

Calendar No. 201

116TH CONGRESS
1ST SESSION

H. R. 2590

[Report No. 116–97]

IN THE SENATE OF THE UNITED STATES

JUNE 11, 2019

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

SEPTEMBER 10, 2019

Reported by Mr. JOHNSON, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To require a Department of Homeland Security overseas
personnel enhancement plan, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “DHS Overseas Per-
5 sonnel Enhancement Act of 2019”.

6 **SEC. 2. OVERSEAS PERSONNEL BRIEFING.**

7 (a) ~~IN GENERAL.~~—Not later than 90 days after sub-
8 mission of the comprehensive 3-year strategy required

1 under section 1910 of the National Defense Authorization
2 Act for Fiscal Year 2017 (Public Law 114–328) and every
3 180 days thereafter, the Secretary of Homeland Security
4 shall brief the Committee on Homeland Security of the
5 House of Representatives and the Committee on Home-
6 land Security and Governmental Affairs of the Senate re-
7 garding Department of Homeland Security personnel with
8 primary duties that take place outside of the United
9 States.

10 (b) REQUIREMENTS.—The briefings required under
11 subsection (a) shall include the following:

12 (1) A detailed summary of, and deployment
13 schedule for, each type of personnel position with
14 primary duties that take place outside of the United
15 States and how each such position contributes to the
16 Department of Homeland Security’s counterter-
17 rorism mission.

18 (2) Information related to how the geographic
19 and regional placement of such positions contributes
20 to the Department’s counterterrorism mission.

21 (3) Information related to any risk mitigation
22 plans for each geographic and regional placement,
23 including to address counter-intelligence risks.

24 (4) Information regarding the costs of deploy-
25 ing or maintaining personnel at each geographic and

1 regional placement, including information on any
2 cost-sharing agreement with foreign partners to
3 cover a portion or all the costs relating to such de-
4 ployment or maintenance.

5 (5) Maintain and enhance practices to guard
6 against counter-espionage and counter-intelligence
7 threats, including cyber threats, associated with De-
8 partment personnel.

9 (6) Information regarding trends in foreign ef-
10 forts to influence such personnel while deployed
11 overseas to contribute to the Department's counter-
12 terrorism mission.

13 (7) Information related to the position-specific
14 training received by such personnel before and dur-
15 ing placement at a foreign location.

16 (8) Challenges that may impede the commu-
17 nication of counterterrorism information between
18 Department personnel at foreign locations and De-
19 partment entities in the United States, including
20 technical, resource, and administrative challenges.

21 (9) The status of efforts to implement the
22 strategy referred to in subsection (a).

23 (10) The status of efforts (beginning with the
24 second briefing required under this section) to imple-
25 ment the enhancement plan under section 3.

1 **SEC. 3. OVERSEAS PERSONNEL ENHANCEMENT PLAN.**

2 (a) IN GENERAL.—Not later than 90 days after the
3 first briefing required under section 2, the Secretary shall
4 submit to the Committee on Homeland Security of the
5 House and the Committee on Homeland Security and Gov-
6 ernmental Affairs of the Senate a plan to enhance the ef-
7 fectiveness of Department of Homeland Security per-
8 sonnel at foreign locations.

9 (b) PLAN REQUIREMENTS.—The plan required under
10 subsection (a) shall include proposals to—

11 (1) improve efforts of Department of Homeland
12 Security personnel at foreign locations, as necessary,
13 for purposes of providing foreign partner capacity
14 development and furthering the Department's
15 counterterrorism mission;

16 (2) as appropriate, redeploy Department per-
17 sonnel to respond to changing threats to the United
18 States;

19 (3) enhance collaboration among Department
20 personnel at foreign locations, other Federal per-
21 sonnel at foreign locations, and foreign partners;

22 (4) improve the communication of counterter-
23 rorism information between Department personnel
24 at foreign locations and Department entities in the
25 United States, including to address technical, re-
26 source, and administrative challenges; and

1 ~~(5) maintain practices to guard against~~
 2 ~~counter-espionage threats associated with Depart-~~
 3 ~~ment personnel.~~

4 **SEC. 4. TERMINATION.**

5 The briefing requirement under section 2 shall termi-
 6 nate ~~on the date that is 4 years after the submission of~~
 7 the strategy referred to in such section.

8 **SECTION 1. SHORT TITLE.**

9 *This Act may be cited as the “DHS Overseas Personnel*
 10 *Enhancement Act of 2019”.*

11 **SEC. 2. OVERSEAS PERSONNEL BRIEFING.**

12 (a) *IN GENERAL.*—Not later than 90 days after sub-
 13 mission of the comprehensive 3-year strategy required under
 14 section 1910 of the National Defense Authorization Act for
 15 Fiscal Year 2017 (Public Law 114–328) and annually
 16 thereafter, the Secretary shall brief the Committee on Home-
 17 land Security of the House of Representatives and the Com-
 18 mittee on Homeland Security and Governmental Affairs of
 19 the Senate regarding Department personnel with primary
 20 duties that take place outside of the United States.

21 (b) *REQUIREMENTS.*—The briefings required under
 22 subsection (a) shall include the following:

23 (1) *A detailed summary of, and deployment*
 24 *schedule for, each type of personnel position with pri-*
 25 *mary duties that take place outside of the United*

1 *States and how each such position contributes to the*
2 *Department's mission.*

3 *(2) Information related to how the geographic*
4 *and regional placement of such positions contributes*
5 *to the Department's mission.*

6 *(3) Information related to any risk mitigation*
7 *plans for each geographic and regional placement, in-*
8 *cluding to address counter-intelligence risks.*

9 *(4) Information regarding the costs of deploying*
10 *or maintaining personnel at each geographic and re-*
11 *gional placement, including information on any cost-*
12 *sharing agreement with foreign partners to cover a*
13 *portion or all the costs relating to such deployment or*
14 *maintenance.*

15 *(5) Information on guidance and practices to*
16 *guard against counter-espionage and counter-intel-*
17 *ligence threats, including cyber threats, associated*
18 *with Department personnel.*

19 *(6) Information regarding trends in foreign ef-*
20 *forts to influence such personnel while deployed over-*
21 *seas to contribute to the Department's mission.*

22 *(7) Information related to the position-specific*
23 *training received by such personnel before and during*
24 *placement at a foreign location.*

1 (8) *Challenges that may impede the communica-*
 2 *tion of counterterrorism information between Depart-*
 3 *ment personnel at foreign locations and Department*
 4 *entities in the United States, including technical, re-*
 5 *source, and administrative challenges.*

6 (9) *The status of efforts to implement the strat-*
 7 *egy referred to in subsection (a).*

8 (10) *The status of efforts (beginning with the sec-*
 9 *ond briefing required under this section) to imple-*
 10 *ment the enhancement plan under section 3.*

11 **SEC. 3. OVERSEAS PERSONNEL ENHANCEMENT PLAN.**

12 (a) *IN GENERAL.*—*Not later than 90 days after the*
 13 *first briefing required under section 2, the Secretary shall*
 14 *submit to the Committee on Homeland Security of the*
 15 *House of Representatives and the Committee on Homeland*
 16 *Security and Governmental Affairs of the Senate a plan*
 17 *to enhance the effectiveness of Department personnel at for-*
 18 *ign locations.*

19 (b) *PLAN REQUIREMENTS.*—*The plan required under*
 20 *subsection (a) shall include proposals to—*

21 (1) *improve efforts of Department personnel at*
 22 *foreign locations, as necessary, for purposes of pro-*
 23 *viding foreign partner capacity development and fur-*
 24 *thering the Department’s mission;*

1 (2) *as appropriate, redeploy Department per-*
2 *sonnel to respond to changing threats to the United*
3 *States, consistent with the limits on the resources of*
4 *the Department;*

5 (3) *enhance collaboration among Department*
6 *personnel at foreign locations, other Federal personnel*
7 *at foreign locations, and foreign partners;*

8 (4) *improve the communication of information*
9 *between Department personnel at foreign locations*
10 *and Department entities in the United States, includ-*
11 *ing to address technical, resource, and administrative*
12 *challenges; and*

13 (5) *maintain practices to guard against counter-*
14 *espionage threats associated with Department per-*
15 *sonnel.*

16 **SEC. 4. TERMINATION.**

17 *The briefing requirement under section 2 shall termi-*
18 *nate on the date that is 4 years after the submission of the*
19 *strategy referred to in subsection (a) of such section.*

20 **SEC. 5. DEFINITIONS.**

21 *In this Act—*

22 (1) *the term “Department” means the Depart-*
23 *ment of Homeland Security; and*

24 (2) *the term “Secretary” means the Secretary of*
25 *Homeland Security.*

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