for international staff.

While a foreign service is not currently viable DHS-wide, the formation of a foreign service may be an option for some departmental components with a substantial international footprint. While it is unreasonable to rely on a foreign service generalist to perform the full range of DHS functions abroad,

it may not be unreasonable to expect a foreign service generalist to develop expertise in the more limited array of issues associated with the international work of a single DHS component. We did not examine whether creating a component-specific foreign service is advisable.

Some reviewers of our draft report suggested that we should have considered whether DHS should seek a legislative change to grant it foreign affairs agency status. They noted that if DHS were to secure foreign affairs agency status, the department would be able to change the terms of service for staff abroad and compensation for its foreign service personnel, and have greater latitude in transferring funding overseas. While we did not specifically consider the question of whether DHS should seek foreign affairs agency status, we believe that many of the same conditions that weigh against the adoption of a foreign service model at the DHS level apply to the pursuit of foreign affairs agency status, as well. Perhaps the most significant of these conditions is that fact that DHS international staff are not consolidated within a single unit in the department that could be readily designated a foreign affairs agency.

DHS International Staff Predeployment Preparedness Could Be Improved

For employees to serve their organizations effectively, they must command the knowledge and skills required for their respective positions. The knowledge and skill requirements for international positions are distinct from those for many domestic positions. Consequently, domestic staff assigned to international positions often face knowledge and skill deficits. These deficits can be addressed through predeployment training.

International staff often bring family members with them during their assignments abroad. Family members sometimes face challenges adjusting to living in an overseas environment. For the stay-at-home dependent parent, the simplest daily chores, shopping, planning a child's after school activities or calling a plumber, can be daunting in a strange country, especially when the parent cannot read street signs or communicate in the local language. The difficulties family members confront abroad could adversely affect employee performance. Thus, predeployment education for family members could contribute to organizational performance in international settings.

A number of DHS staff abroad reported that neither they nor their family members had been properly prepared for international assignments. While some staff said that they had received adequate training for their positions, others described preparedness deficits, for them and their families, in the following areas:

- Language training,

-
- Diplomatic skills and cross-cultural awareness,
 - Country and area studies, and
 - Working in an embassy.

Language Training

DHS staff serving in non-English speaking countries generally receive little or no foreign language instruction prior to deployment. We encountered language deficits among DHS staff in four of the five countries we visited where English was not the official language. These language deficits had adverse effects on both their professional and personal lives.

Most DHS staff in these countries said that their limited language comprehension did not prevent them from performing basic duties. However, several DHS staff told us that a greater familiarity with the local language would have helped them perform their jobs more effectively. Some perceived that they were at a relative disadvantage to other embassy units in their ability to build relationships with counterparts in the host government due to their lesser command of the language. Others observed that their language limitations made them more dependent on locally engaged staff to play vital roles in the office.

Many DHS personnel deployed to countries where English is not the primary language reported that their limited foreign language skills diminished their ability to operate and function in their private lives. One DHS employee could not get home without the assistance of a local employee to direct his cab driver to his house. Some reported that family members' inability to speak the local language caused them difficulties, and sometimes led to feelings of isolation. In some cases, this reportedly made for a stressful home life for DHS employees.

Diplomatic Skills and Cross Cultural Awareness

Some DHS staff reportedly did not know how to effectively interact with colleagues at the embassy or with host country counterparts. While senior staff who have prior experience working abroad generally possessed the necessary diplomatic skills to operate in a foreign environment, other staff did not. Several Department of State officials expressed reservations about the performance of some DHS staff in this regard. Indeed, a number of DHS staff reported that predeployment training on diplomacy and cross-cultural awareness would have been helpful.

Country and Area Studies

Most DHS staff we met who interact with foreign counterparts had not received country and area studies prior to their deployments. Most reported

that the bulk of the country- and region-specific information they received was acquired on the job after arrival. According to other staff in embassies abroad, however, some DHS staff were unfamiliar with the structure and composition of foreign counterpart agencies in their areas of responsibility sometime after deployment. Several staff said that this information would have been helpful to them had they received it earlier.

Working in an Embassy

DHS staff are not sufficiently knowledgeable about how to operate within an embassy environment. Most DHS staff had taken a Department of State "Working in an Embassy" training course before they were deployed, but many said that more training on the embassy environment and key embassy units would have been helpful. Some Department of State representatives reported that DHS staff could be better prepared to understand the roles and responsibilities of the various Department of State units and federal agencies in order to function more effectively in an embassy environment.

Staff preparedness for international assignments varies widely across DHS. While some DHS programs dedicate significant consideration, time, and resources to preparing staff for overseas deployments, others do not. DHS components with a more substantial staff presence abroad, such as CBP, ICE, and USCIS, prepare their personnel more extensively for an overseas assignment than components with less staff abroad, such as TSA and FEMA.

Although there is standard Department of State training that all civilian employees must attend prior to a permanent deployment abroad, some DHS staff, as well as their spouses, receive additional training to prepare them for living and working abroad. Coast Guard attachés, who are detailed to the Defense Attaché System, for example, receive extensive language, diplomacy, cross-cultural awareness, and country and area studies training before they arrive at post. Some units in CBP, ICE, and USCIS have international orientation programs that provide information about component overseas operations, embassy office duties and responsibilities, and international features of human resource and budgeting matters. These offices encourage spouses to attend predeployment training to prepare them for the overseas environment.

Conversely, other DHS offices provide very limited instruction to employees bound for international assignments. Many FEMA and TSA international staff, for example, do not receive much overseas orientation training. Variations in predeployment training also exist within components. While CBP attachés undergo a several-week orientation program to prepare them for living and operating abroad, CBP preclearance staff receive little or no international preparedness training.

DHS has recently taken steps to improve predeployment preparedness. A few DHS units revised and expanded their international orientation training curricula to address some training deficits. OIA, in turn, assembled component international affairs representatives to determine what items should be included in a “DHS 101” international orientation course. The resulting course familiarizes staff with the embassy setting, provides an overview of DHS international operations and activities, and clarifies DHS employees’ place within the embassy. It helps prepare DHS staff to respond usefully to taskings or requests related to other DHS components by providing them with more detailed information in this area. The course was piloted by USCIS, and OIA hopes it will be adopted by other component offices. Course development efforts such as this are positive steps, but more can be done.

No one single training program will address the preparedness needs of all DHS international staff and their families. DHS staff abroad simply have too many different missions and functions. Current shortcomings in international staff preparedness are best addressed through the development of DHS-wide minimum predeployment training criteria. Such training criteria should specify that staff who perform a given function abroad receive training to prepare them to perform that function. The criteria could indicate, for example, that DHS staff who frequently interface with senior officials in host governments receive instruction on that nation’s political system and diplomatic skills training. In developing these criteria, DHS can use the strengths of some component international orientation programs to improve the predeployment training programs of other offices in the department. By developing such standards and monitoring compliance with them, DHS can ensure that international staff and their families receive the training they need to operate effectively abroad.

We recommend that the Assistant Secretary for International Affairs:

Recommendation #14: Develop, in collaboration with the Chief Human Capital Officer and DHS component international affairs offices, predeployment preparedness criteria for staff and their families abroad, and require component reporting on how they meet those preparedness standards for each international program and position type.

DHS Staff Abroad Do Not Always Receive the Specialized Support They Need

Staff and their families who are overseas on a permanent assignment have distinct administrative needs that require specialized support. These needs range from assisting staff with housing, to securing office space and providing information technology support at their overseas locations, whether at a Department of State compound or off-site. International staff and their

families also need basic information on medical benefits, healthcare, and schooling.

Some DHS staff reported housing difficulties. Several DHS employees abroad said that there were significant delays in obtaining permanent housing after they arrived at their international posts. Many were in temporary housing or hotels for several months before permanent living quarters were approved by embassy security officers and assigned to them. Other DHS employees abroad perceived that they were placed in housing inferior to that of their Department of State colleagues. While DHS components contribute the same amount of money per employee to embassy housing services as other agencies, in one location DHS staff were told that the employees of foreign affairs agencies were given priority in selecting available government-owned or long-term leased housing.

DHS staff abroad reported difficulties with healthcare and schooling, as well. For example, some staff did not clearly understand their medical benefits, while others had difficulty with insurance coverage and reimbursements. In one case, a DHS employee waited more than a year to receive payment for costly local medical care he paid out of pocket. Other DHS employees overseas said they had difficulty identifying appropriate schools, enrolling their children in their school of choice, and obtaining tuition assistance.

Other staff raised grievances about workspace. Allocating space in an embassy is a difficult task for an embassy's management personnel due to a number of factors, including structural space constraints and associated construction costs. These difficulties should not preclude management personnel from ensuring the most effective use of workspace. However, in more than one location, embassy management counselors were unable to apportion workspace to the satisfaction of incoming DHS components, and placed this obligation on DHS component offices to decide among themselves. Rather than making determinations where to place DHS staff from a new component based on an assessment of all workspace in the embassy, these management counselors insisted that the space for new DHS staff come out of the space other DHS staff already occupied. Because the management counselor did not intervene to guarantee an equitable solution in one embassy, the result is that DHS staff from one component have considerably more workspace per person than staff from another DHS component.

Because the majority of DHS staff abroad work at remote locations away from an embassy or consulate, some have difficulty accessing embassy services for which their organizations have paid. Some off-site DHS personnel said that they had received little support during their transition to post, and did not receive much, if any, assistance from embassy staff in identifying appropriate workspace and housing in these locations. Several observed that their

distance from an embassy or consulate reduced their ability to access other embassy services such as financial and travel support. This was particularly the case for CBP employees abroad, many of whom operate out of airports and seaports.

Another challenge DHS staff abroad noted was the almost total absence of representational funds at their disposal. In international settings, the use of representational funds to host lunch or dinner meetings is vital in building relationships with host country counterparts. Contacts developed through the use of representational funds often provide valuable information or assistance to DHS staff abroad. To develop those contacts, many DHS staff pay out of their own pockets for meals for host government contacts and to sponsor work-related events. Several purchase mementos with their agency logo, such as key rings, pens, and mugs, so they can promote awareness of their organization. While staff in a few DHS programs had access to funds for this purpose, a number of DHS staff abroad reported spending a significant amount of their own money on these expenses; sometimes in excess of a thousand dollars a year.

Some difficulties DHS staff face arise from their limited familiarity with Department of State-managed support services, and how to access and influence them.

Many support services for DHS employees abroad, including mail and messenger services, security, information and personnel management, and travel and accounting, are paid for by DHS components. These services are provided under the International Cooperative Administrative Support Services (ICASS) umbrella managed by Department of State officials at embassies. ICASS is a system that consolidates support services for U.S. civilian personnel in country by distributing service costs across all participating U.S. agencies. The system has built-in processes for responding to staff input. For example, embassy employees can shape services by participating in local ICASS Councils. Meanwhile, embassy employees can raise housing-related issues at local housing boards. U.S. government staff abroad who are knowledgeable about these forums have an outlet to address concerns about unsatisfactory service.

While some DHS program offices familiarize their employees with ICASS support services before they are deployed, several others do not. A number of DHS staff abroad said that more information on ICASS would have been helpful because they were not confident that they fully understood what embassy services were available to them, or how to access them. Some even resisted embassy service support that their headquarters offices paid for because they were unaware that the services were already paid for.

DHS staff and their families would be better prepared for life abroad if they had more information about ICASS services and other Department of State resources available to them. Increased familiarity with the system would also enable DHS staff to make more informed assessments about whether they are receiving the full menu of services for which their organizations have paid. Finally, if DHS staff abroad had greater familiarity with forums for providing input into the provision of these services, they would be able to address service grievances more effectively. DHS components with staff on permanent assignment overseas should better prepare them to understand related aspects of Department of State and embassy operations and practices.

We recommend that the Commissioner of Customs and Border Protection, the Assistant Secretary of Immigration and Customs Enforcement, the Commandant of the Coast Guard, the Director of the Secret Service, the Director for U.S. Citizenship and Immigration Services, the Assistant Secretary for Transportation Security Administration, the Administrator for the Federal Emergency Management Agency, the Under Secretary for Science and Technology, the Director of the Federal Law Enforcement Training Center, the Assistant Secretary for International Affairs, and the Director of US-VISIT:

Recommendation #15: Provide international staff with more information and training on Department of State administrative support services available to them abroad, and the forums and processes available to them for addressing concerns about the adequacy of those services.

Other challenges are associated with the quality of support provided to staff by their DHS program offices in the United States. Some DHS program offices with a significant international presence have structures in place to effectively support their international staff, while others do not. The ICE Office of International Affairs, for example, has its own finance, procurement, and human resources units, while TSA and FEMA rely on units that primarily support domestic staff to provide these services. According to some international staff, these primarily domestic-oriented support units provide inferior support because they are not as familiar with the special requirements and unique challenges of working in the international setting.

Some disparities in the quality of support DHS staff receive abroad result from administrative policy differences across DHS organizations. DHS program administrative policies differ from one another in areas such as permitted travel allowances, and danger and hazardous duty pay incentives. ICE, TSA, and Secret Service international staff, for example, receive educational allowances for their children, while some Coast Guard employees abroad do not. Whereas CBP does not permit promotions for staff while they are abroad, individual Secret Service posts set promotional practices.

To help address variations in the quality of support services provided to DHS staff abroad, OIA stimulated the formation of a DHS Interagency Administrative Steering Council. This group promotes the sharing of best practices on administrative support services among component offices. This is a positive step, but more can be done. DHS staff, for example, could benefit from a resource that provides basic information on life overseas alongside specific information on DHS systems and requirements, and contact information for other DHS offices abroad.

Along with these efforts, DHS should establish baseline expectations about the support services DHS staff are to receive when they are abroad. The establishment of such minimum support requirements would ensure that basic services are available to all DHS staff posted abroad.

We recommend that the Assistant Secretary for International Affairs:

Recommendation #16: Establish, in collaboration with the Under Secretary for Management, minimum support requirements for staff abroad to ensure that they have the proper resources and receive adequate and timely support prior to and during their tours of duty.

DHS Should Do More to Leverage Knowledge and Expertise Acquired by Staff Abroad

Effective organizations recoup their human capital investments. DHS investment in its international staff is substantial, but we believe that the department does not capitalize to the extent it should on its investment in these staff.

DHS staff abroad develop specialized knowledge and expertise during their time overseas. They acquire knowledge about other countries' political and legal institutions, as well as applicable international laws and regulations. They also develop important relationships with foreign counterparts: relationships that aid in obtaining valuable information in support of U.S. interests.

The development of these personnel assets, however, comes at a considerable cost to DHS. With nearly 2,000 positions in 79 countries, DHS devotes significant resources to staff overseas. According to a GAO report, the average cost for an overseas position in 2007 was \$491,000.⁷⁸ Some DHS component offices also spend a substantial amount on predeployment training while staff are abroad.

⁷⁸ GAO, *Overseas Staffing: Rightsizing Approaches Slowly Taking Hold but More Action Needed to Coordinate and Carry Out Efforts*, GAO-06-737, p. 5.

DHS does not obtain a long-term return on many of these human capital investments. A number of DHS employees leave the federal government following their international assignments, and many retire, all together. Component international affairs representatives said that such retirements were commonplace, as many overseas staff in their organizations were nearing the end of their careers. A few DHS international affairs staff reported that assignments abroad were sometimes seen as a career capstone and a final way for agencies to thank long-time employees for their service.

DHS does not recover its human capital investment in staff with expertise in foreign affairs when these employees are returned to positions where they cannot apply this expertise. While some DHS staff abroad expressed confidence that they would be able to use fully the knowledge and skills they developed abroad after their international tours ended, most did not. A few employees said that their international experience would contribute significantly to their ability to perform in the positions to which they expected to return. Most others said that they would be able to apply only a modest subset of the knowledge and skills they had developed abroad. Several staff suggested, for example, that they would be able to use the diplomacy skills they had honed abroad in working with external stakeholders in their future domestic positions. Few staff could explain how they would use cultural and linguistic skills, their contacts or familiarity with foreign affairs operations, or knowledge of the host country's political and legal systems in their next job. This is in large measure because only a fraction of DHS personnel abroad expected to continue to work in the international arena for DHS.

To a large extent, DHS component offices with international staff did not have a process to capitalize on their expertise after their international tours ended. Several component international affairs managers could not articulate how their organizations would effectively use international staff upon return to the United States. While some international affairs managers said that they would try to absorb returning staff into their international program offices, they acknowledged that their offices were too small to take on many employees returning from assignments abroad. Some components had requirements that effectively capped the amount of time employees could perform international work. One component, for example, limits the amount of time its employees can work abroad. Others prevent employees from serving more than one tour of duty overseas in their careers.

The absence of a systematic approach for retaining international expertise contributed to the view among some staff that headquarters offices would make no effort to leverage their expertise. Equipped with skills and expertise only obtainable through international work experience, but unable to employ them within their organizations, some DHS employees look elsewhere. One DHS employee observed that, as a result, his agency often lost staff to

international organizations. One former DHS international affairs manager described this situation as a “total waste of human resources” and “a waste for the long-term interest of DHS.”

We believe that DHS components’ retention and leveraging of employees with institutional knowledge and expertise in international work could be improved. To realize improvements, DHS components with a significant staff presence overseas should develop plans that present the agencies’ approach to leveraging staff expertise, and set benchmarks for international staff retention and the use of international skills and expertise.

We recommend that the Commissioner of Customs and Border Protection, the Assistant Secretary of Immigration and Customs Enforcement, the Commandant of the Coast Guard, the Director of the Secret Service, the Director for Citizenship and Immigration Services, and the Assistant Secretary for Transportation Security Administration:

Recommendation #17: Develop, in collaboration with the Office of International Affairs, a long-range plan that defines how their organization will leverage the knowledge and experience of international staff, and submit completed plans to the Office of International Affairs for review.

Return Rights Arrangements Are Unsatisfactory for Some DHS Staff Abroad

DHS staff returning from assignments abroad face a number of unique challenges in obtaining appropriate jobs.

One challenge DHS overseas staff face returning from international tours is finding a domestic position within narrow time constraints. All DHS components limit the length of the international tours of their direct hire staff and impose minimum and maximum time frames for them to serve abroad. Their employees are committed to remain abroad for all but the last several months of their tours of duty, and can effectively seek other jobs only during this last stretch. Unlike domestic counterparts, DHS staff abroad must, therefore, find their next job within a strict window of time. This window narrows further after accounting for employees’ need to pack and move their personal effects, and find appropriate housing and schools in the city to which they will be relocating.

During the application process for domestic positions, many international staff have difficulty attending interviews. Because the cost of returning to the United States for multiple interviews is prohibitive in some cases, many staff must interview by phone. Simply coordinating a time for telephonic

interviews can be a challenge because some staff operate in time zones with regular business hours that are incompatible with those of domestic offices.

A third challenge facing DHS staff abroad is the result of their sometimes limited contact with domestic offices. Several DHS overseas staff said that redeployment after an overseas assignment can be difficult because they have little or no interaction with prospective managers in the United States. Therefore, staff in some positions perceive that they operate at a disadvantage relative to their domestic counterparts, many of whom have an opportunity to establish working relationships with hiring officials.

Inaccurate and unfavorable perceptions of international work by some domestic managers present another challenge for staff returning from foreign assignments. DHS staff abroad said that domestic managers did not always understand what they did abroad and perceived that international work was not valued by their organization. Several program managers explained that overseas tours were not regarded as career enhancing within their organization because of the misperceptions of life overseas. According to them, many domestic offices see them as operating in an easy-going “diplomatic wine and cheese circuit.” Further, because some staff abroad do not have the same authorities as they do domestically, the fact that they are not exercising those authorities during their tours abroad leads some in domestic offices to sense that they are getting “rusty” in, for example, the use of firearms and application of investigative techniques.

Another challenge is that several international positions have no domestic parallel. TSA Representatives, for example, have duties unlike those of any U.S.-based counterparts. As a result, their work experience may not be directly applicable to the domestic positions to which they seek to return.

Finally, many DHS staff abroad experience difficulty returning to the domestic communities in which they are vested. Many DHS staff abroad transferred from domestic field offices where they maintain residences, and family and professional ties. These staff have a compelling interest to return to the field office or region they left. Accommodating this interest can be difficult because suitable position vacancies are not always available during the limited time frame international employees have to find domestic jobs.

To address the professional challenges associated with returning to domestic positions from international assignments, a number of DHS programs have established international staff return rights policies. These arrangements vary across the department and are sometimes even different for staff in different offices within the same DHS component. In general, however, return rights policies offer returning staff an opportunity to express their preferences for particular jobs or job locations, and commit headquarters offices to provide returning staff with support in finding suitable domestic positions. In some

cases, they guarantee that returning staff will be placed in a position at their current grade level or in the region of their choice.

A number of DHS staff abroad reported uncertainty or dissatisfaction about their return rights arrangements. Staff uncertainty about their return rights sometimes appeared to be linked to components' whose return rights policies had not been finalized. In other cases, DHS employees overseas said that their uncertainty in this area resulted from their return rights having changed during their tours of duty. Others said that their return rights were simply unclear.

DHS employees abroad who said they understood their return rights were not always satisfied with them. The response we received from overseas staff to questions about their return rights arrangements was often negative.

Many staff abroad were concerned about the level of support provided by headquarters offices in identifying suitable domestic placements. Although most DHS programs' return rights policies note that they will assist staff in obtaining employment, many staff said that they did not receive much assistance from headquarters in obtaining jobs. Many staff abroad expressed the view that they were essentially on their own in seeking employment. Headquarters support was so limited in some cases that employees feared they would have no job to return to whatsoever.

Several DHS employees overseas did not have confidence that their return rights would result in a satisfactory domestic placement. Some expressed concerns about maintaining their current grade level or job series. At least three DHS components can give temporary promotions to staff during their international tours. On returning to domestic assignments, however, these staff receive no guarantee that they will remain at the same grade level. In a few cases, staff also expressed concern about losing eligibility for positions in their previous job series. Because international staff often perform different functions from domestic counterparts, staff certification to perform domestic functions can expire while they are abroad. In one case, DHS employees reported that their agency's policies dictated that they would have to repeat basic training to be eligible to occupy the position they left to come abroad.

Staff dissatisfaction with return rights sometimes centered on their ability to return to positions in their home office or region. Some staff said that their return rights did not guarantee a placement in a small enough geographic region to be meaningful. Others doubted that their agencies would be able to place them in the domestic region from which they had departed. A number were concerned that they would be effectively forced to return to their component's headquarters office in the Washington, DC metropolitan area. Due to cost of living concerns, and because these staff owned a home or maintained family ties in another region, they resisted the idea of a DC-based

placement. One employee chose to return to a lower grade position to avoid placement at headquarters.

This dissatisfaction with return rights arrangements has some adverse effects. In some cases, it has produced significant morale problems. Several employees abroad described disparities in DHS return rights arrangements, and said that their return rights were inferior to those of staff in other agencies.

Concerns about the adequacy of return rights reportedly affect staff productivity. A number of DHS staff devote much of their final year abroad to job search efforts because they are concerned that they will not receive needed support from their headquarters offices.

Inadequate return rights arrangements may also contribute to difficulties filling overseas billets. One DHS representative abroad said that his agency's return rights arrangements created a disincentive for highly-qualified staff to apply for international assignments and led to difficulties filling positions around the world. Another employee said that if the limitations in her return rights had been apparent before she was deployed overseas, she would not have accepted the position.

DHS components should develop return rights arrangements that fully address the distinctive redeployment needs of international employees. To ensure that they do so, the Office of International Affairs should articulate basic return rights principles to be applied department-wide.

We recommend that the Assistant Secretary for International Affairs:

Recommendation #18: Develop, in collaboration with the Chief Human Capital Officer, basic return rights principles for DHS staff abroad and ensure that DHS components' return rights arrangements address those principles.

Those principles should at minimum ensure that:

- At least some agency hiring officials provide preferential consideration to returning staff in filling open positions,
- Returning staff are afforded the opportunity to express their position and geographic placement preferences,
- Headquarters offices properly support returning staff in finding suitable positions to which to return, and
- Returning staff are guaranteed to return to a position at either their current grade level or in their geographic region of preference as long as they have not been subject to any adverse performance-related or disciplinary action.

Management Comments and OIG Analysis

We received three responses to our draft report from DHS managers. One response was coordinated by the DHS Office of Policy and drew together the views of CBP, the Coast Guard, the National Preparedness and Programs Directorate (which includes the US-VISIT Program Office), the Office of Policy, S&T, and USCIS. We received a second response from ICE, reflecting its comments on the draft report. The Secret Service prepared a separate, third response. These three responses are attached in Appendix B.

The first two responses constructively addressed our draft report and its recommendations. Our response from the Secret Service did not. We will address the first two responses before discussing the Secret Service's comments on our draft report.

In the consolidated response assembled by the Office of Policy, the Assistant Secretary for Policy writes that our report was well received by the contributing components and headquarters elements, and that they agreed that DHS overseas activities should be better coordinated. The Assistant Secretary noted, however, that our use of the term "operations" in the title and body of the draft report caused some consternation among components. We revised the title and body of our report in light of this concern.

The contributors to the consolidated response concurred with 16 recommendations in our draft, but indicated that more time and research would be required for the department to develop a complete response to the remaining two recommendations. For its part, ICE concurred with each of the four recommendations we directed to the agency for action. FEMA and FLETC did not provide a formal response to our draft, but informally neither expressed reservations about the two recommendations we addressed to them.

In considering management responses to our recommendations, we assess whether a recommendation is "resolved" and "closed." A recommendation "resolved" when DHS managers agree with us on (1) the reported findings and recommendations, (2) the corrective actions to be taken, and (3) target completion dates. A recommendation is "closed" when the agreed-upon corrective actions have been completed.

Of the 18 recommendations in our report, we regard 8 as resolved and the remaining 10 as unresolved. All of the recommendations remain open. Our analysis of management responses to each of our recommendations follows.

Recommendation #1: Develop, in consultation with all major DHS components, a DHS international strategic plan and establish a process for managing implementation of ~~this plan~~.

Consolidated DHS Response: DHS concurred with this recommendation and discussed future plans to consolidate and refine draft regional strategies and country plans after first integrating strategic-level component input.

OIG Evaluation: We cannot determine from the department's response whether Office of Policy plans will fully address our recommendation. We need more information from the Office of Policy to determine, for example, whether the product OIA plans to deliver will include all of the elements of a full-scale strategic plan. As we note in the report, the DHS international strategic plan should include a high-level discussion of the department's current international engagements, a description of homeland security-related conditions abroad, and a statement about the department's future vision in these areas. Nor is it apparent from management's response that the strategic plan will be consistent with other strategic guidance and international commitments, or properly coordinated with the Department of State. In addition, department managers did not discuss whether they plan to assign responsibility for implementing related initiatives, and set related benchmarks and milestones, or describe how it plans to monitor and enforce compliance with the strategic plan. Due to the above, we consider this recommendation *unresolved – open*.

Recommendation #2: Host, in collaboration with policy staff in other Office of Policy units, periodic meetings with international affairs staff from other DHS components on the international dimensions of different functional aspects of the DHS mission.

Consolidated DHS Response: The department concurred with this recommendation and discussed its plans to increase the regularity of gatherings of DHS operational component heads and expand the list of attendees at these sessions.

OIG Evaluation: The department's response does not describe any plans to host functionally oriented sessions on international issues. This recommendation was intended to engender periodic meetings with components along functional lines (e.g., on immigration issues), in addition to those that already occur on a regional basis. Until OIA commits to host sessions of this nature, the status of this recommendation will remain *unresolved – open*.

Recommendation #3: Ensure that all cleared Office of International Affairs staff have regular access to the Automated Message Handling System or a similar system with the capability of sending and receiving cables or other message traffic.

Consolidated DHS Response: The Office of Policy concurred with this recommendation and has identified means for some OIA staff to send and

receive cables. It notes, however, that facility constraints prevent OIA staff from accessing classified cable systems in their primary workspace.

OIG Evaluation: It is unclear whether the Office of Policy's prospective solution to access cable traffic fully addresses this recommendation. We will examine the office's 90-day response to determine whether it plans for all cleared staff to have regular access to a system for sending and receiving cable traffic. In the meantime, we regard this recommendation as *unresolved – open*.

Recommendation #4: Require components to notify the Office of International Affairs of their intent to pursue negotiations with foreign governments and review resulting draft agreements.

Consolidated DHS Response: The department concurred with this recommendation, and the Office of Policy has incorporated related requirements into a draft management directive, which is currently under review.

OIG Evaluation: This recommendation is *resolved – open*. We will close this recommendation when the draft management has been approved and issued in final, and after we confirm that it fully addresses our intent.

Recommendation #5: Clearly define the Office of International Affairs' purview and provide it with some authorities vis-à-vis DHS component international programs and offices to include, at minimum, the authority to: solicit component reporting; ensure that the office receives notice of component senior executive official travel to foreign countries and high-level foreign official visits; and direct component action in some circumstances.

Consolidated DHS Response: The Office of Policy reports that it has incorporated related requirements into a draft management directive, but notes that some components expressed concern about one aspect of this recommendation. Some of the components that contributed to the consolidated response expressed concern about the language in our recommendation stating that OIA should have authority to direct component action in some circumstances. These components maintain that operational authority over their international activities should continue to reside with their organizations, and not OIA. For its part, OIA has interpreted our recommendation to mean that it should have authority to direct components on some administrative, logistical, or strategic DHS priority-policy matters. The consolidated response indicates that additional discussion between OIA and components is required on this point to eliminate ambiguity.

OIG Evaluation: Our aim in making this recommendation is to ensure that OIA has the information and authority necessary to perform strategic

management and coordination functions for the department. We did not communicate this aim as clearly as we could have in our draft report, and have refined portions of our final report to clarify our position. We now note, for example, that OIA is not well-positioned to direct DHS component international activities on a day-to-day, operational basis, and indicate that this function should continue to be the responsibility of component international affairs units.

Because additional departmental discussion on this recommendation is anticipated, we cannot be assured that related provisions of the draft management directive will be adopted and, therefore, consider the recommendation *unresolved – open*.

Recommendation #6: Develop, in collaboration with the Science and Technology Directorate and consultation with DHS component international offices, an international training and technical assistance and information and education exchange plan. The plan should account for DHS informational and educational requirements, and be consistent with an overarching DHS international affairs strategy.

Consolidated DHS Response: OIA concurred with this recommendation and reports that it is developing a comprehensive record of DHS training and technical assistance activities. OIA believes that this comprehensive record will enable the department to monitor resources dedicated to these activities and align them with the department's overall strategic objectives.

In its response, OIA also observes that most DHS training and technical assistance is conducted in response to interagency and other government agency requests, rather than DHS-specific initiatives.

OIG Evaluation: While the development of a catalog of DHS international training and technical assistance and information exchange activities is a positive step, it is not clear whether this effort would produce a forward-looking plan for activities in these areas. Such a plan should discuss how future training and technical assistance and information exchange plans are consistent with the department's strategic objectives. In examining how well current activities meet these objectives, we anticipate that the department will identify new opportunities to advance DHS interests. After it has completed this process, the department will be better prepared to pursue support for these activities in interagency settings or seek specific legislative authority to conduct them. In the meantime, this recommendation is *unresolved – open*.

Recommendation #7: Ensure that appropriate staff are able to identify international training and technical assistance and information exchange opportunities and provide guidance on how to link those opportunities to available funding sources.

Consolidated DHS Response: The contributors to the consolidated response concurred with this recommendation and indicated that OIA will develop a reference document listing interagency training and technical assistance funding sources available to DHS, and provide this information to DHS components. They also note that OIA's training and technical assistance coordinator will establish and maintain partnerships with key DOD and Department of State funding sources.

ICE Response: ICE concurred with this recommendation. In its response, ICE describes its involvement in several international training and technical assistance programs, related funding sources, and associated interagency coordination efforts. ICE also expresses its willingness to provide OIA with information on ICE training programs, funding mechanisms, and future training schedules.

OIG Evaluation: The promulgation of related reference materials and the cultivation of ties to Department of State and DOD training and technical assistance funders should improve the department's posture in this area. This recommendation is *resolved – open*, and will remain so until the department has distributed related reference materials to DHS component staff, and the provided them with clear guidance on the process for initiating international training and technical assistance activities.

Recommendation #8: Periodically submit a plan to the Office of International Affairs that specifies agency international training and technical assistance and information exchange goals and priorities, and that clearly indicates what internal resources will be dedicated to the achievement of those goals.

Consolidated DHS Response: The department concurred with this recommendation and wrote that components will provide OIA with their training plans through a common database that is to reflect international training and technical assistance activities.

ICE Response: ICE concurred with this recommendation, and has agreed to share its training goals and priorities with OIA.

OIG Evaluation: In addition to articulating their international training and technical assistance and information exchange goals and priorities, we recommended that components clearly indicate what internal resources they plan to direct at those goals. Neither response specifies whether components plan to indicate what resources they plan to dedicate to the achievement of their training and technical assistance goals and priorities. Furthermore, while ICE has committed to share its international training goals and priorities with OIA, it is unclear whether OIA plans to capture these goals and priorities in its

training and technical assistance database. Until we receive more information about efforts in these areas, we consider this recommendation *unresolved – open*.

Recommendation #9: Coordinate with component international affairs managers to provide all senior component representatives abroad training and information to prepare them to provide trip support to visiting DHS staff, serve as a DHS information resource for the embassy, and perform basic representational functions on behalf of the department.

Consolidated DHS Response: The department concurred with this recommendation and wrote that OIA will develop an orientation program or reference guide for senior DHS representatives abroad to provide them with basic information on key DHS programs and activities.

OIG Evaluation: The department has identified and committed to appropriate action to address this recommendation. We look forward to reviewing the OIA reference guide or orientation program when it becomes available to confirm that it provides the information senior DHS component staff abroad require. This recommendation is *resolved – open*.

Recommendation #10: Develop a process for assigning component staff abroad responsibility for department-level tasks that require attention in the field, and monitor component staff time commitments to these tasks and other DHS-level obligations assigned by embassy managers.

Consolidated DHS Response: DHS concurred with this recommendation, but noted that some components expressed concern that the departmental support their international staff provide could take away from their primary operational missions abroad. OIA committed to coordinate a future discussion on this matter with senior headquarters and component officials.

OIG Evaluation: It is not yet clear how OIA plans to proceed with the task assignment and monitoring functions we have recommended. In assigning component staff abroad responsibility for department-level tasks, we anticipated that OIA would account for their day-to-day operational responsibilities to their components. It is, therefore, appropriate for senior component officials to be consulted in the development of a process for assigning these tasks. Pending the outcome of these consultations, this recommendation is *unresolved – open*.

According to the consolidated response, some components “expressed concern over unfunded mandates and their representatives being tasked to perform time-consuming generic duties at the expense of their primary missions.” Our report acknowledges the financial burden that components sometimes assume in providing DHS-level support abroad, and seeks to

address it in the following recommendation. While we recognize the importance of component operations abroad and the critical role that component staff play in many U.S. missions, we also understand that component responsibilities to higher-order departmental objectives ought sometimes take on an importance that eclipses these other functions.

Recommendation #11: Budget for the cost of field activities conducted by component staff on the department's behalf, and reimburse component field staff for justifiable costs incurred in the conduct of requested activities.

Consolidated DHS Response: The department concurred with this recommendation and has incorporated language for this requirement into a draft DHS management directive. OIA also committed to collaborate with components to determine funding needs and appropriate budget submissions.

OIG Evaluation: This recommendation is *resolved – open*. We will close the recommendation when DHS provides us with its related budget plans, and an indication that it has started reimbursing components for departmental costs.

Recommendation #12: Establish clear policy aims and priorities in the theater to which all DHS attachés are to be deployed prior to their deployment. These policy aims and priorities may be articulated in regional or national engagement plans and should include cross-component policy efforts or policy engagements that cannot be otherwise addressed by DHS component representatives currently in the theater.

Consolidated DHS Response: The department concurred with this recommendation. OIA plans to draw from its regional strategies and country plans, which are currently under development, in defining policy aims and priorities for DHS attachés. OIA expects to provide this guidance to outbound DHS attachés starting their assignments in 2009.

OIG Evaluation: OIA plans appropriate corrective action in response to this recommendation. It will remain *resolved – open*, however, until OIA provides us with its related guidance to DHS attachés.

Recommendation #13: Develop clear guidelines on how DHS attachés are expected to coordinate DHS staff and activities, and communicate these expectations to embassies and affected component staff.

Consolidated DHS Response: DHS concurred with this recommendation, and OIA plans to lead a working group to develop policy guidance in this area.

Some components expressed concern that chiefs of mission may view DHS attachés as the sole point of contact for DHS subject matter expertise. The consolidated response underscores, however, the view that subject matter expertise typically resides with component representatives at mission.

OIG Evaluation: OIA indicated that it has plans to develop policy guidance on how DHS attachés are to coordinate DHS staff and activities at missions abroad, but has not provided us with timelines for developing and communicating this guidance. As a result, we regard this recommendation as *unresolved – open*.

Recommendation #14: Develop, in collaboration with the Chief Human Capital Officer and DHS component international affairs offices, predeployment preparedness criteria for staff and their families abroad, and require component reporting on how they meet those preparedness standards for each international program and position type.

Consolidated DHS Response: DHS concurred with this recommendation. In its response, OIA said it will lead a cross-component working group to identify the predeployment issues under consideration by each component, minimum standards that should be met by all components, and additional staff support services required. After the working group has submitted its recommendations, OIA plans to collaborate with the Chief Human Capital Officer to consider the recommendations and set related policy.

OIG Evaluation: The department has outlined an appropriate process to address this recommendation and presented a corresponding time frame to complete related activities. This recommendation is *resolved – open*, pending the development of associated policy.

Recommendation #15: Provide international staff with more information and training on Department of State administrative support services available to them abroad, and the forums and processes available to them for addressing concerns about the adequacy of those services.

Consolidated DHS Response: DHS concurred with this recommendation, and reported that three components rely on Department of State administrative support units to help prepare their employees for overseas assignments. In its response, OIA wrote that it will coordinate with each component to identify Department of State administrative support services already in use and share this information among all components.

ICE Response: ICE concurred with this recommendation, and explained that its outbound orientation training provides staff with information and ~~training~~ on Department of State administrative support services available to them

abroad, as well as the forums and processes available to them for addressing concerns about the adequacy of those services.

OIG Evaluation: The department appears to be taking appropriate action in this case. This recommendation is *resolved*, but will remain *open* until OIA completes its review of component use of Department of State administrative support services, and we receive confirmation that the results have been disseminated to all DHS components and offices with staff abroad.

Recommendation #16: Establish, in collaboration with the Under Secretary for Management, minimum support requirements for staff abroad to ensure that they have the proper resources and receive adequate and timely support prior to and during their tours of duty.

Consolidated DHS Response: DHS concurred with this recommendation. In its response, OIA reported plans to lead a cross-component working group to identify support services currently offered by each component, set minimum standards that should be met by all components, and identify any additional support services that may be appropriate. After the working group has submitted its recommendations, OIA is to collaborate with the Under Secretary for Management to develop new policy.

OIG Evaluation: When implemented, the department's plans will address our recommendation. This recommendation is *resolved – open*, pending the outcome of the working group discussions and OIA policy coordination with the Under Secretary for Management.

Recommendation #17: Develop, in collaboration with the Office of International Affairs, a long-range plan that defines how their organization will leverage the knowledge and experience of international staff, and submit completed plans to the Office of International Affairs for review.

Consolidated DHS Response: At the time of its response, the department indicated that it did not have sufficient information to determine whether to concur or non-concur with this recommendation. Because many components do not have international career paths, the department is still assessing the practicality of this recommendation.

ICE Response: ICE concurred with this recommendation, and committed to provide OIA with a related long-range plan.

OIG Evaluation: We recognize that several DHS components do not have an international career path, but think the department's investment in its international staff calls for a more considered approach to leveraging staff skills and expertise. Because a number of DHS components and offices have

not concurred with this recommendation, however, we consider it *unresolved – open*.

Recommendation #18: Develop, in collaboration with the Chief Human Capital Officer, basic return rights principles for DHS staff abroad and ensure that DHS components' return rights arrangements address those principles.

Those principles should at minimum ensure that:

- At least some agency hiring officials provide preferential consideration to returning staff in filling open positions,
- Returning staff are afforded the opportunity to express their position and geographic placement preferences,
- Headquarters offices properly support returning staff in finding suitable positions to which to return, and
- Returning staff are guaranteed to return to a position at either their current grade level or in their geographic region of preference as long as they have not been subject to any adverse performance-related or disciplinary action.

Consolidated DHS Response: The department concurred with the intent of this recommendation, but indicated that additional discussion and policy research would be needed before it could provide a full response. The department cited the complexity of the DHS workforce – one comprised of military, law enforcement, and civilian employees – and varied component-specific approaches to return rights as the basis for its need for more time to consider the recommendation.

OIG Evaluation: DHS components have established multiple approaches to return staff from assignments abroad. We have recommended the articulation of return rights principles so that all DHS employees deployed abroad are assured of certain basic conditions in returning to domestic positions. Until the department concurs with this recommendation and develops an appropriate action plan to address it, this recommendation will remain *unresolved – open*.

Analysis of the Secret Service Response

Unlike the other two responses we received, the Secret Service comments on our draft noted several serious concerns. In the Secret Service's view, these issues with our draft were so profound and numerous that our draft could not be revised to address them. Indeed, the agency wrote that it could not support the draft report and generally opposed all of its recommendations.

The Secret Service's response to our draft report reflects a misreading of our report and related law. In its response, the Secret Service mischaracterizes our findings and recommendations. The Secret Service states that in our report

we find that “international missions conducted by DHS directorates and agencies are currently disjointed, deficient, inefficient, decentralized, chaotic, and ineffective.” While we observe that the DHS international management apparatus is complex and decentralized, we have not made the broad, negative assertions that the Secret Service has attributed to us. In fact, our report notes that, for the most part, DHS programs and activities abroad are performed independently of one another to no ill effect, and that operational coordination requirements abroad are extremely limited.

The Secret Service writes that we found that the department should be restructured in such a way that “OIA substantially oversees, coordinates, controls, and operationally manages” component international missions. It further asserts that we recommend that OIA “operationally manage DHS law enforcement agencies.” Neither of these statements is accurate. Nowhere in our report do we write that OIA should “control” or “operationally manage” the execution of DHS international missions or the international activities of its law enforcement activities. Indeed, we share the Secret Service’s view that OIA should not exercise operational control over the Service’s protective and investigative activities, and would be troubled by such a development. Rather, we maintain that OIA should perform strategic management and coordination functions for the department’s international activities, and be provided the information and authority necessary to execute these limited functions. Although we communicated our views to this effect at some length in the report, we understand how it is possible for some readers to have developed an exaggerated sense of the authorities we recommend be conferred upon OIA. We have therefore revised some of our report to clarify our intent and reduce the chance that other readers will likewise mistake our meaning.

The Secret Service’s response to our draft is also premised on a misreading of applicable law and departmental practice. For one, the Secret Service misunderstands our draft to have asserted that OIA authority to manage DHS international activities derives from authorities first vested in the Border and Transportation Security Directorate’s Office of International Enforcement. This is not so. As we note on page 16, OIA authority to manage international activities within DHS was directly conferred to the office in Section 879 of the Homeland Security Act. OIA authority in this regard is not limited to the international activities of agencies that were once part of the Border and Transportation Security Directorate, and extends to all DHS organizational elements.

In its response, the Secret Service seems to imply that OIA cannot exercise authority over the agency because, in its view, law dictates that “Secret Service personnel only report to and are accountable to the Director” of the Service, and that the Director only reports to the DHS Secretary. This perspective does not account for the DHS Secretary’s direction to the department, including the Secret Service, over the last five years. Since DHS

was created, DHS secretaries have delegated some of their authorities, including authorities over the Secret Service, to DHS headquarters offices. Through DHS Delegation 0400.2, for instance, the Secretary delegates to the DHS General Counsel “the authority to participate in and decide any legal matter within the [d]epartment.”⁷⁹

The DHS Secretary has also instituted an internal management directive system applicable throughout DHS.⁸⁰ A number of DHS management directives establish oversight and reporting requirements for DHS components, including the Secret Service. According to one DHS management directive, for example, the DHS Chief Security Officer has the authority to suspend individuals’ access to DHS facilities, including those of the Secret Service.⁸¹ Further, as we discuss on page 37, DHS management directives have forged headquarters office dotted-line authority over related elements of component offices.

The Secret Service also expressed concerns about our methodology. In particular, the agency’s response to our draft states that the OIG “did not seek an assessment from Secret Service executive personnel as to how the proposed findings and recommendations would impact upon Secret Service foreign offices and foreign operations.” In fact, as is standard practice, the OIG held an exit conference with representatives of a number of offices for this very purpose. Although four Secret Service representatives attended the session, none of them voiced these or any other significant concerns with the draft during the meeting or over the course of the following month. The Secret Service’s assertion in this regard is also misleading inasmuch as it suggests that the OIG met with a few, junior Secret Service staff during our fieldwork. To the contrary, during the course of our review, we interviewed 18 Secret Service representatives, including six Agents-in-Charge or Regional-Agents-in-Charge.

Finally, the Secret Service is critical of our report for not providing a detailed assessment of the success of individual DHS components’ performance abroad. As our review focused on DHS-level matters, specific questions about DHS component performance were not within the scope of our work. We plan to address individual components’ international mission performance in future reviews.

The Secret Service wrote that it would be pleased for us to “interview Secret Service personnel responsible for development, management, budgeting, and support of Secret Service foreign offices and foreign operations,” and confident they could provide us with “relevant metrics, assessments, budgets,

⁷⁹ DHS Delegation 0400.2: Delegation to the General Counsel, September 14, 2004, Section II(B)(1).

⁸⁰ DHS Management Directive 112-01: Directives System, April 10, 2008.

⁸¹ DHS Management Directive 11005: Suspending Access to DHS Facilities, Sensitive Information, and IT Systems, March 23, 2006, Section VI(A)(1).

strategic planning, and other reliable data reflecting the substantial impact and success of Secret Service operational activities abroad.” In determining which components to engage in future reviews on component international mission performance, we will consider the Secret Service’s openness to sharing information and interest in demonstrating the success of its international activities and robustness of interaction with other law enforcement agencies.

Appendix A

Purpose, Scope, and Methodology

We conducted this review to evaluate the effectiveness of the department's management of its international programs and activities. We framed our review around four objectives to:

- Determine the composition of DHS' international programs and activities,
- Evaluate the strategic management of the department's international enterprise,
- Evaluate communication and coordination across component programs, and
- Examine the quality and extent of DHS representation in international settings.

We performed our fieldwork from November 2006 to October 2007. During this period, we conducted more than 240 interviews. We met with DHS staff and officials from 17 DHS component offices and agencies: CBP, Coast Guard, FEMA, FLETC, I&A, ICE, Management Directorate, National Protection and Programs Directorate, Office of Counternarcotics Enforcement, Office of Operations Coordination, Office of Health Affairs, Office of the Citizenship and Immigration Services Ombudsman, Office of Policy, S&T Directorate, Secret Service, TSA, and USCIS. We also interviewed representatives of four other cabinet-level departments: the Departments of State, Justice, and Commerce, and the Central Intelligence Agency.

To gain a field-level perspective on DHS management of international programs and activities, we traveled to U.S. embassies and consulates abroad and other DHS international work sites, and interviewed DHS and Department of State representatives on location, as well as other federal agencies and partners. We visited staff in nine U.S. missions abroad, specifically the U.S. missions to Belgium, Canada, the European Union, Germany, Mexico, NATO, the Netherlands, Thailand, and the United Kingdom. We visited staff in 13 cities in seven foreign countries: Amsterdam (Netherlands), Bangkok (Thailand), Brussels (Belgium), Felixstowe (United Kingdom), Frankfurt (Germany), The Hague (Netherlands), Laem Chabang (Thailand), London (United Kingdom), Mexico City (Mexico), Ottawa (Canada), Rotterdam (Netherlands), Southampton (United Kingdom), and Toronto (Canada).

We supplemented these interviews with extensive document review and analysis efforts. In particular, we examined policies and procedures for DHS employees abroad, memoranda of agreement or understanding, and other governing documents. Additionally, we reviewed standard reports, performance metrics, and communications between field and headquarters elements and DHS components and the Office of Policy. We also studied applicable laws, regulations, and appropriations information as they relate to

Appendix A
Purpose, Scope, and Methodology

the department and to its components' overseas missions, responsibilities, and activities.

This review was conducted under the authority of the *Inspector General Act of 1978*, as amended, and according to the *Quality Standards for Inspections* issued by the President's Council on Integrity and Efficiency.

Appendix B Management's Comments to the Draft Report

U.S. Department of Homeland Security
Washington, DC 20528

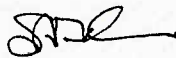
APR 11 2008



Homeland Security

Information

MEMORANDUM FOR: Richard L. Skinner
Inspector General

FROM: Stewart A. Baker 
Assistant Secretary for Policy

SUBJECT: Response to the Draft Report: The Department of Homeland
Security's Management of Overseas Operations

Purpose

This memorandum is in response to the Department of Homeland Security (DHS), Office of the Inspector General (OIG) draft report entitled, *The Department of Homeland Security's Management of Overseas Operations*, dated February 2008.

Background

The comments presented herein reflect the consolidated opinions offered by the respondent DHS components [Customs and Border Patrol (CBP), United States Coast Guard, Transportation Security Administration, United States Citizenship and Immigration Services (USCIS), Science and Technology, National Protection and Programs Directorate, and the Office of Policy (PLCY)] on the 18 recommendations offered in the report. At least one component offered a strong dissenting option and forwarded their comments directly to the OIG. Consequently, their opinions are not reflected here. Comments of a purely technical nature (e.g. factual inaccuracies, omissions) were forwarded directly to the OIG and will be incorporated into the final report.

Discussion

Overall, the draft report was well received by the respondent components and headquarters elements. There is general agreement that the Department's overseas activities can and should be better coordinated/tracked to capitalize on potential synergies and to move closer to a whole-of-department approach whenever possible. More than one component opined that overlaps and duplication of operational effort is currently uncommon because DHS components typically bring unique skill sets to the table. Components were typically receptive to sharing best practices. Likewise, components were typically leery of any policy change that might threaten the existing hierarchy and protocols that govern the management of individual components.

www.dhs.gov

Appendix B

Management's Comments to the Draft Report

The somewhat liberal use of the term "operations", both in the title and body of the report, caused some consternation among those components that associate the term with active law enforcement and/or military actions in support of a mission, rather than with the full range of overseas activities (e.g. logistics, human resource management, training, budget) associated with maintaining the Department's overseas presence. This is a longstanding concern that will be addressed through follow-on conversations with the components.

Six recurring themes were identified during the review of the report;

- Strategy
- Guidance to Components
- Guidance to Overseas Employees
- Support of Overseas Employees
- Intra-Department Communications
- Training Coordination

Action officers have been assigned based on these themes. Appendix A provides specific comments to each recommendation and a preliminary Office of Policy plan for the way forward.

Questions and comments regarding this official response should be directed to Dave Forslund, PLCY Training Coordinator at (202) 447-3582, or by email at Dave.Forslund@DHS.gov.

Attachment

Annex A – Formal Response to Draft OIG Report on The Department of Homeland Security's Management of Overseas Operations

Appendix B Management's Comments to the Draft Report

ANNEX A

Formal Response to Draft OIG Report on *The Department of Homeland Security's Management of Overseas Operations*

Recommendation #1: Develop, in collaboration with other elements of the Policy Directorate and in consultation with all major DHS components, a DHS international strategic plan, and establish a process for managing implementation of this plan

Response: Concur with comments. First-generation draft Regional Strategies and Country Plans (for key partner nations) have been developed by DHS, Office of International Affairs (OIA) and are currently being reviewed at the PLCY level. This preliminary review and validation of key strategies, of particular headquarters interest, will be completed by late April 2008. DHS-OIA previously briefed several component international affairs offices, informing each of the forthcoming effort to develop a comprehensive DHS international engagement strategy that would be informed by both headquarters-level and component-level strategic priorities.

Some components questioned the need and practicality of developing a comprehensive DHS international engagement plan given the diversity of component missions. Beginning May 1, 2008, DHS-OIA will lead an Intra-agency effort to incorporate strategic-level component input into the draft Regional Strategies and Country Plans. Once complete, the final product will be promulgated as a DHS directive providing strategic-level guidance that will, in part, be the basis for the development/refinement of future component international engagement strategies. The collaborative process across DHS components is expected to take 4-6 months. An update will be provided in each 90-day status report.

Recommendation #2: OIA host, in collaboration with PLCY staff in other PLCY Directorate units, periodic meetings with international affairs staff from other DHS components on the international dimensions of different functional aspects of the DHS mission.

Response: Concur. DHS-OIA currently hosts a periodic gathering of operational component OIA heads. The frequency of this meeting will be increased to monthly and the attendee list will be expanded to include representatives from headquarters elements as appropriate. Additionally, since this report was drafted in late 2007, DHS-OIA regional directors have each instituted a working-level monthly coordination meeting with operational components and key headquarters offices. No further action is anticipated in support of this recommendation.

Recommendation #3: Ensure that all cleared OIA staff have regular access to the Automated Message Handling System, or a similar system with the capability of sending and receiving cables, or other message traffic.

Appendix B

Management's Comments to the Draft Report

Response: Concur. A potential solution was identified in March 2008 allowing OIA staff to access relevant, unclassified State Department cables through the Automated Message Handling System. DHS-OIA directors and deputies will prototype the new process during April 2008. Current building design constraints will not allow DHS-OIA employees to have access to classified cables from their desktop computers. Instead, classified cables will continue to be available through the Homeland Security Data Network or equivalent system that is available in multiple secure locations throughout the DHS Headquarters complex. An update will be provided in the first 90-day status report.

Recommendation #4: Require components to notify OIA of their intent to pursue negotiations with foreign governments and review resulting draft agreements.

Response: Concur. This requirement has been incorporated into a new draft DHS management directive entitled, *Office of International Affairs Integration and Management*. The directive is currently under review. An update will be provided in the first 90-day status report.

Recommendation #5: Clearly define OIA's purview and provide it with some authorities vis-a-vis DHS component international programs and offices to include, at minimum, the authority to: solicit component reporting; ensure that the office receives notice of component senior-executive official travel to foreign countries and high-level foreign official visits; and direct component action in some circumstances.

Response: Concur. This requirement has been incorporated into a new draft DHS management directive entitled, *Office of International Affairs Integration and Management*. The directive is under review. Some components expressed concern over the phrase "and direct component action in some circumstances" indicating that operational authority must always reside with the components. DHS-OIA concurs and interprets this as authority to direct components on some administrative, logistical, or strategic DHS priority-policy matters. Additional discussion is required between DHS-OIA and the components to eliminate ambiguity and to allay concerns. An update will be provided in the first 90-day status report.

Recommendation #6: Develop, in collaboration with the Science and Technology Directorate and consultation with DHS component international offices, an international training and technical assistance and information and education exchange plan. The plan should account for DHS informational and educational requirements, and be consistent with an overarching DHS international affairs strategy.

Response: Concur with comment. The Department's components engage in a wide range of training and technical assistance and information exchange activities annually. The majority of the training and technical assistance activity is in response to larger Inter-agency and/or other government agency requests rather than specific DHS initiatives. The exception to this rule is a limited number of programs such as the *Foreign Airport Assessment Program*, which DHS has

Appendix B

Management's Comments to the Draft Report

specific legislative authority to conduct. Conversely, the majority of information exchange activities are in support of DHS objectives and initiatives.

In a typical year, DHS components respond to hundreds of training requests from international organizations, foreign governments and more than 20 U.S. Government programs. Creating a comprehensive picture of all DHS training, technical assistance, information sharing, personnel exchanges and more, for each partner nation, will require the development of a common, real-time, web-based database that can be updated by multiple component and headquarters users from several locations.

DHS-OIA has identified the Department of Defense (DOD), Theatre Security Cooperation Management Information System (TSCMIS), a real-time repository for all forms of DOD international engagement activity (e.g. training, conferences, exercises, exchanges, high-level visits), as the most promising off-the-shelf solution. DOD is in the process of standardizing multiple versions of TSCMIS and has indicated a willingness to allow Inter-Agency use as early as Calendar Year (CY) 2009. U.S. Aid for International Development is already a limited user of TSCMIS.

In the interim, DHS-OIA will collaborate with the components to create a comprehensive picture of all DHS training and technical assistance activity for Fiscal Year (FY) 2008 by importing component input into an off-the-shelf (Microsoft) database formatted such that it can be easily imported into TSCMIS at a later date. While this interim solution will require the frequent (monthly/quarterly) merging of component-data sources, it is an important first step in creating a comprehensive, immediately-accessible record of DHS activity in specific countries and will enable the Department to begin the process of analyzing its resource investments and comparing them to its strategic objectives. Implementing an interim solution to this recommendation will take 4-6 months. An update will be provided in each 90-day status report.

Recommendation #7: Ensure that appropriate staff personnel are able to identify international training and technical assistance and information exchange opportunities, and provide guidance on how to link those opportunities to available funding sources.

Response: Concur. DHS-OIA will develop a reference document including a synopsis of all Interagency funding sources with DHS application. DHS-OIA's, Training and Technical Assistance Coordinator shall serve as a central point of contact and shall establish and maintain a partnership with key DOD and Department of State (DOS) program funding offices. The reference document will be available to DHS components by May 30, 2008. An update will be provided in each 90-day status report.

Recommendation #8: Components shall periodically submit a plan to OIA that specifies agency international training and technical assistance and information exchange goals and priorities, and that clearly indicates what internal resources will be dedicated to the achievement of those goals.

Appendix B

Management's Comments to the Draft Report

Response: Concur with comment. The interim and long-term information management solutions described in Recommendation #6 above, will constitute component-level training plans. Pending the implementation of an automated solution (both interim and long-term), components will provide DHS-OIA, Training and Technical Assistance Coordinator, with a copy of their annual/quarterly training plans in the form currently being used. An update will be provided in each 90-day status report.

Recommendation #9: Coordinate with component international affairs managers to provide training to all senior component representatives abroad to prepare them to provide trip support to visiting DHS staff, serve as a DHS information resource for the embassy, and perform basic representational functions on behalf of the department.

Response: Concur. The DHS-OIA will develop an overseas orientation program or reference guide (to be determined) for use beginning with the 2009 rotation cycle. The objective of the program/guide will be to impart a basic level of understanding of key DHS programs and component activities to allow senior DHS representatives to comfortably field a broader range of DHS inquiries beyond those related to his/her parent organization. An update will be provided in each 90-day status report.

Recommendation #10: Develop a process for assigning component staff abroad, responsibility for department-level tasks that require attention in the field, and monitor component staff time commitments to these tasks and other DHS-level obligations assigned by embassy managers.

Response: Concur with comment. DHS component representatives are assigned abroad primarily in support of specific operational objectives. Department-level tasking is generally in the form of information/data collection or high-level visit support. While no component questioned the appropriateness of supporting infrequent high-level DHS visits, some expressed concern over unfunded mandates and their representatives being tasked to perform time-consuming generic duties at the expense of their primary operational mission. This issue potentially involves many elements within each component (i.e. international affairs, operations, intelligence) depending on the component's overseas footprint. DHS-OIA will coordinate a discussion of this issue at a future Deputy Secretary-led, component-head meeting. An update will be provided in the first 90-day status report.

Recommendation #11: Budget for the cost of field activities conducted by component staff on the department's behalf, and reimburse component field staff for justifiable costs incurred in the conduct of requested activities.

Response: Concur. This requirement has been incorporated into a new draft DHS management directive entitled, *Office of International Affairs Integration and Management*. The directive is currently under review. DHS-OIA will collaborate with the components to determine the magnitude of the funding gap and will initiate an out-year budget submission as appropriate. An update will be provided in the first 90-day status report.

Appendix B

Management's Comments to the Draft Report

Recommendation #12: Establish clear policy aims and priorities in the theater to which all DHS attachés are to be deployed prior to their deployment. These policy aims and priorities may be articulated in regional or national engagement plans and should include cross-component policy efforts, or policy engagements that cannot be otherwise addressed by DHS component representatives currently in the theater.

Response: Concur. Drawing from the regional strategies and country plans under development in accordance with Recommendation #1 above, DHS-OIA will develop a standardized format and will provide such guidance to all outbound DHS attaché beginning in assignment season 2009 with the deployment of attachés to Iraq and Singapore. An update will be provided in the first 90-day status report.

Recommendation #13: Develop clear guidelines on how DHS attachés are expected to coordinate DHS staff and activities, and communicate these expectations to embassies and affected component staff.

Response: Concur. Some components expressed concern that Chiefs of Mission may regard DHS Attachés as the single point of DHS subject matter expertise – they are not. Attention must be given to the fact that expertise typically lies with the operational component representatives. DHS-OIA will lead a working group to develop policy guidance in this area. An update will be provided in the first 90-day status report.

Recommendation #14: Develop, in collaboration with the Chief Human Capital Officer and DHS component international affairs offices, predeployment preparedness criteria for staff and their families abroad, and require component reporting on how they meet those preparedness standards for each international program and position type.

Response: Concur with comment. The diversity of DHS missions overseas makes this a very complex issue. Those components currently offering the full range of support to its employees and their families are understandably less concerned by the financial implications of a new mandate than those components currently offering limited support services. DHS-OIA will lead a cross-component working group to identify the full range of predeployment issues currently considered by each DHS component, minimum standards that should be met by all components and the additional support services that should be determined by each component based on mission, position, and environmental/security considerations. Based on the outcome of the working group, DHS-OIA will collaborate with Chief Human Capital Officer to validate the recommendations and to formalize new policy. This is a long-term initiative that will take 6-12 months to address. An update will be provided in each 90-day status report.

Appendix B

Management's Comments to the Draft Report

Recommendation #15: Provide international staff with more information and training on Department of State administrative support services available to them abroad, and the forums and processes available to them for addressing concerns about the adequacy of those services.

Response: Concur. Several components (CBP, USCP, USCIS) indicated that they have established relationships with DOS's Family Liaison Office, Overseas Briefing Center, and the Foreign Service Institute, and have used these programs, and others, to prepare their employees for overseas assignments. DHS-OIA will coordinate with each component to identify the full range of services already in use and to share this information among all DHS components. An update will be provided in each 90-day status report.

Recommendation #16: Establish, in collaboration with the Under Secretary for Management, minimum support requirements for staff abroad to ensure that they have the proper resources and receive adequate and timely support prior to and during their tours of duty.

Response: Concur. As with Recommendation #14, DHS-OIA will lead a cross-component working group to identify the full range of support services currently offered by each component and to determine the minimum standards that should be met by all components. Based on the outcome of the working group, DHS-OIA will collaborate with the Under Secretary for Management to validate the recommendations and to formalize new policy. This is a long-term initiative that will take 6-12 months to address. An update will be provided in each 90-day status report.

Recommendation #17: Develop, in collaboration with OIA, a long-range plan that defines how components organizations will leverage the knowledge and experience of international staff, and submit completed plans to the Office of International Affairs for review.

Response: Neither concur nor nonconcur DHS has insufficient information to form a view on this recommendation at this time. The practicality of this recommendation is under consideration. Many components do not have overseas career paths. Such assignments are often regarded as "rotational" or onetime "broadening" experiences. Consequently, the subsequent use of skills acquired in a specific country may not be possible, especially among senior staff who may not serve overseas again during their career. DHS-OIA will coordinate with the components and provide additional input in the first 90-day status report.

Recommendation #18: Develop, in collaboration with the Chief Human Capital Officer, basic return-rights principles for DHS staff abroad and ensure that DHS components' return-rights arrangements address those principles. Those principles should at minimum ensure that:

- At least some agency hiring officials provide preferential consideration to returning staff in filling open positions,
- Returning staff are afforded the opportunity to express their position and geographic placement preferences,

Appendix B

Management's Comments to the Draft Report

- Headquarters offices properly support returning staff in finding suitable positions to which to return, and
- Returning staff are guaranteed to return to a position at either their current grade level or in their geographic region of preference as long as they have not been subject to any adverse performance-related or disciplinary action.

Response: Concur with the spirit and intent. This is a very complex issue that is handled differently by each component based on the unique nature of the DHS workforce which includes military, law enforcement, and civilian employees. Considerable discussion and policy research will be required before a more complete response can be offered. An update will be provided in the first 90-day status report.

Appendix B
Management's Comments to the Draft Report

Office of the Assistant Secretary


U.S. Department of Homeland Security
425 I Street, NW
Washington, DC 20536



**U.S. Immigration
and Customs
Enforcement**

April 1, 2008

MEMORANDUM FOR: Richard L. Skinner
Inspector General

FROM: Robert DeAntonio 
Director, Audit Liaison Office

SUBJECT: Office of Inspector General Audit Draft Report
"Department of Homeland Security's Management of Overseas
Operations." dated February 2008

While the draft report provides multiple recommendations for DHS and related components, only recommendations seven, eight, 15 and 17 have relevance for U.S. Immigration and Customs Enforcement (ICE). Accordingly, ICE submits the following responses to the recommendations of the subject report:

Recommendation 7: "Ensure that appropriate staff are able to identify international training and technical assistance and information exchange opportunities and provide guidance on how to link those opportunities to available funding sources."

ICE Response: ICE concurs and welcomes additional training and technical assistance opportunities and potential funding sources relevant to our mission and strategic objectives. Currently ICE OIA maintains three primary international training and technical assistance programs: the Export and Border Related Security Program (EXBS), the International Law Enforcement Academies Program (ILEA), and the Bulk Cash Smuggling Program (BCS). EXBS funding is obtained from the Department of State (DOS). ILEA funding is obtained from the Bureau of International Narcotics and Laws Enforcement Affairs (INL) account, and the remainder is derived from Freedom Support Act (FSA) and Support for Eastern European Democracy (SEED) funds. BCS funding is generally provided by two offices within OS: the Office of the Coordinator for Counter-Terrorism (referred to as "SCT") and INL. A few regional BCS courses are also funded by the Treasury's Office of Technical Assistance. Furthermore, ICE OIA regularly meets with DOS and DOD to coordinate international training and technical assistance programs. Twice monthly, ICE attends the Terrorist Financing Working Group (TFWG) an interagency body co-chaired by INL and SCT to discuss and coordinate BCS training opportunities, requirements and accomplishments.

ICE OIA has had several meetings with the DHS representative for training, and has provided the representative with detailed information on the above ICE training, funding mechanisms,

Appendix B Management's Comments to the Draft Report

SUBJECT: OIG Draft Report "DHS Management of Overseas Operations," dated February 2008
Page 2

and future schedules. ICE also interacts closely with CBP on these training programs, and has provided DHS OIA with the information to ensure coordination on component training activities in the future. ICE OIA will continue to work with DHS OIA training in order to assist them in better understanding all aspects of the training programs.

ICE recommends that all instructional and technical assistance opportunities be carefully evaluated to ensure they support ICE and DHS strategic goals and objectives and that they are part of the DHS Strategic Plan (see Recommendation 1) and the ICE Strategic Plan.

ICE requests that this recommendation be considered resolved and closed.

Recommendation 8: "Periodically submit a plan to the Office of International Affairs that specifies agency international training and technical assistance and information exchange goals and priorities, and that clearly indicates what internal resources will be dedicated to the achievement of those goals."

ICE Response: ICE concurs. Most ICE OIA funding for international training comes from Department of State, while human resources are pulled from the ranks of ICE employees as well as from CBP. ICE OIA has submitted training schedules to DHS OIA when requested, and will continue to do so in support of the Department. All requests by DHS for information on ICE goals and priorities will be provided to the Department.

ICE requests that this recommendation be considered resolved and closed.

Recommendation 15: "Provide international staff with more information and training on Department of State administrative support services available to them abroad, and the forums and processes available to them for addressing concerns about the adequacy of those services."

ICE Response: ICE concurs, as it applies to DHS and entities having problems abroad. DHS should have a better understanding of what is necessary to support departmental personnel in international offices, particularly as they begin to place DHS attaches overseas. ICE OIA has extensive experience in this area, and already supports more than 50 ICE offices around the globe and the personnel within them.

ICE OIA provides outbound orientation training to ICE personnel prior to deployment in order to familiarize them with Department of State (DOS) administrative support services that are available abroad, and the forums and processes available to address concerns about the adequacy of those services. DHS OIA should assist those components experiencing problems overseas when requested to do so, and support the entities as necessary when negotiating with DOS.

ICE requests that this recommendation be considered resolved and closed.

Recommendation 17: "Develop, in collaboration with the Office of International Affairs, a long-range plan that defines how their organization will leverage the knowledge and

Appendix B Management's Comments to the Draft Report

SUBJECT: OIG Draft Report "DHS Management of Overseas Operations," dated February 2008
Page 3

experience of international staff, and submit completed plans to the Office of International Affairs for review."

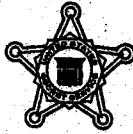
ICE Response: ICE concurs. A long range plan will need to support and accommodate both ICE and DHS strategic plans and objectives as well as accomplish specific program goals. ICE will seek to do this pursuant to the continuous development and refining of its strategic plans, as well as the mission which it seeks to carry out. ICE acknowledges the fluid nature of the international environment and recognizes that any plans may lack the level of specificity normally associated with domestic activities, and that they must also be flexible enough to react to unexpected opportunities. ICE will continue to work with DHS in order to ensure their understanding of the agency's long term goals, as well as to address any concerns that arise with the department.

ICE requests that this recommendation be considered resolved and open pending submission of a long-range plan to DHS OIA.

Within 90 days of the issuing of the OIG's final report on this audit, ICE will generate and submit to OIG a Mission Action Plan that specifies the issues to be resolved, the corrective action to be taken, and the associated deadlines for completion.

If you have any questions concerning this response or wish to further assist ICE in addressing the proposed recommendations, please contact Mr. Claude Lucas, the Audit Liaison Office OIG Audit Portfolio Manager, at (202) 514-9226.

Appendix B
Management's Comments to the Draft Report



U.S. Department of Homeland Security
UNITED STATES SECRET SERVICE

April 1, 2008

The Honorable Richard L. Skinner
Inspector General
Department of Homeland Security
245 Murray Drive
Building 410
Washington, D.C. 20528

Re: **OIG Report-DHS Overseas Operations**

Inspector General Skinner:

Thank you for an opportunity to review and provide comments on the draft Office of Inspector General ("OIG") draft report entitled: Department of Homeland Security's Management of Overseas Operations (the OIG Report) dated February 2008. While it is typical in responding to an OIG draft for an agency to provide specific comments to each issue or recommendation addressed in the OIG Report, such an itemized response here would be impractical and convey the false impression that the OIG Report could somehow be revised to satisfy the Secret Service's numerous concerns. These concerns center on the methodology used to generate the document and how an ongoing, internal policy dispute between the Office of International Affairs (OIA) and DHS law enforcement agencies is being addressed. The OIG Report does not recognize this policy dispute. We believe this fact alone compels you to consider leaving to the relevant stakeholders the burden of resolving these critical policy issues. Accordingly, for the general reasons noted respectfully below, the Secret Service cannot support the draft OIG Report and generally opposes all the recommendations.

Draft Report Synopsis

The draft OIG Report briefly attempts to analyze the highly dissimilar DHS missions conducted internationally—both the activities of DHS directorates and agencies, including existing DHS law enforcement agencies. It reviews the structure, staffing and authorities of OIA, a component of the DHS Office of Policy, currently staffed by 29 individuals, and concludes that OIA is the successor to the now defunct Border and Transportation Security Directorate and its international law enforcement authorities. The OIG Report further states that the Homeland Security Act of 2002 charges OIA with the responsibility to "manage international activities within the Department" and that individual directorates and agencies, including law enforcement agencies, are subject to this legal authority. It then briefly describes the individual missions and international footprint of DHS directorates and agencies abroad, but makes no attempt to ascertain or measure the relative success or effectiveness of these missions. Nor does the report analyze the individual statutory authorities of DHS directorates and agencies with an international presence. Nonetheless, the draft OIG Report articulates several key findings and 18

Appendix B

Management's Comments to the Draft Report

substantive policy recommendations that effectively conclude that OIA must assert and enhance its "strategic management and coordination" over all DHS International Affairs, including the operational activities of law enforcement agencies abroad.

Findings

The draft OIG Report either explicitly or implicitly advances the following findings:

- The current structure, activities, staffing and authorities exercised by OIA are in tension with a Congressional intent that OIA oversee, coordinate, control, and operationally manage the international missions of all DHS directorates and agencies;
- The international missions conducted by DHS directorates and agencies are currently disjointed, deficient, inefficient, decentralized, chaotic, and ineffective;
- The international missions conducted by DHS directorates and agencies must be restructured such that OIA substantially oversees, coordinates, controls, and operationally manages these international missions;
- By restructuring the international missions conducted by DHS directorates and agencies as proposed in the OIG Report, OIA will integrate, coordinate and enforce a uniform DHS process to strategically plan and operationally manage these missions mandated by Congress.

Recommendations

The draft OIG Report explicitly or implicitly mandates that OIA be granted the following authorities over DHS law enforcement agencies:

- Oversee and operationally manage DHS law enforcement agencies by controlling their mission size/presence in foreign nations and their interaction/contact with foreign law enforcement counterparts and mission partners;
- Review, clear, integrate and approve all negotiations and final agreements entered into between DHS law enforcement agencies and foreign law enforcement counterparts and mission partners;
- Require that DHS law enforcement agencies report/disclose their foreign mission efforts to OIA, including investigative, protective, and other law enforcement information and planned activities;
- Direct, coordinate and operationally manage DHS law enforcement agencies in identifying and providing all international training and training assistance (T & TA) extended to any foreign law enforcement counterparts and mission partners;

Appendix B

Management's Comments to the Draft Report

- Direct, coordinate and operationally manage DHS law enforcement agencies regarding the exchange of law enforcement information with foreign law enforcement counterparts and mission partners;
- Require and direct DHS law enforcement agencies to support senior DHS representatives while traveling abroad;
- Require and direct DHS law enforcement agencies to handle Departmental tasks and responsibilities abroad, as well as tasks and responsibilities of other DHS agencies;
- Establish, determine, apply, operationally manage, and enforce uniform policies, priorities, staffing, budget, and long range strategic plans as to how DHS law enforcement agencies conduct their individual international missions;
- Establish, determine, apply, operationally manage, and enforce uniform human capital policies and implementation guidelines regarding DHS law enforcement personnel abroad, including preferential return rules, position and geographic placement rules, and other personnel rules;
- Provide OIA with broad managing authority to direct the statutory principals to conduct DHS law enforcement missions abroad consistent with OIA operational policy and management directives, and to be apprised of foreign travel, meetings and other activities conducted by DHS law enforcement officials.

Secret Service Response

The Secret Service respectfully submits that the synopsis fairly reflects a realistic and sobering appraisal of the draft OIG Report. There can be no doubt that, if adopted and implemented, the OIG Report would fundamentally shift how DHS manages the international presence and mission activities of DHS directorates and agencies abroad, particularly DHS law enforcement agencies. The model would unrealistically integrate and transfer ultimate operational control of law enforcement activities abroad from sworn federal law enforcement professionals to OIA and its policy staff having no law enforcement experience, competencies, authorities, or accountability. Similarly, the model would confuse, if not functionally damage, well established operational relationships existing between DHS law enforcement agencies and foreign law enforcement counterparts and other mission partners. As applied to the Secret Service specifically, the draft recommendations would unquestionably impact detrimentally the ability of this agency to successfully perform both our protective and investigative missions abroad. For example, the Secret Service maintains that decisive investigative and protective operations, travel, information sharing, and collaboration abroad with foreign law enforcement counterparts and other mission partners cannot be subject to non-operational, non-law enforcement control.

The OIG Report also concludes that Congress mandated the control and integration of DHS directorate and agency foreign activities first under the authority of the Office of International Enforcement, a component of the defunct Border and Transportation Security Directorate (BTS), and subsequently under Departmental restructuring establishing OIA within the current DHS

Appendix B

Management's Comments to the Draft Report

Office of Policy. The Secret Service disagrees with this legal conclusion. Irrefutably the Secret Service was never part of or subject to the authority of the BTS Directorate or the Office of International Enforcement. This was not altered by subsequent restructuring and development of the DHS Office of Policy. More importantly, that Congress intended to place federal law enforcement activities such as the Secret Service under the supervision of the newly established DHS Office of Policy is simply unsupported by any fair reading of the statutes establishing or subsequently restructuring the Department.

Further, the IG Report does not address the language of the Homeland Security Act of 2002 establishing the Director of the Secret Service as a statutory direct report only to the Secretary. A review of this agency's organic statute, Title 18, United States Code, Section 3056 reflects that the Secret Service was transferred into the Department as a distinct, independent and fully integrated agency and that Secret Service personnel only report to and are accountable to the Director. As a result, the Secret Service believes that OIA operational control over Secret Service foreign activities cannot be reconciled with clearly enunciated Congressional intent, existing law, and Departmental practice.

The Secret Service also suggests that the OIG Report concludes that DHS international law enforcement missions are collectively uncoordinated, missing critical opportunities, and lacking strategic direction. This finding substantially underscores the OIG Report recommendation that OIA must be authorized to integrate, operationally manage and bring strategic control to all DHS international missions. Our concern is that the OIG Report has not yet captured a complete data picture to a complex law enforcement issue. Applying this to the Secret Service, we would be pleased that report managers interview Secret Service executive personnel responsible for the development, management, budgeting, and support of Secret Service foreign offices and foreign operations. We are confident that such personnel could provide to the OIG relevant metrics, assessments, budgets, strategic planning, and other reliable data reflecting the substantial impact and success of Secret Service operational activities abroad, and the robust interaction existing among all federal law enforcement agencies abroad. More importantly, we believe these executive personnel could elucidate upon the focused strategic planning occurring at the Headquarters-level that underscores our existing law enforcement presence and direction abroad.

Finally, prior to drafting the OIG Report, the report managers did not seek an assessment from Secret Service executive personnel as to how the proposed findings and recommendations would impact upon Secret Service foreign offices and foreign operations. It also appears that much of the OIG Report's findings and recommendations constitute a review of an existing policy dialogue subject to discussion among many relevant stakeholders. The Secret Service believes these policy discussions present highly complex, operationally sensitive questions that will have a significant impact upon law enforcement agencies and should be resolved by the operational stakeholders and OIA.

Appendix B
Management's Comments to the Draft Report

For all these reasons the Secret Service cannot support the draft OIG Report and generally opposes all the recommendations. Nonetheless, consistent with our comments, I stand ready to discuss these concerns and our agency's offer to make available Secret Service executive personnel knowledgeable of our foreign offices and foreign operations.

Sincerely,



Nicholas Trotta
Assistant Director
Office of Professional Responsibility

Appendix C Recommendations

Recommendation #1: Develop, in consultation with all major DHS components, a DHS international strategic plan and establish a process for managing implementation of this plan.

Recommendation #2: Host, in collaboration with policy staff in other Office of Policy units, periodic meetings with international affairs staff from other DHS components on the international dimensions of different functional aspects of the DHS mission.

Recommendation #3: Ensure that all cleared Office of International Affairs staff have regular access to the Automated Message Handling System or a similar system with the capability of sending and receiving cables or other message traffic.

Recommendation #4: Require components to notify the Office of International Affairs of their intent to pursue negotiations with foreign governments and review resulting draft agreements.

Recommendation #5: Clearly define the Office of International Affairs' purview and provide it with some authorities vis-à-vis DHS component international programs and offices to include, at minimum, the authority to: solicit component reporting; ensure that the office receives notice of component senior executive official travel to foreign countries and high-level foreign official visits; and direct component action in some circumstances.

Recommendation #6: Develop, in collaboration with the Science and Technology Directorate and consultation with DHS component international offices, an international training and technical assistance and information and education exchange plan. The plan should account for DHS informational and educational requirements, and be consistent with an overarching DHS international affairs strategy.

Recommendation #7: Ensure that appropriate staff are able to identify international training and technical assistance and information exchange opportunities and provide guidance on how to link those opportunities to available funding sources.

Recommendation #8: Periodically submit a plan to the Office of International Affairs that specifies agency international training and technical assistance and information exchange goals and priorities, and that clearly indicates what internal resources will be dedicated to the achievement of those goals.

Appendix C Recommendations

Recommendation #9: Coordinate with component international affairs managers to provide all senior component representatives abroad training and information to prepare them to provide trip support to visiting DHS staff, serve as a DHS information resource for the embassy, and perform basic representational functions on behalf of the department.

Recommendation #10: Develop a process for assigning component staff abroad responsibility for department-level tasks that require attention in the field, and monitor component staff time commitments to these tasks and other DHS-level obligations assigned by embassy managers.

Recommendation #11: Budget for the cost of field activities conducted by component staff on the department's behalf, and reimburse component field staff for justifiable costs incurred in the conduct of requested activities.

Recommendation #12: Establish clear policy aims and priorities in the theater to which all DHS attachés are to be deployed prior to their deployment. These policy aims and priorities may be articulated in regional or national engagement plans and should include cross-component policy efforts or policy engagements that cannot be otherwise addressed by DHS component representatives currently in the theater.

Recommendation #13: Develop clear guidelines on how DHS attachés are expected to coordinate DHS staff and activities, and communicate these expectations to embassies and affected component staff.

Recommendation #14: Develop, in collaboration with the Chief Human Capital Officer and DHS component international affairs offices, predeployment preparedness criteria for staff and their families abroad, and require component reporting on how they meet those preparedness standards for each international program and position type.

Recommendation #15: Provide international staff with more information and training on Department of State administrative support services available to them abroad, and the forums and processes available to them for addressing concerns about the adequacy of those services.

Recommendation #16: Establish, in collaboration with the Under Secretary for Management, minimum support requirements for staff abroad to ensure that they have the proper resources and receive adequate and timely support prior to and during their tours of duty.

Appendix C Recommendations

Recommendation #17: Develop, in collaboration with the Office of International Affairs, a long-range plan that defines how their organization will leverage the knowledge and experience of international staff, and submit completed plans to the Office of International Affairs for review.

Recommendation #18: Develop, in collaboration with the Chief Human Capital Officer, basic return rights principles for DHS staff abroad and ensure that DHS components' return rights arrangements address those principles. Those principles should at minimum ensure that:

- At least some agency hiring officials provide preferential consideration to returning staff in filling open positions,
- Returning staff are afforded the opportunity to express their position and geographic placement preferences,
- Headquarters offices properly support returning staff in finding suitable positions to which to return, and
- Returning staff are guaranteed to return to a position at either their current grade level or in their geographic region of preference as long as they have not been subject to any adverse performance-related or disciplinary action.

DHS components' overseas missions encompass a broad range of distinct operational programs and strategic objectives. In this appendix, we describe major DHS international programs and activities by component. The programs and activities described in this appendix do not represent a complete accounting of DHS efforts abroad, and instead focus on particularly significant engagements.

Coast Guard

Various units oversee Coast Guard international activities. The Commandant's Office of International Affairs addresses international policy issues for the Coast Guard and helps direct involvement in international training activities. Operational management of Coast Guard international activities falls to six other units in the organization: the Marine Safety, Security, and Stewardship Directorate; the two Coast Guard Area Commands; Acquisitions; Intelligence and Criminal Investigations, and Human Resources Directorates.

Marine Safety, Security, and Stewardship Directorate

International Port Security Program

Congress established the International Port Security Program through the *Maritime Transportation Security Act of 2002*. Under the program, the Coast Guard reviews security and antiterrorism measures at foreign ports, and invites other nations to assess security efforts at U.S. ports. International Port Security Liaison Officers build and maintain relationships with foreign government counterparts, and facilitate Coast Guard port security visits to foreign ports. During these visits, liaison officers work with Coast Guard technical specialists to promote port security best practices, assess compliance with international port security standards, and work with government counterparts to improve their port security posture.

The Coast Guard has 29 International Port Security Liaison Officers. Of these, 22 are stationed abroad in offices in the Netherlands, Japan, and Singapore. Overseas deployments are typically three to four years in length.

Liaison and Security Assistance Officers

The Coast Guard has 16 liaison and security assistance officers in 13 countries. Liaison officer activities typically relate to law enforcement matters, counternarcotics efforts, high sea fisheries protection, migration, and trade facilitation issues. For their part, Coast Guard Security Assistance

Officers provide liaison services with host country militaries. These officers serve between one and three years abroad.

While many of these officers are drawn from the Coast Guard's Marine Safety, Security, and Stewardship Directorate, a number of them are also provided by the Area Commands, and the Office of International Affairs.

Atlantic and Pacific Area Commands

National Defense Operations

The Coast Guard is one of the nation's five armed forces. By statute, the Coast Guard is an armed force, operating jointly in the national defense arena at any time, and functioning as a specialized service under the Navy in time of war or when directed by the President. The Coast Guard has special capabilities to contribute in five major national-defense missions – maritime intercept operations; deployed port operations, port security and defense; theater security cooperation; environmental defense operations; and coastal sea control operations. The Coast Guard deploys specialized capabilities to assist U.S. military combatant commanders conduct operations to deter unwanted activity and build partner capacities, and is responsible for responding to emerging homeland security and defense threats in the maritime domain. The Coast Guard routinely operates with DOD forces and under DOD programs.

Coast Guard cutters and other forces support theater security cooperation operations under the National Security and Defense Strategies. They participate in multinational exercises with the U.S. Navy in the Caribbean, South America and Central America and provide selected training assistance to 50 nations with mobile training teams worldwide. High endurance cutters regularly participate in U.S. Pacific Command's Combined Afloat Readiness and Training exercises with countries in the western Pacific. Additionally, Coast Guard cutters make port calls to improve military relations and expand on mutual cooperation and information sharing.

Out of Hemisphere Operations

U.S. military combatant commanders plan and conduct operations in their assigned geographic regions around the world. Coast Guard assets support combatant commanders' efforts to implement the *National Military Strategy*, *National Defense Strategy*, *Cooperative Strategy for 21st Century Sea Power*, and regional contingency plans. The Coast Guard's contributes high endurance cutters, medium endurance cutters, patrol boats, law enforcement detachments, and port security units to combatant commanders. As many of the world's naval forces are structure around and focused on performing coast

guard functions, combatant commanders often seek U.S. Coast Guard capabilities to support their theater security cooperation initiatives, and help meet the demand for operational assistance and support from foreign nations.

Operation Iraqi Freedom

The Coast Guard works alongside U.S. Navy and allied naval units in the Arabian Gulf. Six patrol boats, two law enforcement detachments, and supporting logistics and command and control elements totaling 250 personnel support the naval component commander's prosecution of the war on terrorism at sea and protect off shore Iraqi oil infrastructure.

Operation Enduring Freedom

Since January 2002, the Coast Guard has maintained waterside security for detainee operations using port security units and maritime safety and security teams in Guantanamo Bay, Cuba. Additional resources are being sent to Guantanamo Bay to provide security for the duration of upcoming military tribunals.

Acquisitions Directorate

Foreign Military Sales

The Coast Guard Foreign Military Sales program seeks to strengthen the maritime services of international allies and partners, while providing revenue to the Coast Guard and its private sector partners. There are two facets of the program. Foreign navies and coast guards purchase equipment from the U.S. Coast Guard that it plans to retire. Often these material purchases are paired with Coast Guard training, overhaul, and support services. In other cases, foreign navies and coast guards are invited to participate in U.S. Coast Guard procurements. This foreign participation can reduce unit costs for the U.S. Coast Guard by creating economies of scale for manufacturers. Foreign recipients of these materials and services reimburse the U.S. Coast Guard.

In 2007, the Coast Guard had 35 open foreign military sales contracts with 22 different countries.

Intelligence and Criminal Investigations Directorate

Coast Guard Attachés

The Coast Guard contributes staff to the Defense Attaché System to serve as Coast Guard attachés abroad. Coast Guard attachés perform representational duties, observe and report on conditions in the host nation, advise the Chief of

Mission, and maintain relationships with local military counterparts.

Participants in the program receive extensive training prior to their 2 to 3-year tours abroad. During their tours, they report to the Defense attaché at the mission. There are currently 11 Coast Guard personnel serving in the Defense Attaché System, nine attachés and two operational coordinators.

Human Resources Directorate

International Training Team

The Coast Guard has dedicated a 50-person training unit to respond to training and technical assistance requests made by foreign governments. The unit provides international training and consulting services in maritime law enforcement, marine safety and environmental protection, small boat operations and maintenance, search and rescue, and infrastructure development. It conducts approximately 100 training missions a year.

Customs and Border Protection

Five offices in CBP manage international activities. A number of major international programs are managed by the CBP Office of Field Operations, while several other international initiatives are overseen by its International Affairs and Trade Relations office. The Border Patrol, Office of Air and Marine, and Office of Intelligence and Operations Coordination also engage in international activities.

Office of Field Operations

Preclearance Operations

CBP conducts immigration and customs screening of U.S.-bound cruise ship, ferry, and airline passengers through its international preclearance operations. CBP passenger screening at preclearance sites abroad is similar to domestic screening, and like their U.S.-based counterparts, preclearance staff make determinations of passenger admissibility to the United States. Passengers who travel to the United States through preclearance locations are, therefore, not subject to additional CBP screening upon arrival.

CBP has about 700 preclearance positions across its 15 operating locations. Preclearance operations are staffed by CBP inspectors on 2-year tours of duty that can be extended to a 5-year term.

Container Security Initiative

CBP inaugurated its Container Security Initiative in 2002 to extend cargo security measures beyond U.S. borders. Working with host governments in foreign ports, CBP officers assess the risk of individual cargo containers before they board vessels for delivery to the United States. CBP officers review shipment data, observe local inspections, and exchange information with host governments.

The Container Security Initiative operates out of 58 international ports in 33 countries. To support these operations, CBP has about 200 positions abroad.

Secure Freight Initiative

Launched in December 2006 in response to a requirement in the *SAFE Port Act*, the Secure Freight Initiative aims to enhance cargo risk assessment and screening for nuclear and radiological material before shipments reach the United States.⁸² A collaborative effort between DHS, the Department of Energy, and the Department of State, it builds off of the CBP Container Security Initiative and the Department of Energy's Megaports Initiative.

Under the initiative, cargo is screened using nonintrusive inspection equipment, radiation portal monitors, and optical character recognition equipment. Data on U.S. shipments gathered by this equipment is transmitted to and reviewed by CBP Container Security Initiative staff on-site and the U.S.-based CBP National Targeting Center, and is made available to participating foreign governments. If a risk is detected, CBP officials can request the foreign government to open and inspect the cargo or to hold the cargo until the risk is resolved.

The Secure Freight Initiative is fully operational in three foreign ports, and is operational on a limited basis in four other locations. The Initiative does not have any foreign-based staff of its own, and instead leverages Container Security Initiative employees already in the field.

Immigration Advisory Program

CBP established the Immigration Advisory Program in 2004 to address the possibility of terrorists and other high-risk passengers boarding commercial aircraft bound for the United States. Working with airlines and foreign counterparts, CBP officers overseas identify high-risk passengers through advance targeting and assessments of passenger travel documents. Program staff also train local air carriers and foreign authorities on migration trends,

⁸² *SAFE Port Act of 2006* (P.L. 109-347), § 231; codified at 6 U.S.C. § 981.

fraud detection, and required documentation for entering the United States. CBP officers in the program deploy for 6-month tours of duty.

Customs-Trade Partnership Against Terrorism

Initiated in November 2001, the Customs-Trade Partnership Against Terrorism is a government to private industry program that seeks to strengthen international supply chains and facilitate the movement of secure cargo. Private-sector program participants agree to implement security practices throughout their international supply chains in exchange for customs processing benefits. CBP program staff review and validate participants' security procedures to ensure that they are effectively implemented and meet program requirements. The partnership had 6,000 members in 2007.

To date, CBP has not permanently deployed staff overseas to support the program, but instead dispatches teams abroad to conduct validations of participating organizations and facilities. In 2006, 120 program staff participated in international assessments of this kind.

Office of International Affairs and Trade Relations

CBP Attaché Program

In 2004, CBP began placing attachés at foreign embassies to oversee its international efforts. CBP attachés support their agency's planning and organization, administration, and coordination of activities in the countries to which they are assigned. They represent CBP within embassies and in negotiations with foreign representatives, and provide leadership and guidance to other CBP staff in country engaged in initiatives to increase border, cargo, and passenger security.

CBP attachés currently serve in 15 countries and are deployed for 2-year tours that can be extended to five years.

Training and Assistance Programs

The CBP Training and Assistance Division manages multiyear grant programs to provide training to international partners. The division facilitates training in the areas of nuclear nonproliferation, port security, counter-narcotics, document fraud, and Iraq reconstruction.

Although a substantial number of domestic CBP staff work on international training efforts, the agency deploys only a few employees abroad to support training initiatives.

Office of Border Patrol

Border Patrol International Activities

The Border Patrol is charged with protecting the integrity of U.S. borders between recognized ports of entry. To execute this mission effectively, the Border Patrol has pursued a number of exchanges with Mexico and Canada. The Border Patrol engages in information and intelligence sharing, participates in joint training activities, and coordinates on cross-border crime and counterterrorism measures with Canadian counterparts along the northern border. Border Patrol exchange with Mexican authorities is frequent and intensive. Mexican liaison units at Border Patrol sectors along the border have daily exchange with Mexican officials. Border Patrol officials work with Mexican authorities to assist them in prosecuting smugglers whose crimes do not meet U.S. thresholds for prosecution. The Border Patrol also collaborates with Mexican authorities in its Internal Repatriation Program, which assists illegal Mexican migrants in returning to their homes in the Mexican interior.

In addition, the Border Patrol collaborates with other nations to strengthen their border control efforts. The Border Patrol has longstanding training initiatives in Central America, and a growing effort in Iraq.

The Border Patrol has two permanent staff in both Canada and Mexico, and several additional employees on temporary detail in Mexico. The Border Patrol has 11 agents in Iraq to train Iraqi border enforcement officers in border management techniques.

Office of Air and Marine

Air and Marine International Activities

The Office of Air and Marine works to prevent the illegal movement of people, drugs, and other contraband into the United States through the coordinated use of CBP aviation and maritime assets. Air and Marine operations focus on detecting, monitoring, and intercepting air- and watercraft engaged in illegally transporting aliens, drugs, and other forms of contraband. To further this effort, Air and Marine maintains some permanent and temporary positions overseas. The office has two permanent staff and several temporary employees in Mexico to assist Mexican authorities identify suspect aircraft. In addition, CBP Air and Marine maintains a permanent employee in the Bahamas and sometimes details staff to Colombia and the Dominican Republic.

Federal Emergency Management Agency

FEMA maintains an international program to coordinate international emergency management activities and provide training abroad. FEMA coordinates with their Canadian and Mexican counterparts on cross-border emergency assistance efforts, provides training to foreign emergency management specialists, and participates in related multilateral forums. FEMA has two employees stationed abroad, both of whom work to represent the U.S. government positions on civil emergency planning issues at the North Atlantic Treaty Organization headquarters in Brussels, Belgium. FEMA does not otherwise station personnel abroad, but deploys staff for short-term assignments such as training.

Federal Law Enforcement Training Center

The FLETC International Training and Technical Assistance Division emerged in the 1980s from efforts to counter international hijackings and financial crimes. The International Training and Technical Assistance Division now extends law enforcement training abroad to curb international crime, drug-trafficking, and terrorist activity, and to protect the United States. It coordinates training and assistance requests, partners with the Department of State to support and manage International Law Enforcement Academies abroad, and facilitates training for select foreign nationals.

Currently, the International Training and Technical Assistance Division has ten staff. While the program does not maintain a core group of instructors abroad, some individual instructors travel overseas to conduct training on a temporary basis. FLETC has two staff permanently stationed abroad at International Law Enforcement Academies in El Salvador and Botswana.

Immigration and Customs Enforcement

All ICE international programs are managed by its Office of International Affairs.

Office of International Affairs

International Investigative Operations

ICE has more than 300 positions abroad geared toward the support of the agency's investigative mission. These international staff coordinate and support the international dimensions of ICE investigations, and work with foreign law enforcement entities to provide them with U.S.-based information

Appendix D DHS International Programs

related to their criminal cases. ICE attachés abroad provide information and investigative support for cases involving: child exploitation and human trafficking; travel document fraud; human, narcotics, and weapons smuggling; financial and cyber crimes; trade enforcement and financial crimes; and export enforcement issues. In addition, ICE pursues a range of activities to increase foreign counterparts' investigative capabilities.

ICE staff abroad are predominantly criminal investigators, but the agency also has a number of research specialists and administrative support staff overseas. ICE investigators and research specialists tours of duty abroad are typically three years in length with an option to extend an additional two years. These staff are limited to a maximum of ten years abroad over the course of their careers.

Visa Security Program

DHS assigns ICE special agents to overseas posts under Section 428 of the Homeland Security Act to review individual visa applications, initiate investigations of visa security related matters, and provide advice and training to Department of State consular officers. Through these efforts, the ICE Visa Security Program seeks to enhance national security and public safety by preventing terrorists, criminals, and other ineligible applicants from receiving U.S. visas, and maximizing the visa process as a law enforcement and counterterrorism tool.

The ICE Visa Security operations began in Saudi Arabia in 2003, and the program has since expanded to nine locations in eight countries. There are 24 staff overseas. These ICE special agents have 3-year tours of duty with the option to extend an additional two years. Tours to particularly dangerous posts or hardship posts may be limited to one to two years.

International Deportation Operations

In FY 2006, ICE removed 187,513 improperly documented individuals from the United States. The preparation for and execution of deportation orders in these cases is sometimes complex. Before ICE can deport an individual, it must first establish the alien's nationality and coordinate with the receiving nation to ensure that it will accept the return of its national. Moreover, deportations to distant nations often require coordination with countries that will be transited in route. ICE has recently deployed staff abroad to assist with related challenges.

As of July 2007, ICE had 11 employees abroad supporting its deportation mission. Many of these staff are senior Deportation Liaison Officers selected on the basis of their experience working with embassies and consulates.

National Preparedness and Programs Directorate

Office of Cyber Security and Communications

National Cyber Security Division

The National Cyber Security Division works to secure cyberspace and America's cyber assets in cooperation with public, private, and international entities. The Division's international role stems from several strategic plans and directives, including the National Strategy to Secure Cyber Space, Presidential Decision Directive 7, National Infrastructure Preparedness Plan, the Information Technology Sector Specific Plan, and National Response Plan. The National Cyber Security Division maintains international engagements and working relationships with the United Kingdom, Australia, New Zealand, and Canada. The division participates in international initiatives including the International Watch and Warning Network and the Security and Prosperity Partnership between the United States, Canada, and Mexico. The National Cyber Security Division also provides subject matter experts to a number of multilateral organizations.

National Communications System

The National Communications System is a consortium of 23 federal departments and agencies that seek to ensure the availability of a viable national security and emergency preparedness communications infrastructure. The National Communications System participates in several international working groups that involve Canada; the United Kingdom; NATO; and the International Telecommunications Committee. In addition, the National Communications System conducts activities in support of several international agreements, including the Security and Prosperity Partnership with Mexico and Canada.

Office of Infrastructure Protection

The Office of Infrastructure Protection was established to protect U.S. critical infrastructure and key assets. The Office of Infrastructure Protection has some international engagements because a number of infrastructures vital to the United States cross borders or have international dimensions (e.g., dams and bridges spanning borders). The Office of Infrastructure Protection has identified cross-border critical infrastructures and conducted joint infrastructure assessments with Mexican and Canadian counterparts. In addition, it has participated in multilateral forums that have a nexus to its

mission, provided guidance to other countries, and promoted best practices in the protection of critical infrastructure and key resources abroad.

US-VISIT Program

US-VISIT is an automated, biometric identity verification system that is primarily used to screen foreign nationals applying for visas and immigration benefits, or seeking entry into the United States. The US-VISIT Program Office aims to promote the development of compatible systems abroad, and increase international sharing of trade and travel information. The program office is working toward the development of compatible biometric systems across Canada, Mexico, and the United States, and is pursuing a related bilateral agreement with Mexico. In addition, the office is promoting the development of information systems and processes similar to US-VISIT in Central and South America, Europe, and Australia.

One US-VISIT employee is currently stationed abroad to promote program best practices and lessons learned in Europe, and collaborate with counterparts in the United Kingdom on the development of a system similar to US-VISIT.

Office of Counternarcotics Enforcement

Established in 2003, the Office of Counternarcotics Enforcement monitors connections between illegal drug trafficking and terrorist activities. The office coordinates the department's counternarcotics policies, efforts to track and sever the drug-terror connection, and facilitates other DHS components counterdrug operations.

While the office does not have staff overseas, it interacts with several international partners on behalf of the U.S. government in order to share information and increase mutual counterdrug cooperation and support, and improve other nations' capabilities in this area.

Office of Health Affairs

The Office of Health Affairs oversees DHS global health security activities and provides subject-matter expertise on international aspects of avian and pandemic influenza and other global health security issues, international medical readiness, and emergency public health planning. The office liaises with senior foreign partners, international private sector representatives, technical and professional associations, and other federal agencies to develop

solutions to global health security issues with the potential to affect national medical preparedness and domestic security.

Office of Intelligence and Analysis

A member of the Intelligence Community, the Office of Intelligence and Analysis gathers, analyzes, and shares homeland security-related intelligence to other DHS offices, federal agencies outside of the department, state and local governments, and DHS private sector partners.

The Office of Intelligence and Analysis gathers and analyzes information on domestic threats and vulnerabilities and other DHS mission areas. Some of this information and analysis relates to other nations and their citizens, and some originates from international sources. The office has worked with foreign counterparts to identify shared intelligence interests and requirements, and disseminates a subset of its intelligence products to allies and friends abroad. No Office of Intelligence and Analysis staff are stationed abroad, but representatives of the office travel abroad to meet with foreign counterparts from time to time.

Office of Operations Coordination

The Office of Operations Coordination provides situational awareness, strategic decisionmaking support, incident management, and contingency planning services for DHS. It oversees the principal operations center for DHS, the National Operations Center, which collects and combines threat and operational information from federal, state, and local governments, and private sector organizations.

The office acts as liaison and shares information with foreign operations centers in Canada and the United Kingdom, engages Australian operational staff through an information system portal, and hosts visitors from other nations. The office manages its international engagements from headquarters and has no permanent staff abroad.

Office of Policy

Office of Policy Development

Visa Waiver Program Office

Citizens of select nations are permitted to travel to the United States without a visa for tourism or business purposes under the Visa Waiver Program. Established in 1986, the program was designed to promote travel, trade, and student exchanges between the United States and partner countries. Twenty-seven countries currently participate in the program.

The DHS Visa Waiver Program Office is responsible for ensuring the integrity of program. It does so by developing passport and travel security requirements for countries to qualify for visa waiver status. The office also conducts reviews of participating and pending member countries' immigration and security measures to ensure compliance with program requirements. The office also assesses the effect that a country's participation in the program will have on U.S. security, immigration and law enforcement interests.

Privacy Office

Established in the department's enabling legislation, the Privacy Office's mission is to sustain privacy protections and transparency of government operations, while achieving the DHS goals. The office seeks to engage international partners to foster international cooperation and understanding of privacy issues related to DHS missions and operations. The Privacy Office conducts outreach activities with international partners, participates in multilateral privacy forums, and advises the department on privacy-related elements of international agreements. The Privacy Office has no staff abroad.

Science and Technology Directorate

Under the Homeland Security Act and recent legislation implementing recommendations of the 9/11 Commission, S&T is responsible for engaging nations friendly to the United States to develop and share information and technologies that can strengthen domestic security. In response to these mandates, S&T established an International Programs Division to coordinate international outreach efforts aimed at tapping into global science and technology communities. S&T has developed several international partnerships leading to 20 research projects in areas such as air cargo explosive detection, chemical and biological countermeasures, critical infrastructure protection, and incident management. S&T has formalized

science and technology cooperation arrangements with Australia, Canada, Singapore, Sweden, and the United Kingdom by signing formal agreements with the governments of these nations.

S&T liaisons in Europe, the Americas, and Asia scout technological developments in the region with the aim of identifying promising homeland security research initiatives. S&T also sponsors annual academic grant competitions, which are open to the international community, and provide access to science and technology research in support of the DHS mission.

Secret Service

Investigations Division

International Investigative Support

The Secret Service is the lead federal law enforcement agency for counterfeiting investigations and credit card, financial wire transaction, telemarketing, telecommunications, and computer fraud investigations. The Secret Service also investigates cases of forgery, money laundering, and identity theft. Secret Service staff abroad support domestic investigations by working with local law enforcement to address international leads. They also provide instruction in investigative techniques at International Law Enforcement Academies, and advise local governments, banks, and commercial establishments on identifying counterfeit U.S. currency.

The Secret Service's 20 overseas regional offices operate with a total of 99 personnel. Secret Service agents serve overseas for three years, with the option to extend their tour for an additional one to two years.

International Protective Support

The Secret Service protects present and former U.S. presidents, the vice president, and their families, as well as presidential and vice presidential candidates, their spouses, and official representatives of the United States performing special missions. It provides this protection both domestically and abroad. Secret Service agents plan and provide security for the international visits of their protectees, and investigate international threats against them.

Secret Service agents in each of its international field offices balance protective functions with their investigative responsibilities. Secret Service field offices maintain liaison with counterpart law enforcement organizations worldwide to facilitate coordination during protectee visits. They also assist

in the security planning around international visits, and sometimes serve on security details abroad.

Transportation Security Administration

Two TSA units manage international activities, Office of Global Strategies and Federal Air Marshals Service.

Office of Global Strategies

Transportation Security Administration Representatives

The Federal Aviation Administration first deployed TSA Representatives (TSAR) in 1990 in response to a congressional mandate following the bombing of PanAm flight 103 over Scotland. TSARs liaison with host government counterparts, assist in responding to international incidents affecting U.S. citizens such as mass evacuations, and assess host country transportation security needs. TSARs also assist in the security assessments of foreign airports and air carriers.

TSARs are selected on the basis of their familiarity with the international civil aviation operating environment, knowledge of transportation security, and command of transportation laws and regulations. TSARs are deployed for 2-year assignments with option to extend for two more years, a maximum of four years. TSA has 18 TSAR positions abroad with 16 support staff. These positions are distributed across 14 countries.

Transportation Security Specialists

Transportation Security Specialists further TSA's mission of protecting civil aviation by conducting airport and air carrier inspections overseas. In conducting international airport and air carrier security assessments, TSA Transportation Security Specialists verify compliance with International Civil Aviation Organization security standards. In response to a congressional mandate, they will begin inspecting foreign air repair stations, as well.

TSA Transportation Security Specialists operate out of five field offices, two of which are located overseas. TSA has 31 Transportation Security Specialists and support staff positions in Singapore and Frankfurt, Germany. Transportation Security Specialists stationed abroad have two-year tours of duty with the option to extend for two more years.

Federal Air Marshal Service

Federal Air Marshal International Activities

The Federal Air Marshal Service aims to identify and deter terrorist or other threats against U.S. air carriers, airports, passengers, and crews. Trained in investigative techniques, criminal and terrorist behavior recognition, firearms, aircraft specific tactics, and close quarters self-defense measures, air marshals are responsible for intervening in incidents that could potentially threaten the flying public.

The Federal Air Marshal Service has negotiated a number of international agreements to enable it to provide security on the international flights of U.S. carriers. The Service provides assessments and training for other nations' air marshals programs, and participates in multilateral organizations that address air marshal-related security issues. The Federal Air Marshal Service has no permanent staff abroad.

United States Citizenship and Immigration Services

USCIS international programs and activities are managed by the Refugee, Asylum, and International Operations Directorate.

Refugee, Asylum, and International Operations Directorate

Adjudications and Benefit Processing

USCIS staff abroad review and adjudicate citizenship and immigration benefits. They adjudicate immigrant visa petitions, perform naturalizations of military personnel, review U.S. citizen petitions to adopt foreign-born children, and reunite individuals with U.S.-based refugee and asylee family members. They also support domestic USCIS offices in making assessments about the legitimacy of asylum claims filed in the United States, and work to identify related trends in fraudulent activity. USCIS international efforts in these areas are supported through benefits application fees.

About 200 USCIS staff abroad perform these functions. These staff are distributed across 27 international suboffices, each of which reports to one of three district office's abroad. U.S. direct hire staff serve a maximum of five years overseas. Managerial staff are assigned to an initial 3-year tour followed by two possible 1-year extensions, whereas other field staff have initial 2-year tours of duty followed by three possible 1-year extensions, and another optional yearlong extension if operational needs require it.

Refugee Affairs

USCIS also processes and adjudicates refugee petitions abroad. USCIS staff interview individuals seeking refugee status in the United States, review their applications, and make determinations about their eligibility. USCIS sends U.S.-based refugee corps staff and asylum officers overseas for this purpose on deployments that can, when combined, last as long as six months a year. Other USCIS staff abroad who primarily perform adjudication functions, also facilitate USCIS refugee processing efforts by coordinating with Department of State counterparts in embassies, refugee processing contractors, and host government officials.

Appendix E
Major Contributors to This Report

Douglas Ellice, Chief Inspector
Justin H. Brown, Inspector (Team Leader)
Ericka Kristine Odiña, Inspector
Michelle Streit, Inspector
Andrew Schmidt, Inspector

Appendix F
Report Distribution

Department of Homeland Security

Secretary
Deputy Secretary
Chief of Staff
Deputy Chief of Staff
General Counsel
Executive Secretary
Director, GAO/OIG Liaison Office
Assistant Secretary for Policy
Assistant Secretary for International Affairs
Commissioner, Customs and Border Protection
Assistant Secretary for Immigration and Customs Enforcement
Commandant, Coast Guard
Director, U.S. Citizenship and Immigration Services
Director, Secret Service
Assistant Secretary for Transportation Security
Director, Federal Emergency Management Agency
Director, Federal Law Enforcement Training Center
Under Secretary for Science and Technology
Under Secretary for National Preparedness and Programs
Director, US-VISIT Program Office
Assistant Secretary for Public Affairs
Assistant Secretary for Legislative and Intergovernmental Affairs
Chief of Security
CBP OIG Liaison
ICE OIG Liaison
Coast Guard OIG Liaison
USCIS OIG Liaison
Secret Service OIG Liaison
TSA OIG Liaison
FEMA OIG Liaison
FLETC OIG Liaison
S&T OIG Liaison
US-VISIT Program Office OIG Liaison

Additional Information and Copies

To obtain additional copies of this report, call the Office of Inspector General (OIG) at (202) 254-4199, fax your request to (202) 254-4305, or visit the OIG web site at www.dhs.gov/oig.

OIG Hotline

To report alleged fraud, waste, abuse or mismanagement, or any other kind of criminal or noncriminal misconduct relative to department programs or operations:

- Call our Hotline at 1-800-323-8603;
- Fax the complaint directly to us at (202) 254-4292;
- Email us at DHSOIGHOTLINE@dhs.gov; or
- Write to us at:
DHS Office of Inspector General/MAIL STOP 2600, Attention:
Office of Investigations - Hotline, 245 Murray Drive, SW, Building 410,
Washington, DC 20528.

The OIG seeks to protect the identity of each writer and caller.