

ment Appropriations Act, 2010 (division C of Public Law 111-117; 31 U.S.C. 501 note); and

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

(f) 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; Pub. L. 117-81, div. F, title LXIV, § 6403, Dec. 27, 2021, 135 Stat. 2399.)

Editorial Notes

REFERENCES IN TEXT

The Intergovernmental Personnel Act of 1970, referred to in subsec. (e)(7), 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

2021—Subsec. (b)(1). Pub. L. 117-81, § 6403(a)(1), inserted “, including with respect to leader development and employee engagement,” after “policies” and “and informed by best practices within the Federal Government and the private sector,” after “priorities,” and substituted “, in line” for “and in line”.

Subsec. (b)(2). Pub. L. 117-81, § 6403(1)(B), substituted “use performance measures to evaluate, on an ongoing basis,” for “develop performance measures to provide a basis for monitoring and evaluating”.

Subsec. (b)(3). Pub. L. 117-81, § 6403(1)(C), inserted “that, to the extent practicable, are informed by employee feedback” after “policies”.

Subsec. (b)(4). Pub. L. 117-81, § 6403(1)(D), inserted “including leader development and employee engagement programs,” before “in coordination”.

Subsec. (b)(5). Pub. L. 117-81, § 6403(1)(E), inserted “that is informed by an assessment, carried out by the Chief Human Capital Officer, of the learning and developmental needs of employees in supervisory and non-supervisory roles across the Department and appropriate workforce planning initiatives” before semicolon at end.

Subsec. (b)(9) to (12). Pub. L. 117-81, § 6403(1)(G), added pars. (9) to (12). Former pars. (9) and (10) redesignated (13) and (14), respectively.

Subsec. (b)(13), (14). Pub. L. 117-81, § 6403(1)(F), redesignated pars. (9) and (10) as (13) and (14), respectively.

Subsec. (d). Pub. L. 117-81, § 6403(3), added subsec. (d). Former subsec. (d) redesignated (e).

Subsec. (e). Pub. L. 117-81, § 6403(2), (4), redesignated subsec. (d) as (e), inserted pars. (2) to (4), and redesignated former pars. (2) to (4) as (5) to (7), respectively.

Subsec. (f). Pub. L. 117-81, § 6403(2), redesignated subsec. (e) as (f).

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.)

Editorial Notes

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.)

Editorial Notes

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 the Secretary of Energy,¹ and the Director of National Intelligence;

(B) key officials of the Department, including the Under Secretary for Strategy, Policy, and Plans; 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.

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

¹ So in original.

(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 the process of turning the requirements developed in the quadrennial homeland security review into an acquisition strategy and expenditure plan within the Department.

(c) Reporting

(1) In general

Not later than December 31 of the year in which a quadrennial homeland security review is conducted, the Secretary shall submit to Congress a report regarding that quadrennial homeland security review.

(2) Contents of report

Each report submitted under paragraph (1) shall include—

(A) the results of the quadrennial homeland security review;

(B) a description of the threats to the assumed or defined national homeland security interests of the Nation that were examined for the purposes of that review or for purposes of the quadrennial EMP and GMD risk assessment under section 195f(d)(1)(E) of this title;