

Union Calendar No. 261

118TH CONGRESS
1ST SESSION

H. R. 6231

[Report No. 118-322]

To amend the Homeland Security Act of 2002 to require a prioritized policy issuance review process for the Department of Homeland Security, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 6, 2023

Mr. IVEY (for himself, Mr. BISHOP of North Carolina, Ms. CLARKE of New York, and Mr. EZELL) introduced the following bill; which was referred to the Committee on Homeland Security

DECEMBER 19, 2023

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

To amend the Homeland Security Act of 2002 to require a prioritized policy issuance review process for the Department of Homeland Security, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Department of Home-
5 land Security Policy Issuance Review Act”.

6 **SEC. 2. POLICY ISSUANCE REVIEW PROCESS.**

7 Section 701 of the Homeland Security Act of 2002
8 (6 U.S.C. 341) is amended—

9 (1) in subsection (a)—

10 (A) by redesignating paragraph (13) as
11 paragraph (14); and

12 (B) by inserting after paragraph (12) the
13 following new paragraph:

14 “(13) Overseeing the Department’s process for
15 review and approval of policy issuance documents.”;

16 (2) by redesignating the second subsection (e)
17 (relating to the definition of interoperable commu-
18 nications) as subsection (f); and

19 (3) by adding at the end the following new sub-
20 section:

21 “(g) POLICY ISSUANCE REVIEW PROCESS.—

22 “(1) IN GENERAL.—Not later than 180 days
23 after the date of the enactment of this subsection,
24 the Under Secretary for Management shall require a
25 prioritized periodic review process (in this subsection

1 referred to as the ‘Review Process’) of Department
2 policy issuance documents.

3 “(2) CONGRESSIONAL OVERSIGHT.—Not later
4 than 180 days after the date of the enactment of
5 this subsection and annually thereafter, the Under
6 Secretary for Management shall provide to the Com-
7 mittee on Homeland Security of the House of Rep-
8 resentatives and the Committee on Homeland Secu-
9 rity and Governmental Affairs of the Senate a brief-
10 ing on the Review Process, including relating to the
11 Department’s record of reviewing and updating ex-
12 isting policy issuance documents. Each such briefing
13 shall include information relating to the following:

14 “(A) All policy issuance documents, includ-
15 ing, with respect to each such document, the
16 title, policy number, revision number, issue
17 date, and last reviewed date.

18 “(B) All policy issuance documents can-
19 celed in the prior year.

20 “(C) An explanation of the methodology
21 used to prioritize the review of policy issuance
22 documents.

23 “(D) The procedures used by the Depart-
24 ment to track and coordinate with Department

1 components the issuance, review, and cancella-
2 tions of policy issuance documents.

3 “(E) The number of staff and vacancies
4 within the Management Directorate responsible
5 for supporting the Review Process.

6 “(3) DEFINITION.—In this subsection the term
7 ‘policy issuance document’—

8 “(A) means a Department-level directive,
9 instruction, designation, or delegation, issued in
10 accordance with the process referred to in sub-
11 section (a)(13) or any process for issuing such
12 documents consistent with Department policy
13 as may be in effect; and

14 “(B) does not include documents—

15 “(i) issued in accordance with a proc-
16 ess other than a process referred to in sub-
17 section (a)(13) or the Review Process; or

18 “(ii) documents published in the Fed-
19 eral Register.

20 “(4) RULE OF CONSTRUCTION.—Nothing in
21 this subsection may be construed to—

22 “(A) invalidate any policy issuance docu-
23 ment created on, before, or after the date of the
24 enactment of this subsection;

1 “(B) serve as a basis for action to chal-
2 lenge the validity of such a policy issuance doc-
3 ument; or

4 “(C) create any right or benefit, whether
5 substantive or procedural, enforceable by any
6 person in any administrative or judicial pro-
7 ceeding.”.

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