

as a Chief Learning and Engagement Officer to assist the Chief Human Capital Officer in carrying out this section.

**(e) 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) information on employee development opportunities catalogued pursuant to paragraph (9) of subsection (b) and any available data on participation rates, attrition rates, and impacts on retention and employee satisfaction;

(3) information on the progress of Departmentwide strategic workforce planning efforts as determined under paragraph (2) of subsection (b);

(4) information on the activities of the steering committee established pursuant to section 351(a) of this title, including the number of meetings, types of materials developed and distributed, and recommendations made to the Secretary;

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

(6) 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

(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 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.)

#### 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.

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

#### § 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,<sup>1</sup> and the Director of National Intelligence;

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

(C) representatives from appropriate advisory committees established pursuant to section 451 of this title, including the Homeland Security Advisory Council and the Homeland Security Science and Technology Advisory Committee, or otherwise established, including the Aviation Security Advisory Committee established pursuant to section 44946 of title 49; and

(D) 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

<sup>1</sup> So in original.