

# ISSUE BRIEF

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## DHS Office of Policy: Misguided Reorganization Threatens Homeland Security Strategic Planning

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The President's fiscal year (FY) 2013 budget proposal, released earlier today, makes important changes in the Department of Homeland Security's (DHS) capacity to lead a national homeland security enterprise.

Contained within the budget proposal was a call to remove the Office for State and Local Law Enforcement, the Office of International Affairs, and the Private Sector Office out of the Office of Policy and into the Office of the Secretary and Executive Management, making them direct reports to the Secretary of Homeland Security. As Members of Congress begin their deliberations on President Obama's FY 2013 budget request this week, they should carefully examine these changes.

**DHS Office of Policy.** The Office of Policy was created in 2005 to

improve policy development, coordination, and oversight throughout the department. Among other activities, the office has:

- Led interagency policy development on homeland security matters.
- Coordinated policy development among components to formulate one voice for DHS in interagency policy negotiations.
- Overseen the DHS's international engagement efforts. For example, the office recently assisted in formulating National Security Decision Directive 38, which governs the DHS footprint overseas, the addition of attachés at key locations, and a new strategy for international engagement. It also helped to create a new memorandum of understanding to manage technical assistance efforts abroad in coordination with the U.S. Department of State.
- Influenced the DHS budget process through program guidance, the acquisition process, and a new strategy development process.

In addition to being a critical player in policy development and interagency activities, the Office of Policy is home to several key programs, including the Visa Waiver Program (VWP). VWP member countries are required to institute certain security protocols and sign information-sharing agreements. These partnerships make the VWP a valuable part of the nation's counterterrorism structure.

The Office of Policy also handles important activities related to screening foreign acquisitions of U.S. companies and assets for national security concerns and provides a representative to the Committee on Foreign Investment in the United States.

### **A Flawed Reorganization.**

Previously contained in the Office of Policy, the Office for State and Local Law Enforcement works to develop national policy in relation to the role of state, local, and tribal law enforcement in combating the threat of terrorism and responding to natural disasters. Similarly, the Office of International Affairs plays a crucial role in working with foreign nations to improve international cooperation and information sharing on key homeland security issues, such as

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border and aviation security. The Private Sector Office serves as the main point of contact between DHS and U.S. business and other non-governmental organizations. In the past, each of these offices has proved an essential component in contributing to the Office of Policy's efforts to develop critical, forward-thinking policy objectives within the national homeland security enterprise.

Dissecting the Office of Policy makes little sense. Elevating the Office for State and Local Law Enforcement, the Office of International Affairs, and the Private Sector Office to direct reports would do little to enhance efforts to advance national homeland security policy, instead serving to create an increasing number of stovepipes within the homeland security enterprise. Worse yet, it would add layers of bureaucracy and create more costly administrative needs at a time when the federal government is supposed to be focused on enhanced efficiencies and decreased spending.

To be fair, while the Office of Policy would be losing these three components, it would gain the formerly separate Office of Counternarcotics Enforcement and Office of Risk Management and Analysis, once contained within the National Protection and Programs Directorate. Both of these offices represent key components of DHS strategic planning and policy formation and would be welcome additions within the Office of Policy. The benefits of this move, however, may well be overshadowed by the removal of the Office for State and Local Law Enforcement, the Office of

International Affairs, and the Private Sector Office.

#### **Reversing Executive Wrongs.**

As Congress begins its deliberations on President Obama's FY 2013 budget request this week, it would be wise to look at more than just the raw numbers and examine the call for reorganization within DHS. The Office of Policy has made extensive strides in recent years to increase capacity and enhance department-wide policy development, planning, and programming. Today's move on the part of the Administration, however, threatens to reverse much of this progress. Instead of undermining the efforts of the Office of Policy, Congress and the Administration should:

- **Keep the Office of Policy intact.** Removing key components of the Office of Policy does little to enhance DHS's strategic policy planning efforts, instead serving to increase silos and foster greater bureaucracy. While the concurrent addition of the Office of Counternarcotics Enforcement and the Office of Risk Management and Analysis would likely strengthen the efforts of the Office of Policy, removing the Office for State and Local Law Enforcement, the Office of International Affairs, and the Private Sector Office would negate those gains.
- **Fully fund key programs within the DHS Office of Policy.** The Office of Policy is home to many key programs and activities, such as the VWP and screening foreign

acquisitions of U.S. companies and assets for national security concerns. Yet time and time again, Congress has put the Office of Policy on the chopping block. In order to demonstrate a commitment to the Office of Policy, the legislative branch should instead seek to fully fund the Office of Policy's key programs.

- **Elevate the leadership of the Office of Policy to the level of undersecretary.** Despite efforts by multiple Secretaries of Homeland Security to establish an undersecretary for policy within DHS, the department has been left unchanged. Elevating this position would demonstrate that Congress is committed to the long-range planning that is necessary for DHS to adequately meet its missions.

#### **A Forward-Looking DHS.**

Shuffling components in and out of the Office of Policy would do little to enhance DHS's strategic planning. Congress and the Administration should show a true commitment to fostering forward-looking policy planning within the department. Keeping the Office of Policy intact is one way to do that.

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