

STRENGTHENING OVERSIGHT OF DHS
INTELLIGENCE ACT

NOVEMBER 12, 2025.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. GARBARINO, from the Committee on Homeland Security,
submitted the following

R E P O R T

[To accompany H.R. 2261]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security, to whom was referred the bill (H.R. 2261) to amend the Homeland Security Act of 2002 to enhance the Department of Homeland Security’s oversight of certain intelligence matters, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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PURPOSE AND SUMMARY

H.R. 2261, the “Strengthening Oversight of DHS Intelligence Act,” enhances the Department of Homeland Security’s oversight of certain intelligence matters.

BACKGROUND AND NEED FOR LEGISLATION

The Department of Homeland Security (DHS) has a distinct role within the broader U.S. intelligence community, sharing intelligence across federal, state, local, tribal, and territorial partners to enhance preparedness and response capabilities at all levels of government. DHS, through its Office of Intelligence and Analysis (I&A), focuses on gathering and analyzing intelligence related to terrorism, cyber threats, and other risks that could harm U.S. infrastructure, citizens, and government operations inside the country. However, recent reports indicate additional oversight of DHS intelligence products is necessary to ensure DHS intelligence collection does not infringe on citizens’ rights.

In recent years, DHS I&A has faced criticism for statutory overreach and its bulk data collection. A 2023 report by the Government Accountability Office (GAO) revealed that I&A had not conducted mandatory audits of its information systems and bulk data collections, which are essential to ensure that personnel access and searches are appropriately limited to protect Americans’ civil liberties and privacy rights.¹ Furthermore, I&A has developed Data Analysis Tools (DATs) to enhance the analysis of datasets containing personally identifiable information (PII).² While these tools are intended to support homeland security missions, some lawmakers have also raised privacy concerns over the potential for misuse of sensitive data. These criticisms underscore the importance of oversight to ensure that intelligence activities do not infringe upon the privacy and civil liberties of U.S. citizens.

Given I&A’s unique position as the only agency statutorily required to connect classified federal intelligence to state and local law enforcement, governors, and emergency managers through fusion centers and State, Local, Tribal, and Territorial (SLTT) partnerships, it is important that DHS intelligence collection does not infringe on citizens’ Constitutional rights.

HEARINGS

The Committee has not held a hearing that guided the development of this legislation in the 119th Congress.

COMMITTEE CONSIDERATION

The Committee met on September 3, 2025, a quorum being present, to consider H.R. 2261 and ordered the measure to be favorably reported to the House by a recorded vote of 22 yeas to 0 nays.

¹ Homeland Security: Office of Intelligence and Analysis Should Improve Privacy Oversight and Assessment of Its Effectiveness | U.S. GAO.

² <https://www.dhs.gov/publication/dhsallpia-055-dhs-data-analysis-tools>.

COMMITTEE VOTES

Clause 3(b) of rule XIII requires the Committee to list the recorded votes on the motion to report legislation and amendments thereto.

The vote was as follows:

COMMITTEE ON HOMELAND SECURITY		
119 TH CONGRESS		
Date: September 3, 2025		
Roll Call Vote No. 55		
Ordering H.R. 2261 to be favorably reported to the House		
Yeas		Nays
X	Mr. McCaul, Texas	
X	Mr. Guest, Mississippi	
X	Mr. Gimenez, Florida	
	Mr. Pfluger, Texas	
	Ms. Greene, Georgia	
X	Mr. Gonzales, Texas	
X	Mr. Luttrell, Texas	
	Mr. Strong, Alabama	
X	Mr. Brecheen, Oklahoma	
X	Mr. Crane, Arizona	
X	Mr. Ogles, Tennessee	
X	Mrs. Biggs, South Carolina	
X	Mr. Evans, Colorado	
X	Mr. Mackenzie, Pennsylvania	
	Mr. Knott, North Carolina	
X	<i>Mr. Thompson, Mississippi, Ranking Member</i>	
	<i>Mr. Swalwell, California</i>	
	<i>Mr. Correa, California</i>	
X	<i>Mr. Thanedar, Michigan</i>	
X	<i>Mr. Magaziner, Rhode Island</i>	
X	<i>Mr. Goldman, New York</i>	
X	<i>Mrs. Ramirez, Illinois</i>	
X	<i>Mr. Kennedy, New York</i>	
X	<i>Mrs. McIver, New Jersey</i>	
X	<i>Ms. Johnson, Texas</i>	
X	<i>Mr. Hernández, Puerto Rico</i>	
	<i>Ms. Pou, New Jersey</i>	
X	<i>Mr. Carter, Louisiana</i>	
	<i>Mr. Green, Texas</i>	
X	Mr. Garbarino, New York, Chairman	
22	TOTAL	0

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X, are incorporated in the descriptive portions of this report.

CONGRESSIONAL BUDGET OFFICE ESTIMATE, NEW BUDGET
AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

With respect to the requirements of clause 3(c)(2) of rule XIII and section 308(a) of the Congressional Budget Act of 1974, and with respect to the requirements of clause 3(c)(3) of rule XIII and section 402 of the Congressional Budget Act of 1974, the adopts as its own the estimate of any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures contained in the cost estimate prepared by the Director of the Congressional Budget Office.

H.R. 2261, Strengthening Oversight of DHS Intelligence Act			
As ordered reported by the House Committee on Homeland Security on September 3, 2025			
By Fiscal Year, Millions of Dollars	2026	2026-2030	2026-2035
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	*	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Statutory pay-as-you-go procedures apply?	No
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 2261 would require the Department of Homeland Security (DHS) to provide training to intelligence personnel on civil rights and liberties. The bill also would require the agency to ensure any intelligence information collected by the Office of Intelligence and Analysis is shared and stored in a manner consistent with federal law.

Information from DHS indicates that the department currently meets the activities required by the bill. On that basis, CBO estimates that implementing H.R. 2261 would cost less than \$500,000 over the 2026–2030 period. Any related spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Jeremy Crimm. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act of 1995.

DUPLICATIVE FEDERAL PROGRAMS

Pursuant to clause 3(c) of rule XIII, the Committee finds that H.R. 2261 does not contain any provision that establishes or reauthorizes a program known to be duplicative of another Federal program.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the objective of H.R. 2261 is to enhance the Department of Homeland Security's oversight of certain intelligence matters.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED
TARIFF BENEFITS

In compliance with rule XXI, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that H.R. 2261 does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

This section provides the Act's short title, the "Strengthening Oversight of DHS Intelligence Act".

Section 2. Enhanced DHS oversight of certain intelligence matters

This section amends the Homeland Security Act of 2002 by adding a new provision stipulating that any intelligence collected by the Department is protected, consistent with current law governing privacy rights and civil liberties. Specifically, it adds a new subparagraph requiring that all DHS intelligence products undergo review by the DHS Chief Privacy Officer and the Officer for Civil Rights and Civil Liberties to ensure compliance with constitutional protections. Furthermore, it codifies required training for senior DHS intelligence personnel on privacy rights, civil rights, and civil liberties safeguards.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

HOMELAND SECURITY ACT OF 2002

* * * * *

TITLE II—INFORMATION ANALYSIS**Subtitle A—Information and Analysis;
Access to Information****SEC. 201. INFORMATION AND ANALYSIS.**

(a) INTELLIGENCE AND ANALYSIS.—There shall be in the Department an Office of Intelligence and Analysis.

(b) UNDER SECRETARY FOR INTELLIGENCE AND ANALYSIS.—

(1) OFFICE OF INTELLIGENCE AND ANALYSIS.—The Office of Intelligence and Analysis shall be headed by an Under Secretary for Intelligence and Analysis, who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) CHIEF INTELLIGENCE OFFICER.—The Under Secretary for Intelligence and Analysis shall serve as the Chief Intelligence Officer of the Department.

(c) DISCHARGE OF RESPONSIBILITIES.—The Secretary shall ensure that the responsibilities of the Department relating to information analysis, including those described in subsection (d), are carried out through the Under Secretary for Intelligence and Analysis.

(d) RESPONSIBILITIES OF SECRETARY RELATING TO INTELLIGENCE AND ANALYSIS.—The responsibilities of the Secretary relating to intelligence and analysis shall be as follows:

(1) To access, receive, and analyze law enforcement information, intelligence information, and other information from agencies of the Federal Government, State and local government agencies (including law enforcement agencies), and private sector entities, and to integrate such information, in support of the mission responsibilities of the Department and the functions of the National Counterterrorism Center established under section 119 of the National Security Act of 1947 (50 U.S.C. 404o), in order to—

(A) identify and assess the nature and scope of terrorist threats to the homeland;

(B) detect and identify threats of terrorism against the United States; and

(C) understand such threats in light of actual and potential vulnerabilities of the homeland.

(2) To carry out comprehensive assessments of the vulnerabilities of the key resources and critical infrastructure

of the United States, including the performance of risk assessments to determine the risks posed by particular types of terrorist attacks within the United States (including an assessment of the probability of success of such attacks and the feasibility and potential efficacy of various countermeasures to such attacks).

(3) To integrate relevant information, analysis, and vulnerability assessments (regardless of whether such information, analysis or assessments are provided by or produced by the Department) in order to—

(A) identify priorities for protective and support measures regarding terrorist and other threats to homeland security by the Department, other agencies of the Federal Government, State, and local government agencies and authorities, the private sector, and other entities; and

(B) prepare finished intelligence and information products in both classified and unclassified formats, as appropriate, whenever reasonably expected to be of benefit to a State, local, or tribal government (including a State, local, or tribal law enforcement agency) or a private sector entity.

(4) To ensure, pursuant to section 202, the timely and efficient access by the Department to all information necessary to discharge the responsibilities under this section, including obtaining such information from other agencies of the Federal Government.

(5) To review, analyze, and make recommendations for improvements to the policies and procedures governing the sharing of information within the scope of the information sharing environment established under section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485), including homeland security information, terrorism information, and weapons of mass destruction information, and any policies, guidelines, procedures, instructions, or standards established under that section.

(6) To disseminate, as appropriate, information analyzed by the Department within the Department, to other agencies of the Federal Government with responsibilities relating to homeland security, and to agencies of State and local governments and private sector entities with such responsibilities in order to assist in the deterrence, prevention, preemption of, or response to, terrorist attacks against the United States.

(7) To consult with the Director of National Intelligence and other appropriate intelligence, law enforcement, or other elements of the Federal Government to establish collection priorities and strategies for information, including law enforcement-related information, relating to threats of terrorism against the United States through such means as the representation of the Department in discussions regarding requirements and priorities in the collection of such information.

(8) To consult with State and local governments and private sector entities to ensure appropriate exchanges of information, including law enforcement-related information, relating to threats of terrorism against the United States.

(9) To ensure that—

(A) any material received pursuant to this Act is protected from unauthorized disclosure and handled and used only for the performance of official duties; **[and]**

(B) any intelligence information under this Act is shared, retained, and disseminated consistent with the authority of the Director of National Intelligence to protect intelligence sources and methods under the National Security Act of 1947 (50 U.S.C. 401 et seq.) and related procedures and, as appropriate, similar authorities of the Attorney General concerning sensitive law enforcement information**[.]**; and

(C) any intelligence information under this Act is shared, retained, and disseminated consistent with the protection of privacy rights, civil rights, and civil liberties, as determined, respectively, by the Chief Privacy Officer and the Officer for Civil Rights and Civil Liberties.

(10) To request additional information from other agencies of the Federal Government, State and local government agencies, and the private sector relating to threats of terrorism in the United States, or relating to other areas of responsibility assigned by the Secretary, including the entry into cooperative agreements through the Secretary to obtain such information.

(11) To establish and utilize, in conjunction with the chief information officer of the Department, a secure communications and information technology infrastructure, including data-mining and other advanced analytical tools, in order to access, receive, and analyze data and information in furtherance of the responsibilities under this section, and to disseminate information acquired and analyzed by the Department, as appropriate.

(12) To ensure, in conjunction with the chief information officer of the Department, that any information databases and analytical tools developed or utilized by the Department—

(A) are compatible with one another and with relevant information databases of other agencies of the Federal Government; and

(B) treat information in such databases in a manner that complies with applicable Federal law on privacy.

(13) To coordinate training and other support to the elements and personnel of the Department, other agencies of the Federal Government, and State and local governments that provide information to the Department, or are consumers of information provided by the Department, in order to facilitate the identification and sharing of information revealed in their ordinary duties and the optimal utilization of information received from the Department.

(14) To coordinate with elements of the intelligence community and with Federal, State, and local law enforcement agencies, and the private sector, as appropriate.

(15) To provide intelligence and information analysis and support to other elements of the Department.

(16) To coordinate and enhance integration among the intelligence components of the Department, including through strategic oversight of the intelligence activities of such components.

(17) To establish the intelligence collection, processing, analysis, and dissemination priorities, policies, processes, stand-

ards, guidelines, and procedures for the intelligence components of the Department, consistent with any directions from the President and, as applicable, the Director of National Intelligence.

(18) To establish a structure and process to support the missions and goals of the intelligence components of the Department.

(19) To ensure that, whenever possible, the Department—

(A) produces and disseminates unclassified reports and analytic products based on open-source information; and

(B) produces and disseminates such reports and analytic products contemporaneously with reports or analytic products concerning the same or similar information that the Department produced and disseminated in a classified format.

(20) To establish within the Office of Intelligence and Analysis an internal continuity of operations plan.

(21) Based on intelligence priorities set by the President, and guidance from the Secretary and, as appropriate, the Director of National Intelligence—

(A) to provide to the heads of each intelligence component of the Department guidance for developing the budget pertaining to the activities of such component; and

(B) to present to the Secretary a recommendation for a consolidated budget for the intelligence components of the Department, together with any comments from the heads of such components.

(22) To perform such other duties relating to such responsibilities as the Secretary may provide.

(23)(A) Not later than six months after the date of the enactment of this paragraph, to conduct an intelligence-based review and comparison of the risks and consequences of EMP and GMD facing critical infrastructure, and submit to the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate—

(i) a recommended strategy to protect and prepare the critical infrastructure of the homeland against threats of EMP and GMD; and

(ii) not less frequently than every two years thereafter for the next six years, updates of the recommended strategy.

(B) The recommended strategy under subparagraph (A) shall—

(i) be based on findings of the research and development conducted under section 320;

(ii) be developed in consultation with the relevant Federal sector-specific agencies (as defined under Presidential Policy Directive-21) for critical infrastructure;

(iii) be developed in consultation with the relevant sector coordinating councils for critical infrastructure;

(iv) be informed, to the extent practicable, by the findings of the intelligence-based review and compari-

son of the risks and consequences of EMP and GMD facing critical infrastructure conducted under subparagraph (A); and

(v) be submitted in unclassified form, but may include a classified annex.

(C) The Secretary may, if appropriate, incorporate the recommended strategy into a broader recommendation developed by the Department to help protect and prepare critical infrastructure from terrorism, cyber attacks, and other threats if, as incorporated, the recommended strategy complies with subparagraph (B).

(e) STAFF.—

(1) IN GENERAL.—The Secretary shall provide the Office of Intelligence and Analysis with a staff of analysts having appropriate expertise and experience to assist such offices in discharging responsibilities under this section.

(2) PRIVATE SECTOR ANALYSTS.—Analysts under this subsection may include analysts from the private sector.

(3) SECURITY CLEARANCES.—Analysts under this subsection shall possess security clearances appropriate for their work under this section.

(f) DETAIL OF PERSONNEL.—

(1) IN GENERAL.—In order to assist the Office of Intelligence and Analysis in discharging responsibilities under this section, personnel of the agencies referred to in paragraph (2) may be detailed to the Department for the performance of analytic functions and related duties.

(2) COVERED AGENCIES.—The agencies referred to in this paragraph are as follows:

(A) The Department of State.

(B) The Central Intelligence Agency.

(C) The Federal Bureau of Investigation.

(D) The National Security Agency.

(E) The National Geospatial-Intelligence Agency.

(F) The Defense Intelligence Agency.

(G) Any other agency of the Federal Government that the President considers appropriate.

(3) COOPERATIVE AGREEMENTS.—The Secretary and the head of the agency concerned may enter into cooperative agreements for the purpose of detailing personnel under this subsection.

(4) BASIS.—The detail of personnel under this subsection may be on a reimbursable or non-reimbursable basis.

(g) FUNCTIONS TRANSFERRED.—In accordance with title XV, there shall be transferred to the Secretary, for assignment to the Office of Intelligence and Analysis and the Office of Infrastructure Protection under this section, the functions, personnel, assets, and liabilities of the following:

(1) The National Infrastructure Protection Center of the Federal Bureau of Investigation (other than the Computer Investigations and Operations Section), including the functions of the Attorney General relating thereto.

(2) The National Communications System of the Department of Defense, including the functions of the Secretary of Defense relating thereto.

(3) The Critical Infrastructure Assurance Office of the Department of Commerce, including the functions of the Secretary of Commerce relating thereto.

(4) The National Infrastructure Simulation and Analysis Center of the Department of Energy and the energy security and assurance program and activities of the Department, including the functions of the Secretary of Energy relating thereto.

(5) The Federal Computer Incident Response Center of the General Services Administration, including the functions of the Administrator of General Services relating thereto.

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Subtitle B—Information Security

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SEC. 222. PRIVACY OFFICER.

(a) APPOINTMENT AND RESPONSIBILITIES.—The Secretary shall appoint a senior official in the Department, who shall report directly to the Secretary, to assume primary responsibility for privacy policy, including—

(1) assuring that the use of technologies sustain, and do not erode, privacy protections relating to the use, collection, and disclosure of personal information;

(2) assuring that personal information contained in Privacy Act systems of records is handled in full compliance with fair information practices as set out in the Privacy Act of 1974;

(3) evaluating legislative and regulatory proposals involving collection, use, and disclosure of personal information by the Federal Government;

(4) conducting a privacy impact assessment of proposed rules of the Department or that of the Department on the privacy of personal information, including the type of personal information collected and the number of people affected;

(5) coordinating with the Officer for Civil Rights and Civil Liberties 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 on such programs, policies, and procedures; **[and]**

(6) preparing a report to Congress on an annual basis on activities of the Department that affect privacy, including complaints of privacy violations, implementation of the Privacy Act of 1974, internal controls, and other matters**[.]**; and

(7) *coordinating with the Under Secretary for Intelligence and Analysis to—*

(A) ensure that any intelligence information under this Act is shared, retained, and disseminated in a manner consistent with the protection of the privacy rights; and

(B) provide training to intelligence personnel on privacy rights, regulations, and information practices as specified in section 552a of title 5, United States Code (commonly referred to as the “Privacy Act of 1974”) and other relevant

laws, with a focus on personnel who have authority to disseminate information analyzed by the Department pursuant to paragraph (6) of section 201(d) or the responsibility to review information to be disseminated pursuant to such paragraph.

(b) AUTHORITY TO INVESTIGATE.—

(1) IN GENERAL.—The senior official appointed under subsection (a) may—

(A) have access to all records, reports, audits, reviews, documents, papers, recommendations, and other materials available to the Department that relate to programs and operations with respect to the responsibilities of the senior official under this section;

(B) make such investigations and reports relating to the administration of the programs and operations of the Department as are, in the senior official's judgment, necessary or desirable;

(C) subject to the approval of the Secretary, require by subpoena the production, by any person other than a Federal agency, of all information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence necessary to performance of the responsibilities of the senior official under this section; and

(D) administer to or take from any person an oath, affirmation, or affidavit, whenever necessary to performance of the responsibilities of the senior official under this section.

(2) ENFORCEMENT OF SUBPOENAS.—Any subpoena issued under paragraph (1)(C) shall, in the case of contumacy or refusal to obey, be enforceable by order of any appropriate United States district court.

(3) EFFECT OF OATHS.—Any oath, affirmation, or affidavit administered or taken under paragraph (1)(D) by or before an employee of the Privacy Office designated for that purpose by the senior official appointed under subsection (a) shall have the same force and effect as if administered or taken by or before an officer having a seal of office.

(c) SUPERVISION AND COORDINATION.—

(1) IN GENERAL.—The senior official appointed under subsection (a) shall—

(A) report to, and be under the general supervision of, the Secretary; and

(B) coordinate activities with the Inspector General of the Department in order to avoid duplication of effort.

(2) COORDINATION WITH THE INSPECTOR GENERAL.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the senior official appointed under subsection (a) may investigate any matter relating to possible violations or abuse concerning the administration of any program or operation of the Department relevant to the purposes under this section.

(B) COORDINATION.—

(i) REFERRAL.—Before initiating any investigation described under subparagraph (A), the senior official shall refer the matter and all related complaints, alle-

gations, and information to the Inspector General of the Department.

(ii) DETERMINATIONS AND NOTIFICATIONS BY THE INSPECTOR GENERAL.—

(I) IN GENERAL.—Not later than 30 days after the receipt of a matter referred under clause (i), the Inspector General shall—

(aa) make a determination regarding whether the Inspector General intends to initiate an audit or investigation of the matter referred under clause (i); and

(bb) notify the senior official of that determination.

(II) INVESTIGATION NOT INITIATED.—If the Inspector General notifies the senior official under subclause (I)(bb) that the Inspector General intended to initiate an audit or investigation, but does not initiate that audit or investigation within 90 days after providing that notification, the Inspector General shall further notify the senior official that an audit or investigation was not initiated. The further notification under this subclause shall be made not later than 3 days after the end of that 90-day period.

(iii) INVESTIGATION BY SENIOR OFFICIAL.—The senior official may investigate a matter referred under clause (i) if—

(I) the Inspector General notifies the senior official under clause (ii)(I)(bb) that the Inspector General does not intend to initiate an audit or investigation relating to that matter; or

(II) the Inspector General provides a further notification under clause (ii)(II) relating to that matter.

(iv) PRIVACY TRAINING.—Any employee of the Office of Inspector General who audits or investigates any matter referred under clause (i) shall be required to receive adequate training on privacy laws, rules, and regulations, to be provided by an entity approved by the Inspector General in consultation with the senior official appointed under subsection (a).

(d) NOTIFICATION TO CONGRESS ON REMOVAL.—If the Secretary removes the senior official appointed under subsection (a) or transfers that senior official to another position or location within the Department, the Secretary shall—

(1) promptly submit a written notification of the removal or transfer to Houses of Congress; and

(2) include in any such notification the reasons for the removal or transfer.

(e) REPORTS BY SENIOR OFFICIAL TO CONGRESS.—The senior official appointed under subsection (a) shall—

(1) submit reports directly to the Congress regarding performance of the responsibilities of the senior official under this section, without any prior comment or amendment by the Sec-

retary, Deputy Secretary, or any other officer or employee of the Department or the Office of Management and Budget; and

(2) inform the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives not later than—

(A) 30 days after the Secretary disapproves the senior official's request for a subpoena under subsection (b)(1)(C) or the Secretary substantively modifies the requested subpoena; or

(B) 45 days after the senior official's request for a subpoena under subsection (b)(1)(C), if that subpoena has not either been approved or disapproved by the Secretary.

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TITLE VII—MANAGEMENT

* * * * *

SEC. 705. 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~~].~~; *and*

(7) *coordinate with the Under Secretary for Intelligence and Analysis to—*

(A) ensure that any intelligence information under this Act is shared, retained, and disseminated in a manner consistent with the protection of civil rights and civil liberties; and

(B) provide training to intelligence personnel on civil rights and civil liberties, with a focus on personnel who have authority to disseminate information analyzed by the Department pursuant to paragraph (6) of section 201(d) or the responsibility to review information to be disseminated pursuant to such paragraph.

(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.

* * * * *

