

118TH CONGRESS
1ST SESSION

H. R. 6231

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

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)—

1 (A) by redesignating paragraph (13) as
2 paragraph (14); and

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

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

7 (2) by redesignating the second subsection (e)
8 (relating to the definition of interoperable commu-
9 nications) as subsection (f); and

10 (3) by adding at the end the following new sub-
11 section:

12 “(g) POLICY ISSUANCE REVIEW PROCESS.—

13 “(1) IN GENERAL.—Not later than 180 days
14 after the date of the enactment of this subsection,
15 the Under Secretary for Management shall require a
16 prioritized periodic review process (in this subsection
17 referred to as the ‘Review Process’) of Department
18 policy issuance documents.

19 “(2) CONGRESSIONAL OVERSIGHT.—Not later
20 than 180 days after the date of the enactment of
21 this subsection and annually thereafter, the Under
22 Secretary for Management shall provide to the Com-
23 mittee on Homeland Security of the House of Rep-
24 resentatives and the Committee on Homeland Secu-
25 rity and Governmental Affairs of the Senate a brief-

1 ing on the Review Process, including relating to the
2 Department’s record of reviewing and updating ex-
3 isting policy issuance documents. Each such briefing
4 shall include information relating to the following:

5 “(A) All policy issuance documents, includ-
6 ing, with respect to each such document, the
7 title, policy number, revision number, issue
8 date, and last reviewed date.

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

11 “(C) An explanation of the methodology
12 used to prioritize the review of policy issuance
13 documents.

14 “(D) The procedures used by the Depart-
15 ment to track and coordinate with Department
16 components the issuance, review, and cancella-
17 tions of policy issuance documents.

18 “(E) The number of staff and vacancies
19 within the Management Directorate responsible
20 for supporting the Review Process.

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

23 “(A) means a Department-level directive,
24 instruction, designation, or delegation, issued in
25 accordance with the process referred to in sub-

1 section (a)(13) or any process for issuing such
2 documents consistent with Department policy
3 as may be in effect; and

4 “(B) does not include documents—

5 “(i) issued in accordance with a pro-
6 cess other than a process referred to in sub-
7 section (a)(13) or the Review Process; or

8 “(ii) documents published in the Fed-
9 eral Register.

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

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

15 “(B) serve as a basis for action to chal-
16 lenge the validity of such a policy issuance docu-
17 ment; or

18 “(C) create any right or benefit, whether
19 substantive or procedural, enforceable by any
20 person in any administrative or judicial pro-
21 ceeding.”.

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