



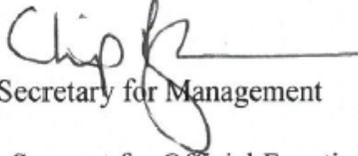
Homeland
Security

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Policy Directive 109-05

MEMORANDUM FOR: DISTRIBUTION

FROM: Chip Fulghum 
Deputy Under Secretary for Management

SUBJECT: Protocol Office Support for Official Functions and Official Social Functions

This Policy Directive implements policy for Protocol Office support for official Department of Homeland Security (DHS) ceremonies, conferences, meetings, social events, and hosting distinguished visitors.¹ It also identifies protocol and other associated guidance documents incorporated in or supporting protocol policy. This Policy Directive applies throughout DHS.

The Director of Protocol provides direct support to the Secretary, Deputy Secretary, and Chief of Staff in the planning and execution of official functions and official social functions either by assigned protocol personnel or assigned project officers. The Director of Protocol also provides indirect support (i.e., advice and guidance) to DHS Principals² for protocol matters through their respective protocol offices or assigned project officers. Generally, DHS protocol for diplomatic and military events follows guidance from the U.S. Department of State and U.S. Department of Defense, per [DHS Directive 252-16](#), "Order of Precedence for DHS Positions."

Official Functions and Official Social Functions are defined as follows:

Official Function: Is any ceremony or event where DHS Principals are operating in an official capacity or as a host to external parties such as distinguished visitors or members of Congress. This includes, but is not limited to, official meetings and conferences, appointment ceremonies, retirements, changes of command, ground breaking/ribbon cutting events, and official funerals or memorial services.

¹ Distinguished Visitors - (1) Any general or flag officer, (2) any government official with rank equivalent to a brigadier general or higher, or (3) any foreign military officer or civilian designated a DV by the Director of Scheduling and Advance and Chief of Protocol, or Director of Protocol. At times, persons of lower rank but appointed to or filling certain positions, *may* be accorded DV status. The purpose of the visit will determine if DV status should be accorded. For example, a civic leader may be accorded DV status. The Director of Scheduling and Advance and Chief of Protocol or the Director of Protocol determines the DV distinction on an individual basis. Consult the most current State Department Order of Precedence to determine current and correct precedence of distinguished visitors.

² DHS Principals mean the Secretary, Deputy Secretary, Chief of Staff, Under Secretaries, Component Heads, Assistant Secretaries, or other such leadership within the Department.

Official Social Function: Is an event where DHS Principals are operating in an official capacity commensurate with their position to build or reinforce relationships with counterparts, government and civic officials, international visitors, or in some cases, Department staff.

Any function for which the Department intends to provide support through funds, property, or personnel should be individually reviewed, to determine whether the event is official or personal in nature. Prior to determining whether an event is official or personal in nature, Departmental Components and Offices must consult with relevant legal and financial officers as necessary to ensure that any function is properly determined to be “official” prior to the use of any federal resources to support that function. When determining whether an individual function is “official,” the following factors should be considered:

- Is there an articulable basis for explaining how the event furthers an authorized activity? Do the surrounding circumstances indicate that the underlying purpose for the event is to further this authorized activity?
- What is the importance of the event to furthering the authorized activity (i.e., is it necessary or critical to furthering the authorized activity or merely incidental)?
- What is the likelihood that the event will accomplish the stated purpose?
- What is the relevance of the attendees or audience to the purpose of the event? For example, a majority of the attendees should represent organizations, professions, or stakeholders interested in the purpose of the event or the subject of the speech.
- The number of attendees. The attendees or audience should be of sufficient size and breadth to encompass a reasonable community of individuals who would be interested in the subject of the event. For example, an event focused on DHS employee engagement or matters, would be expected to be attended by employees affected by or interested in the purpose of the event.
- Will employees that are assigned to support the event be carrying out functions they are ordinarily assigned to do or that are otherwise in furtherance of their official duties?
- Will a reasonable person, with knowledge of the relevant facts of the event, question the integrity of Department operations? This is the basic appearance test in the Office of Government Ethics regulations for determining whether the public would question what the agency is doing.

While this is a non-exclusive list of factors to consider, and additional facts and circumstances may apply to any given event, an event that meets all or most of the above factors will likely qualify as “official”.

Events not qualifying as official functions or official social functions are considered unofficial personal events and are at the personal expense of the hosting DHS Principal. Government personnel time and resources should be used for official purposes only. Official ceremony invitations may reference a personal reception; however, it may not require additional work on the part of a government employee (e.g., additional mailings, compiling meal requests, etc.). Additionally, DHS vehicles are used for official purposes only in accordance with applicable law and policy.³

³ See [Instruction Manual 119-06-001-01](#), Section 5; 41 CFR Part 102-34, Subpart D and 41 C.F.R. §102-34.200.

PLANNING OFFICIAL FUNCTIONS

Official functions and official social functions are planned in a manner to reflect the professionalism of the Department. Appropriate honors and courtesies are extended at all times and on all occasions with due deference to position, title, and order of precedence (see, The Order of Precedence of the United States of America, November 3, 2017 (Department of State), and [DHS Directive 252-16](#), “Order of Precedence for DHS Positions”).

Ceremonies are, to the extent practicable, standardized to ensure efficient use of resources (i.e., location, time, and support staff cost/time). Honorees are typically afforded one official ceremony. DHS Protocol and/or Office of the General Counsel (OGC) (e.g., General and Ethics Law Divisions) must be consulted if considering an additional ceremony. Operational Components may incorporate long-standing customs, courtesies, and traditions in the planning and execution of official ceremonies.

DHS Principals identify requirements to implement internal protocol programs, and execute their programs in accordance with law and DHS policies.

ADDITIONAL PROTOCOL ACTIVITIES

The Office of Protocol provides direct and full protocol support for official events hosted by the Secretary or Deputy Secretary. Full support is defined as provision of invitations; attendee lists; seating diagrams; escorts; security coordination; site review; flags; coordination with other components and agencies; and ‘flow of show’. The Office of Protocol also provides indirect support (i.e., guidance) to Components as needed.

The DHS Director of Protocol, in collaboration with Component Protocol Offices, recommends additions to or changes in protocol policy. The DHS Office of Protocol reviews invitations, scripts, and programs, etc., related to official functions for which the Secretary or Deputy Secretary hosts.

Attachment: Protocol and Associated Guidance: Authorities and Guidance

Distribution:

DHS Component Heads
Chief Financial Officer
Chief Information Officer
Chief Human Capital Officer
Chief Procurement Officer
Chief Readiness Support Officer
Chief Security Officer

Attachment
Policy Directive 109-05

Protocol and Associated Guidance: Authorities and Guidance⁴

DHS Directive(s):

- 112-02, Gifts to the Department of Homeland
- 123-04, Official Flags of the Department
- 123-06, Use of DHS Seal (Reference “Protocol Gifts
- 252-16, DHS Order of Precedence (Note also, section IV(D.) identifies guidance from DoS and DoD to be used to guide protocol for diplomatic and military events.)

DHS Financial Management Policy Manual (FMPM) contains the following Chapters.

- 2.9 – Official Reception and Representation Funds
- 3.17 – Cash Gifts and Bequests
- 7.10 – Travel: Conferences
- 7.12 – Travel: Payment of Expenses by Non-Federal Sources

DHS Management Directive(s):

- 0480.1, Ethics/Standards of Conduct Office

Other:

- The Order of Precedence of the United States of America, (Department of State) (11/03/2017)
 - DoS Protocol Guide (06/21/2018)
 - Protocol for the Modern Diplomat, (Foreign Service Institute, Department of State) (2011, Reviewed 2013))
- DoD Order of Precedence (04/11/2018)
 - OPNAVINST 1710.7A, Social Usage and Protocol Handbook, (06/15/2001)
 - USN NTP 13B, Flags, Pennants and Customs, (09/15/1986)
 - USCG, COMDTINST M5000.3B, Chpt 14, Honors and Ceremonies
- CFO’s “ORR Reporting Instructions” (06/02/2016)
- OPA Event Planning Guide (with Protocol Guidance)(2009)

DHS Connect, Travel and Conferences

(<http://dhsconnect.dhs.gov/org/comp/cfo/travel/Pages/default.aspx>)

OGC Ethics Law Division webpage: (<http://dhsconnect.dhs.gov/org/offices/ogc/ethics>)

⁴ The latest versions of Protocol Guidance Documents can be found on the Protocol website
<<http://dhsconnect.dhs.gov/org/offices/os/op/Pages/Default.aspx>>