

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**(a) In general**

The Chief Human Capital Officer shall report directly to the Under Secretary for Management.

(b) Responsibilities

In addition to the responsibilities set forth in chapter 14 of title 5 and other applicable law, the Chief Human Capital Officer of the Department shall—

(1) develop and implement strategic workforce planning policies that are consistent with Government-wide leading principles and in line with Department strategic human capital goals and priorities, taking into account the special requirements of members of the Armed Forces serving in the Coast Guard;

(2) develop performance measures to provide a basis for monitoring and evaluating Department-wide strategic workforce planning efforts;

(3) develop, improve, and implement policies, including compensation flexibilities available to Federal agencies where appropriate, to recruit, hire, train, and retain the workforce of the Department, in coordination with all components of the Department;

(4) identify methods for managing and overseeing human capital programs and initiatives, in coordination with the head of each component of the Department;

(5) develop a career path framework and create opportunities for leader development in coordination with all components of the Department;

(6) lead the efforts of the Department for managing employee resources, including training and development opportunities, in coordination with each component of the Department;

(7) work to ensure the Department is implementing human capital programs and initia-

tives and effectively educating each component of the Department about these programs and initiatives;

(8) identify and eliminate unnecessary and duplicative human capital policies and guidance;

(9) provide input concerning the hiring and performance of the Chief Human Capital Officer or comparable official in each component of the Department; and

(10) ensure that all employees of the Department are informed of their rights and remedies under chapters 12 and 23 of title 5.

(c) Component strategies**(1) In general**

Each component of the Department shall, in coordination with the Chief Human Capital Officer of the Department, develop a 5-year workforce strategy for the component that will support the goals, objectives, and performance measures of the Department for determining the proper balance of Federal employees and private labor resources.

(2) Strategy requirements

In developing the strategy required under paragraph (1), each component shall consider the effect on human resources associated with creating additional Federal full-time equivalent positions, converting private contractors to Federal employees, or relying on the private sector for goods and services.

(d) Annual submission

Not later than 90 days after the date on which the Secretary submits the annual budget justification for the Department, the Secretary shall submit to the congressional homeland security committees a report that includes a table, delineated by component with actual and enacted amounts, including—

(1) information on the progress within the Department of fulfilling the workforce strategies developed under subsection (c);

(2) the number of on-board staffing for Federal employees from the prior fiscal year;

(3) the total contract hours submitted by each prime contractor as part of the service contract inventory required under section 743 of the Financial Services and General Government Appropriations Act, 2010 (division C of Public Law 111-117; 31 U.S.C. 501 note); and

(4) the number of full-time equivalent personnel identified under the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4701 et seq.).

(e) Limitation

Nothing in this section overrides or otherwise affects the requirements specified in section 468 of this title.

(Pub. L. 107-296, title VII, § 704, Nov. 25, 2002, 116 Stat. 2219; Pub. L. 114-328, div. A, title XIX, § 1904, Dec. 23, 2016, 130 Stat. 2674.)

REFERENCES IN TEXT

The Intergovernmental Personnel Act of 1970, referred to in subsec. (d)(4), is Pub. L. 91-648, Jan. 5, 1971, 84 Stat. 1909, which is classified principally to chapter 62 (§ 4701 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4701 of Title 42 and Tables.

AMENDMENTS

2016—Pub. L. 114-328 amended section generally. Prior to amendment, text read as follows: “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.”

§ 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 officers¹ 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;

¹ So in original. Probably should be “offices”.