

6 USC 345: Establishment of Officer for Civil Rights and Civil Liberties

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From Title 6-DOMESTIC SECURITY

CHAPTER 1-HOMELAND SECURITY ORGANIZATION

SUBCHAPTER VII-MANAGEMENT

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§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).