

critical infrastructure protection programs;

(ii) providing leadership and coordination in meeting the geospatial information requirements of those responsible for planning, prevention, mitigation, assessment and response to emergencies, critical infrastructure protection, and other functions of the Department; and

(iii) coordinating with users of geospatial information within the Department to assure interoperability and prevent unnecessary duplication.

#### (D) Responsibilities

In carrying out this subsection, the responsibilities of the Chief Information Officer shall include—

(i) coordinating the geospatial information needs and activities of the Department;

(ii) implementing standards, as adopted by the Director of the Office of Management and Budget under the processes established under section 216 of the E-Government Act of 2002 (44 U.S.C. 3501 note), to facilitate the interoperability of geospatial information pertaining to homeland security among all users of such information within—

- (I) the Department;
- (II) State and local government; and
- (III) the private sector;

(iii) coordinating with the Federal Geographic Data Committee and carrying out the responsibilities of the Department pursuant to Office of Management and Budget Circular A-16 and Executive Order 12906; and

(iv) making recommendations to the Secretary and the Executive Director of the Office for State and Local Government Coordination and Preparedness on awarding grants to—

- (I) fund the creation of geospatial data; and
- (II) execute information sharing agreements regarding geospatial data with State, local, and tribal governments.

#### (3) Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out this subsection for each fiscal year.

(Pub. L. 107-296, title VII, § 703, Nov. 25, 2002, 116 Stat. 2219; Pub. L. 108-458, title VIII, § 8201(b), Dec. 17, 2004, 118 Stat. 3865.)

#### REFERENCES IN TEXT

Section 216 of the E-Government Act of 2002, referred to in subsec. (b)(2)(D)(ii), is section 216 of Pub. L. 107-347, which is set out in a note under section 3501 of Title 44, Public Printing and Documents.

Executive Order 12906, referred to in subsec. (b)(2)(D)(iii), is set out as a note under section 1457 of Title 43, Public Lands.

#### AMENDMENTS

2004—Pub. L. 108-458 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

#### FINDINGS

Pub. L. 108-458, title VIII, § 8201(a), Dec. 17, 2004, 118 Stat. 3865, provided that: “Congress makes the following findings:

“(1) Geospatial technologies and geospatial data improve government capabilities to detect, plan for, prepare for, and respond to disasters in order to save lives and protect property.

“(2) Geospatial data improves the ability of information technology applications and systems to enhance public security in a cost-effective manner.

“(3) Geospatial information preparedness in the United States, and specifically in the Department of Homeland Security, is insufficient because of—

- “(A) inadequate geospatial data compatibility;
- “(B) insufficient geospatial data sharing; and
- “(C) technology interoperability barriers.”

#### § 344. Chief Human Capital Officer

The Chief Human Capital Officer shall report to the Secretary, or to another official of the Department, as the Secretary may direct and shall ensure that all employees of the Department are informed of their rights and remedies under chapters 12 and 23 of title 5 by—

- (1) participating in the 2302(c) Certification Program of the Office of Special Counsel;
- (2) achieving certification from the Office of Special Counsel of the Department’s compliance with section 2302(c) of title 5; and
- (3) informing Congress of such certification not later than 24 months after November 25, 2002.

(Pub. L. 107-296, title VII, § 704, Nov. 25, 2002, 116 Stat. 2219.)

#### § 345. Establishment of Officer for Civil Rights and Civil Liberties

##### (a) In general

The Officer for Civil Rights and Civil Liberties, who shall report directly to the Secretary, shall—

- (1) review and assess information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department;
- (2) make public through the Internet, radio, television, or newspaper advertisements information on the responsibilities and functions of, and how to contact, the Officer;
- (3) assist the Secretary, directorates, and offices of the Department to develop, implement, and periodically review Department policies and procedures to ensure that the protection of civil rights and civil liberties is appropriately incorporated into Department programs and activities;
- (4) oversee compliance with constitutional, statutory, regulatory, policy, and other requirements relating to the civil rights and civil liberties of individuals affected by the programs and activities of the Department;
- (5) coordinate with the Privacy Officer to ensure that—

- (A) programs, policies, and procedures involving civil rights, civil liberties, and privacy considerations are addressed in an integrated and comprehensive manner; and
- (B) Congress receives appropriate reports regarding such programs, policies, and procedures; and

(6) investigate complaints and information indicating possible abuses of civil rights or civil liberties, unless the Inspector General of

the Department determines that any such complaint or information should be investigated by the Inspector General.

**(b) Report**

The Secretary shall submit to the President of the Senate, the Speaker of the House of Representatives, and the appropriate committees and subcommittees of Congress on an annual basis a report on the implementation of this section, including the use of funds appropriated to carry out this section, and detailing any allegations of abuses described under subsection (a)(1) and any actions taken by the Department in response to such allegations.

(Pub. L. 107–296, title VII, §705, Nov. 25, 2002, 116 Stat. 2219; Pub. L. 108–458, title VIII, §8303, Dec. 17, 2004, 118 Stat. 3867.)

AMENDMENTS

2004—Subsec. (a). Pub. L. 108–458, §8303(1), reenacted heading without change and amended introductory provisions generally. Prior to amendment, introductory provisions read as follows: “The Secretary shall appoint in the Department an Officer for Civil Rights and Civil Liberties, who shall—”.

Subsec. (a)(1). Pub. L. 108–458, §8303(2), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “review and assess information alleging abuses of civil rights, civil liberties, and racial and ethnic profiling by employees and officials of the Department; and”.

Subsec. (a)(3) to (6). Pub. L. 108–458, §8303(3), (4), added pars. (3) to (6).

**§ 346. Consolidation and co-location of offices**

Not later than 1 year after November 25, 2002, the Secretary shall develop and submit to Congress a plan for consolidating and co-locating—

- (1) any regional offices or field offices of agencies that are transferred to the Department under this chapter, if such officers<sup>1</sup> are located in the same municipality; and
- (2) portions of regional and field offices of other Federal agencies, to the extent such offices perform functions that are transferred to the Secretary under this chapter.

(Pub. L. 107–296, title VII, §706, Nov. 25, 2002, 116 Stat. 2220.)

REFERENCES IN TEXT

This chapter, referred to in pars. (1) and (2), was in the original “this Act”, meaning Pub. L. 107–296, Nov. 25, 2002, 116 Stat. 2135, known as the Homeland Security Act of 2002, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 101 of this title and Tables.

**§ 347. Quadrennial homeland security review**

**(a) Requirement**

**(1) Quadrennial reviews required**

In fiscal year 2009, and every 4 years thereafter, the Secretary shall conduct a review of the homeland security of the Nation (in this section referred to as a “quadrennial homeland security review”).

**(2) Scope of reviews**

Each quadrennial homeland security review shall be a comprehensive examination of the

homeland security strategy of the Nation, including recommendations regarding the long-term strategy and priorities of the Nation for homeland security and guidance on the programs, assets, capabilities, budget, policies, and authorities of the Department.

**(3) Consultation**

The Secretary shall conduct each quadrennial homeland security review under this subsection in consultation with—

- (A) the heads of other Federal agencies, including the Attorney General, the Secretary of State, the Secretary of Defense, the Secretary of Health and Human Services, the Secretary of the Treasury, the Secretary of Agriculture, and the Director of National Intelligence;
- (B) key officials of the Department; and
- (C) other relevant governmental and non-governmental entities, including State, local, and tribal government officials, members of Congress, private sector representatives, academics, and other policy experts.

**(4) Relationship with future years homeland security program**

The Secretary shall ensure that each review conducted under this section is coordinated with the Future Years Homeland Security Program required under section 454 of this title.

**(b) Contents of review**

In each quadrennial homeland security review, the Secretary shall—

- (1) delineate and update, as appropriate, the national homeland security strategy, consistent with appropriate national and Department strategies, strategic plans, and Homeland Security Presidential Directives, including the National Strategy for Homeland Security, the National Response Plan, and the Department Security Strategic Plan;

(2) outline and prioritize the full range of the critical homeland security mission areas of the Nation;

(3) describe the interagency cooperation, preparedness of Federal response assets, infrastructure, budget plan, and other elements of the homeland security program and policies of the Nation associated with the national homeland security strategy, required to execute successfully the full range of missions called for in the national homeland security strategy described in paragraph (1) and the homeland security mission areas outlined under paragraph (2);

(4) identify the budget plan required to provide sufficient resources to successfully execute the full range of missions called for in the national homeland security strategy described in paragraph (1) and the homeland security mission areas outlined under paragraph (2);

(5) include an assessment of the organizational alignment of the Department with the national homeland security strategy referred to in paragraph (1) and the homeland security mission areas outlined under paragraph (2); and

(6) review and assess the effectiveness of the mechanisms of the Department for executing

<sup>1</sup> So in original. Probably should be “offices”.