



**Homeland
Security**

Privacy Office, Mail Stop 0655

September 11, 2020

SENT BY E-MAIL TO: foia@americanoversight.org

Austin Evers
Executive Director
American Oversight
1030 15th Street, NW
Suite B255
Washington, DC 20005

Re: 2019-HQFO-00761

Dear Mr. Evers:

This is the final response to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), dated May 21, 2019, and received by this office on May 21, 2019. You are seeking (1) Records sufficient to identify any political appointees*that have been assigned to the Office for Targeted Violence and Terrorism Prevention, or have otherwise been tasked to conduct any of the work of that office and (2) Records sufficient to identify which individual(s) are leading and/or have led the Office for Targeted Violence and Terrorism Prevention (in an official, acting, or informal capacity) since its creation, (3) Records sufficient to identify which individual(s) are or have been responsible for supervising any individuals identified in response to Part 2 of this request., (4) Records sufficient to identify the number of full-time equivalent employees assigned to the Office for Targeted Violence and Terrorism Prevention, (5) Records sufficient to identify the organization of the Office for Targeted Violence and Terrorism Prevention, such as any organizational chart and/or list of full-time equivalent positions. (6) Records sufficient to show the purpose and official duties of the Office for Targeted Violence and Terrorism Prevention, such as any mission statement or establishing documents. For Parts 1 through 6 of this request, please provide all responsive records from April 1, 2019, to the date the search is conducted. Additionally, (7) Records sufficient to show the budgeted or projected cost and source of funding for the Office for Targeted Violence and Terrorism Prevention, including any redirection of funds from other offices. For Part 7 of this request, please provide responsive records regardless of when they were created..

A search of the Office of the Chief Financial Officer (CFO) and Policy Office (PLCY) for documents responsive to your request produced a total of 17 pages. Portions of these 17 pages are partially releasable pursuant to Title 5 U.S.C. § 552 (b)(6), FOIA Exemptions 6.

Enclosed are 17 pages with certain information withheld as described below:

FOIA Exemption 6 exempts from disclosure personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right to privacy. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

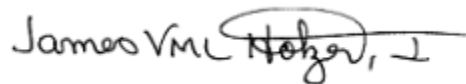
You have a right to appeal the above withholding determination. Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date of this letter, to: Privacy Office, Attn: FOIA Appeals, U.S. Department of Homeland Security, 2707 Martin Luther King Jr. Avenue, SE, Mail Stop 0655, Washington, D.C. 20528-0655, following the procedures outlined in the DHS FOIA regulations at 6 C.F.R. Part 5 § 5.5(e)(2). Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS FOIA regulations are available at www.dhs.gov/foia.

Provisions of FOIA allow DHS to charge for processing fees, up to \$25, unless you seek a waiver of fees. In this instance, because the cost is below the \$25 minimum, there is no charge.

You may contact the DHS FOIA Public Liaison at 202-343-1743 for any further assistance and to discuss any aspect of your request. You may also contact OGIS at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you need to contact our office again about this matter, please refer to 2019-HQFO-00761. This office can be reached at FOIA@HQ.DHS.GOV or call 202-343-1743 or toll free 1-866-431-0486.

Sincerely,



James V. M. L. Holzer
Deputy Chief FOIA Officer

Enclosure(s): Responsive Documents, 17 pages

APR 02 2019



Homeland
Security

DECISION

MEMORANDUM FOR THE SECRETARY

FROM: Chad F. Wolf (b)(6)
Senior Official Performing the Duties of the Under Secretary
Office of Strategy, Policy, and Plans (b)(6)
John Hill
Assistant Secretary
Office of Partnership and Engagement (b)(6)

SUBJECT: Realigning the DHS Terrorism Prevention Enterprise

Purpose: To recommend the realignment of the DHS terrorism prevention enterprise in order to more effectively coordinate DHS capabilities and better serve the needs of states and local communities in preventing terrorist threats as well as other forms of targeted violence.

Background: We face a persistent and evolving terror threat. In particular, groups like the Islamic State of Iraq and Syria (ISIS) and al Qaeda are focused on inspiring, enabling, and directing attacks in our homeland, including by crowd-sourcing attacks on social media and through the use of secure communications to avoid detection. They are promoting do-it-yourself tactics to more easily spread terror, such as the use of vehicle ramming, guns, knives, and other methods. Additionally, there has been an uptick on attacks on faith-based groups in the United States. It is a top DHS priority to actively prevent both international and domestic terrorists from radicalizing and recruiting our people to violence.

The Office of Terrorism Prevention Partnerships (OTPP) leads DHS terrorism prevention partnership efforts. In 2017, the office was moved from the Secretary's Office to the Office of Partnership and Engagement (OPE) temporarily while an assessment was undertaken to determine the most appropriate organizational placement within the Department.

As part of the 2017 move to OPE, then Acting Secretary Duke directed the Office of Strategy, Policy, and Plans (PLCY) to oversee the development and coordination of policy for terrorism prevention, to include interagency efforts. PLCY was also tasked with making recommendations, based on analytic reviews, on programmatic and organizational constructs to better align the Department's terrorism prevention capabilities.

Subject: Realigning the DHS Terrorism Prevention Enterprise
Page 2

In light of the analysis and reviews conducted during the last twelve months and to best meet the needs and align the Department's terrorism prevention capabilities, we are recommending the realignment of the OTPP under the Department's PLCY Office and to designate it as the "Office of Targeted Violence and Terrorism Prevention (TVTP).

Supported by a DHS commissioned RAND study, as well as extensive collaboration with state and local law enforcement, we have found that our stakeholders are growing more and more concerned about threats of violence extending beyond international terrorism, to include mass casualty shootings, school violence, racially-motivated violence and trans-national organized crime, to name a few..

By widening the aperture to address prevention of targeted violence¹ as well as terrorism, DHS can dispel some of the misgivings about programs targeting specific communities while at the same time helping state and local partners develop tools that can be used across the wider range of threats they face. This conclusion is supported by the RAND study, which found that most of the organizations interviewed run programs that are not terrorism-specific, but rather that are applicable to individuals at risk of committing violence more broadly. Thus by focusing on terrorism and targeted violence prevention, providing tools that can be used across a wide range of threats, DHS can better meet the needs of local communities.

¹ The forthcoming DHS Counterterrorism Strategy will provide greater granularity on the definition and scope of targeted violence and associated lines of effort.

Recommendations:

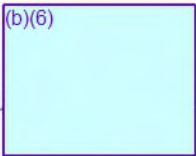
1. Direct the immediate realignment of the OTPP under the Department's PLCY Office and designate it as the "Office of Targeted Violence and Terrorism Prevention (TVTP)." This realignment includes the immediate transfer of the current OTPP employees and vacant positions.

TVTP will develop policy, strategies and plans, design and execute, or leverage other parts of DHS to execute programs, as well as serve as coordinator and advocate for efforts executed by components and other parts of DHS which benefit the terrorism and targeted violence prevention mission. TVTP will be the primary liaison to federal agencies, state and local governments, NGOs, industry, and international efforts related to terrorism and targeted violence prevention, working through the appropriate engagement offices at DHS (OPE for state, local, private sector engagement and the Office of International Affairs for international engagements).

TVTP will be led by a Director and provide the following programmatic functions:

- Coordination and sharing of research, analysis, and trends
- Grant management/coordination – specifically completing the current CVE grants and developing a proposal for future approaches to grant programming
- Budget coordination
- Strategy, policy, and plan development and coordination
- Coordination of field staff
- Developing partnerships with federal, state, local, and international governments, NGOs, and industry to further promote the prevention of terrorism and targeted violence.

2. Direct that the Director of TVTP will report directly to the Under Secretary of PLCY or his/her designee.

Approve/date  04/16/19 Disapprove/date _____

Modify/date _____ Needs discussion/date _____

From: Gersten, David
To: (b)(6)
Subject: RE: OTPP Staff
Date: Tuesday, April 30, 2019 9:26:00 AM

Hi (b)(6)

(b)(6) said you were looking for this. Here is an updated version:

#	Name	GS	Status
1	David Gersten	SES	Filled
2	John Picarelli	GS-15 Supervisory	Filled
3	Michael Brown	GS-15 Supervisory	Filled
4	(b)(6)	GS-14	Filled
5		GS-14	Filled
6		GS-14	Filled
7	Staci Johnson	GS-15	Filled
	(b)(6)	(b)(6)	(b)(6)
8		GS-9	
9		GS-9	
10	N/A	GS-9-12	Vacant
11	N/A	GS-15	Vacant
12	N/A	GS-15	Vacant

Thanks,
David

David Gersten
Acting Director, DHS-OTPP

(b)(6)

From: Picarelli, John (b)(6)
Sent: Monday, April 22, 2019 3:49 PM
To: (b)(6) Gersten, David
(b)(6)
Cc: (b)(6)
Subject: RE: OTPP Staff

Good afternoon (b)(6) See below. Let me know if this meets the mark.
John

#	Name	GS	Status
1	David Gersten	SES	Filled
2	John Picarelli	GS-15 Supervisory	Filled
3	Michael Brown	GS-15 Supervisory	Filled
4	(b)(6)	GS-14	Filled
5		GS-14	Filled

6	(b)(6)	GS-14	Filled
7	Staci Johnson	GS-15	Filled
8	(b)(6)	GS-9	Filled (onboarding)
9		GS-9	Filled (onboarding)
10		GS-9	Filled (onboarding)
11		GS-15	Vacant
12		GS-15	Vacant

From: (b)(6)

Sent: Monday, April 22, 2019 3:28 PM

To: Gersten, David (b)(6)

Cc: (b)(6)

Picarelli, John (b)(6)

Subject: RE: OTPP Staff

Hey, David,

Just got back to my desk and looked at this. Quick Q—do you also have an excel chart or Word document simply listing the number of positions on the team, to include filled, deployed, detailed, and vacant? Have a decent sense of what is what. But want to be sure to have the latest.

Great chatting today.

(b)(6)

From: Gersten, David (b)(6)

Sent: Monday, April 22, 2019 1:50 PM

To: (b)(6)

Cc:

Picarelli, John (b)(6)

Subject: OTPP Staff

Hi (b)(6)

As discussed, here is the document John mentioned listing our staff and their proposed 2019 responsibilities. Let us know if you have questions.

We will await instructions from you (b)(6) on assembling an S1 memo or brief about our activities.

Thanks,

David

David Gersten

Acting Director

Office of Terrorism Prevention Partnerships

Department of Homeland Security

(b)(6)

From: Gersten, David
To: (b)(6)
Cc:
Subject: RE: VIP/VIP-R list review
Date: Tuesday, April 30, 2019 12:58:00 PM

Hello (b)(6)

Our office has changed. We are no longer the Office of Community Partnerships. We are now the Office of Targeted Violence and Terrorism Prevention (TVTP). I am the current acting director and permanent deputy and should remain on the VIP list. (b)(6) When a permanent director for TVTP is named I will send a note to update the list. Here is the current list with my new contact info:

VIP -

David Gersten

(b)(6)

TVTP

Deputy Director (Acting Director)

Thank you,

David Gersten

David Gersten
Acting Director, DHS-OTVTP

(b)(6)

From: (b)(6)
Sent: Tuesday, April 30, 2019 11:40 AM

To: (b)(6)

Cc: (b)(6)

Subject: VIP/VIP-R list review

Component Approver(s)-

The below is the VIP/VIP-R list for your component, please review for accuracy. Corrections can be processed through the IT Support (via itsupport@hq.dhs.gov) helpdesk.

VIP -

David Gersten

(b)(6)

OCP

Deputy Director

John Hill

OCP

Chief of Staff

In the future changes to the VIP/VIP-R list will be vetted through the Headquarters Services Division (HSD) Executive Director for approval. Any questions or concerns please contact your Customer

Relationship Manager (b)(6)

Regards,

(b)(6)

Office of the Chief Information Officer
US Department of Homeland Security

(b)(6)

From: [Kozanas, Dena](#)
To: [Dromgoole, Alexis](#); [Gersten, David](#); [Neumann, Elizabeth](#); (b)(6)
Subject: TVTP - SOPDUS notes
Date: Tuesday, April 30, 2019 5:14:40 PM

As promised, below are the highlights from high-level notes provided to SOPDUS this morning.

Office for Targeted Violence and Terrorism Prevention

Why move OTTP to PLCY to become TVTP?

- TVTP widens the scope of previous Departmental efforts.
 - ➔ It ensures all forms of violence, regardless of the ideological motivation, are being addressed.
 - ➔ It builds on previous DHS initiatives and supports the recently released National Strategy for Counterterrorism.
- TVTP builds on past success of OTTP.
 - ➔ It will continue to empower locally driven prevention effort.
 - ➔ It will continue to serve as the program manager for the Terrorism Prevent Grant Program.
- TVTP will become a programmatic office and not just a public engagement office.
 - ➔ This will help coordination among the entire DHS enterprise.
 - ➔ It will allow for better leverage of the full range of tools and resources to prevent acts of targeted violence and terrorism; this becomes a “whole-of-DHS” approach and not just a community engagement approach.

Dena Kozanas
Chief of Staff
Office of Strategy, Policy & Plans
U.S. Department of Homeland Security

(b)(6)

MEMORANDUM OF AGREEMENT
BETWEEN THE
DEPARTMENT OF HOMELAND SECURITY
OFFICE OF PARTNERSHIP AND ENGAGEMENT
AND
OFFICE OF STRATEGY, POLICY & PLANS

1. PARTIES.

The parties to this Memorandum of Agreement (MOA) are the Office of Partnership and Engagement (OPE) and the Office of Strategy, Policy & Plans (PLCY) (collectively the Parties) of the U.S. Department of Homeland Security (DHS).

2. AUTHORITIES.

This MOA is entered into agreement, under the authority of Details within Executive or military departments, 5 U.S.C. § 3341, which authorizes details of personnel within an Executive Agency for 120-day periods.

3. PURPOSE.

The purpose of this MOA is to document approval of, and terms and conditions for, the full-time, non-reimbursable detail of personnel from OPE to PLCY. The MOA addresses the relationships between operational (i.e., daily) control and administrative and management control of the detailees.

In accordance with the National Defense Authorization Act for Fiscal Year 2017 (P.L. 114-328) policy development and coordination functions are consolidated in the Office of Strategy, Policy, and Plans. This legislation directs PLCY to lead, conduct, and coordinate Department-wide policy development and implementation and strategic planning. An element of Department-wide policy development and implementation and strategic planning is being performed by employees in OPE. Until such time as the funding for those employees is realigned to PLCY, this MOA will ensure that certain targeted violence and terrorism prevention policy and planning functions currently performed within OPE are performed within PLCY through details of employees. The detail of OPE targeted violence and terrorism prevention engagement, policy, and planning personnel to PLCY promotes Departmental unity of effort objectives and promotes operational efficiency.

4. TERMS AND CONDITIONS.

- a. Staff. OPE agrees to detail personnel as outlined in the Annex to this MOA. Such personnel are considered "covered employees" under this agreement.

- b. Length of Detail. Each detail may be renewed for 120-day periods at a time throughout the duration of this MOA. OPE will be responsible for ensuring a Standard Form 52 is placed in each covered employee's official personnel folder for each 120-day period on detail.
- c. Duties. The duties associated with the specific detail assignment covered by this MOA are outlined in the Annex. However, the duties for the position may change based on PLCY's staffing needs and the qualifications of the detailee assigned; PLCY will inform OPE of such changes before notifying the detailee.
- d. Supervisory & Administrative Responsibility. PLCY will assume day-to-day supervisory responsibility for covered employees. The Parties will share administrative responsibilities for the individual(s) detailed. Administrative responsibility will be divided as follows:
 - i. Points of Contact. PLCY and OPE will each designate a single administrative point of contact (POC) and an alternate POC for facilitation of administrative actions.
 - ii. Time and Attendance. Time and attendance actions and processes, as well as salary and associated benefits, remain the responsibility of OPE. PLCY will coordinate with OPE for the time and attendance process. OPE will continue to approve all time and attendance records.
 - iii. Overtime. In the event that overtime is required, the PLCY POC will request overtime through the OPE POC. Approval by OPE will be subject to availability of funds.
 - iv. Evaluation. Official performance evaluations and performance plans for GS employees remain the responsibility of OPE. The current rating and reviewing officials in the supervisory chain of the detailed employees will retain these functions with oversight by OPE and input from PLCY. All performance records will be provided to OPE for submission, as required, to the Office of the Chief Human Capital Officer (OCHCO).
 - v. Performance Awards and Pay Increases. OPE will provide PLCY with an awards pool at the same time and in the same manner it provides awards pools to OPE divisions. OPE will remain the approving and funding authority for performance awards, including quality step increases and promotions. PLCY will provide justification and recommendations regarding any performance awards.
 - vi. Removal for Poor Performance. The supervisory chain of the detailed employees will retain authority and responsibility for taking appropriate action to address performance issues. Any such matter, along with relevant documentation and materials, will also be reported promptly to the OPE POC.
 - vii. Conduct. The supervisory chain of the detailed employees retain the authority and responsibility for addressing any employee conduct issues that may arise

during the period of the detail. Any such matter will also be reported promptly to the OPE POC.

- viii. Hiring. In the event that a detailed position becomes vacant, the PLCY POC will contact the OPE POC to initiate the hiring process.
- ix. Personnel Action. PLCY will initiate any appropriate personnel actions not specifically covered elsewhere in this agreement by contacting the OPE POC. OPE will prepare an SF 52, as appropriate, for submission to OCHCO. The parties agree that any upgrade of a position covered under this agreement must be approved by the OPE Chief of Staff and will be subject to availability of funds.
- x. Training. PLCY will initiate any request for training of detailed employees. Such training shall be subject to final approval by OPE, subject to availability of funds. The PLCY POC will provide to the OPE POC any such request for training. Nothing in this agreement shall prevent PLCY from funding training for detailees, subject to the availability of funds, in which such training will not be subject to final OPE approval. In the event that PLCY funds training, the OPE POC will be provided notice of such training and OPE will ensure that the employee's training record is updated to reflect the training.
- xi. Parking and Public Transportation Incentive Program. Parking and participation in the Public Transportation Incentive Program by covered employees will be managed by OPE.
- xii. Facilities. PLCY will provide a listing of any detailees that will change workspaces as a result of the detail. The listing will include the name of the employee, and the new location of the employee. OPE will coordinate with the Office of the Chief Readiness Support Officer to facilitate moves.
- xiii. Travel. Travel will be approved in accordance with OPE travel processes. In the event that travel is required, the PLCY POC will request travel through the OPE POC. Approval by OPE will be subject to availability of funds.
- xiv. Details of Covered Employees to Other Organizations. PLCY may, subject to the availability of funds, determine that employees covered under this agreement will be detailed to other organizations. In the event that PLCY makes such a determination, the PLCY POC shall notify the OPE POC of the detail, and OPE will have responsibility for processing such a detail and, in coordination with OPE, determining whether the new detail may remain non-reimbursable. OPE will not be responsible for providing another detailee to PLCY to replace an employee detailed to another organization.
- e. Funding. OPE, through its administrative control, will continue to pay, as appropriate, the salaries, overtime, benefits, annual performance awards, and any OPE-related temporary duty assignment (TDY) for the individual(s) detailed to PLCY, and any replacement detailees (for example, new hires) until this MOA is terminated.

- f. Amendment and Modification. The Parties may propose amendments or modifications to this MOA, as needed, including changes or updates to the Annex. The proposed amendments or modifications shall be in writing and forwarded to the other Party for consideration. Amendments or modifications to this MOA shall become effective by mutual written consent of the Parties.
- g. Review. The Parties agree that the MOA Points of Contact listed in section 6 below will review this MOA every 120 days, upon renewal of the details, to determine the continued need for the MOA, evaluate its effectiveness, and make any necessary changes or updates.
- h. Effective Date. This MOA is effective on April 29, 2019.

5. OTHER PROVISIONS.

- a. Severability. Nothing in this MOA or its Annex shall be construed to conflict with current law, regulation, or directive of DHS. If a term of this MOA is inconsistent with such authority, that term shall be invalid to the extent of the inconsistency. The remainder of that term and all other terms of this MOA or Annex shall remain in effect.
- b. Rights and Benefits. Nothing in this MOA is intended to diminish or otherwise affect the authority of any agency to carry out its statutory, regulatory, or other official functions, nor is it intended to create any right or benefit, substantive or procedural, enforceable by law by any party against the United States, its agencies or offices, state agencies or officers carrying out programs authorized under federal law, or any other person.
- c. Disagreements. Should disagreements arise in the interpretation of the provisions of this MOA, or amendments and/or revisions thereto, that cannot be resolved at the operating level, the area(s) of disagreement shall be stated in writing by each Party and presented to the other Party for consideration. If agreement on interpretation is not reached within 30 days, the Parties shall forward the written presentation of the disagreement to respective higher level officials for appropriate resolution.
- d. OIG Review. Under the Inspector General Act of 1978, as amended, 5 U.S.C. App. 3, a review of this MOA may be conducted at any time. The Inspector General of the Department of Homeland Security, or any of his/her duly authorized representatives, shall have access to any pertinent books, documents, papers, and records of the Parties to this MOA, whether written, printed, recorded, produced, or reproduced by any mechanical, magnetic, or other process or medium, in order to make audits, inspections, excerpts, transcripts, or other examinations as authorized by law.
- e. Funds Transfer. This MOA, in and of itself, does not result in the transfer of funds or other financial obligations between the Parties. No provision of this MOA shall be interpreted to require obligation or payment of funds in violation of

the Anti-Deficiency Act, 31 U.S.C. § 1341. This MOA is subject to the availability of funds.

- f. Period of Agreement/Termination. This MOA will remain in effect until terminated by either Party, subject to review every 120 days. In accordance with this subsection, either Party may terminate this MOA and Annex 30 days after written notice and mutual agreement.

6. Points of Contact.

The point of contact on this MOA for OPE is Karinda Washington, Chief of Staff, Office of Partnership and Engagement. The point of contact for PLCY is Dena Kozanas, Office of Strategy, Policy & Plans. These individuals are considered the MOA POCs. The MOA POCs have authority to review this MOA and approve extensions pursuant to paragraphs 4.g and 5.f. above.

The Administrative POC for OPE is John W. Hill, the alternate is (b)(6). The Administrative POC for PLCY is (b)(6) the alternate is (b)(6). These individuals are considered the POCs for the purpose of paragraph 4.d. above.

(b)(6)

John H. Hill
Assistant Secretary
Office of Partnership and Engagement

(b)(6)

(b)(6)

Chad W. Wolf
Senior Official Performing the Duties
of Under Secretary
Office of Strategy, Policy & Plans

ANNEX TO THE MEMORANDUM OF AGREEMENT BETWEEN THE OFFICE OF PARTNERSHIP & ENGAGEMENT AND THE OFFICE OF STRATEGY, POLICY & PLANS

1. OPE SES and GS positions detailed to PLCY

Position Description Title	Working Title	Pay Grade
Deputy Director	Deputy Director, Office of Terrorism Prevention Partnerships	SES
Supervisory Program Analyst	Associate Director	15
Supervisory Program Analyst	Assistant Director	15
Program Analyst	Sr. Planning Advisor (Strategy & Performance)	15
Program Analyst	Sr. Planning Advisor	15
Program Analyst	Research Advisor	14
Program Analyst	Regional Coordinator for Strategic Engagement	14
Program Analyst	Program Manager, Innovation and Development	14
Program Analyst	Program Analyst	9
Program Analyst	Program Analyst	9
Program Analyst	Program Analyst	9
Program Analyst	Program Analyst	9

2. DUTIES.

Detailees will develop policy, strategies and plans, design and execute, or leverage other parts of DHS to execute programs, as well as coordinate and advocate for efforts executed by components and other parts of DHS which benefit the terrorism and targeted violence prevention mission. Employees will serve as liaison to federal agencies, state and local governments, NGOs, industry, and international efforts related to terrorism and targeted violence prevention, working through the appropriate engagement offices at DHS (OPE for state, local, private sector engagement and the Office of International Affairs for international engagements).

Specific duties and responsibilities of the individuals while detailed to PLCY are:

- Coordination and sharing of research, analysis, and trends
- Grant management/coordination - specifically completing the current CVE grants and developing a proposal for future approaches to grant programming
- Strategy, policy, and plan development and coordination
- Coordination of field staff
- Developing partnerships with federal, state, local, and international governments, NGOs, and industry to further promote the prevention of terrorism and targeted violence

3. RIGHTS AND BENEFITS.

This MOA Annex is not intended, and should not be construed, to create or confer on any person or entity, any right or benefit, substantive or procedural, enforceable by law or otherwise by any third party against the Parties, their parent agencies, the United States, or the officers, employees, agent, or other associated personnel.

DIVISION __ — DEPARTMENT OF HOMELAND SECURITY
APPROPRIATIONS ACT, 2020

The following is an explanation of Division __, which makes appropriations for the Department of Homeland Security (DHS) for fiscal year 2020. Funding provided in this agreement not only sustains existing programs that protect the nation from all manner of threats, it ensures DHS's ability to improve preparedness at the federal, state, local, tribal, and territorial levels; prevent and respond to terrorist attacks; and hire, train, and equip DHS frontline forces protecting the homeland.

Unless otherwise noted, references to the House and Senate reports are to House Report 116–180 and Senate Report 116–125, respectively. The language and allocations contained in the House and Senate reports carry the same weight as the language included in this explanatory statement unless specifically addressed to the contrary in the bill or this explanatory statement. While this explanatory statement repeats some language from the House or Senate reports for emphasis, it does not negate the language contained in those reports unless expressly stated. When this explanatory statement refers to the Committees or the Committees on Appropriations, these references are to the House Appropriations Subcommittee on Homeland Security and the Senate Appropriations Subcommittee on Homeland Security.

This explanatory statement refers to certain laws, organizations, persons, funds, and documents as follows: the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93–288, is referenced as the Stafford Act; the Department of Homeland Security is referenced as DHS or the Department; the Government Accountability Office is referenced as GAO; and the Office of Inspector General of the Department of Homeland Security is referenced as OIG. In addition, “full-time equivalents” are referred to as FTE; “full-time positions” are referred to as FTP; “Information Technology” is referred to as IT; the DHS “Working Capital Fund” is referred to as WCF; “program, project, and activity” is referred to as PPA; any reference to “the Secretary” should be interpreted to mean the Secretary of Homeland Security; “component” should be interpreted to mean an agency, administration, or directorate within DHS; any reference to SLTT should be interpreted to mean State, Local, Tribal, and territorial; and “budget request” or “the request” should be interpreted to mean the budget of the U.S. Government for fiscal year 2020 that was submitted to Congress on March 11, 2019.

TITLE I—DEPARTMENTAL MANAGEMENT, OPERATIONS, INTELLIGENCE, AND OVERSIGHT

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

OPERATIONS AND SUPPORT

The agreement includes an increase for Operations and Support of \$27,498,000 above the budget request, including increases of: \$2,900,000 for the Office for Civil Rights and Civil Liberties for the Compliance Branch; \$7,500,000 for the Office of Strategy Policy and Plans for a community awareness and training program and activities related to targeted violence and terrorism prevention grants funded through Federal Assistance; \$10,000,000 for the establishment of a new Office of Immigration Detention Ombudsman; and \$7,548,000 to sustain fiscal year 2019 operational levels, including adjusted personnel costs and the Immigration Data Integration Initiative.

Chief Medical Officer (CMO).—As the primary DHS medical authority, the CMO has oversight responsibility for the Department’s medical and public health policies and operations. As such, DHS is directed to ensure that the CMO reviews all contracts that broadly impact how the Department delivers healthcare to individuals in its custody and to departmental personnel. In coordination with operational components, the CMO shall develop departmental requirements for medical services, to include professional healthcare system administration; disease surveillance, reporting, and outbreak response; and measurable performance standards for current and future healthcare record systems. The CMO, in conjunction with operational component leadership as appropriate, is directed to brief the Committees within 90 days of the date of enactment of this Act on these efforts.

Medical Strategy.—In fiscal year 2019, nearly 1,000,000 migrants were apprehended by U.S. Customs and Border Protection, resulting in an unprecedented medical screening and healthcare crisis. As the Department responded, it became clear that a more cohesive strategy was necessary to address emergent medical conditions of detainees, as well as the health of its own workforce. Based on lessons learned from this experience, the Secretary shall develop a DHS-wide medical response strategy for emergent circumstances, including surges in migration, National Special Security Events, Special Event Assessment Rating events, and Stafford Act-

declared disasters. The strategy should also clarify the roles and responsibilities of DHS medical personnel; the need for any new legal authorizations; and any reorganization requirements, as appropriate.

Office of Immigration Detention Ombudsman.—The agreement establishes an Immigration Detention Ombudsman position and provides \$10,000,000 for an Office of Immigration Detention Ombudsman, as described in the House Report. The bill withholds \$500,000 from the Office of the Secretary for Executive Management (OSEM) until the Secretary approves the Ombudsman.

Office of Strategy, Policy, and Plans.— The agreement includes a realignment of \$2,800,000 from the Office of Partnership and Engagement for the new Office of Terrorism Prevention Partnerships (OTPP). OTPP is directed to brief the Committees within 30 days of the date of enactment of this Act on its programs and activities, including its plans for carrying out local community awareness and training, and for the use of funding provided under Management Directorate—Federal Assistance for targeted violence and terrorism prevention grants.

Public Complaint and Feedback System Working Group.—The Department has not fulfilled a requirement in House Report 116-9 to provide semi-annual updates to the Committees on the Public Complaint and Feedback System Working Group. The Department is directed to begin providing such updates not later than 60 days after the date of enactment of this Act. The bill withholds \$500,000 from OSEM until the Department provides the first such update, which must address the requirements detailed in House Report 114–668.

FEDERAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

The agreement provides \$10,000,000 for targeted violence and terrorism prevention grants, to be transferred to the Federal Emergency Management Agency for purposes of administration.