



H.R. 5170 – DEPARTMENT OF HOMELAND SECURITY COMPONENT PRIVACY OFFICER ACT OF 2008

FLOOR SITUATION

H.R. 5170 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Christopher Carney (D-PA) on January 29, 2008. The House Committee on Homeland Security agreed to the bill, as amended, by voice vote on June 26, 2008.

H.R. 5170 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.R. 5170 directs the Secretary of Homeland Security to designate officials to monitor the compliance of nine components of the Department of Homeland Security's (DHS) with privacy rights guaranteed by the Constitution and all relevant privacy laws. The components of DHS in which officers will be placed are: the Transportation Security Administration (TSA); the Bureau of Citizenship and Immigration Services; the Customs and Border Protection; the Immigration and Customs Enforcement (ICE); the Federal Emergency Management Agency (FEMA); the Coast Guard; the Directorate of Science and Technology; the Office of Intelligence and Analysis; and the Directorate for National Protection and Programs.

Under the bill, these officials would be responsible for the coordination of privacy compliance matters for the components of DHS, which include training programs, and would report directly to the Chief Privacy Officer of DHS.

BACKGROUND

Currently, the Chief Privacy Officer of DHS works with several offices within DHS to help ensure that privacy considerations are integrated into the decision making process for all components of DHS. These offices include the General Counsel's Office, the Policy Office, and the Office for Civil Rights and Civil Liberties.

Most components within DHS do not have designated on-site full time professionals dedicated to reporting on how each component's policies impact privacy matters. Of the eleven components that comprise DHS, only three have designated privacy officers. Components with a designated privacy officer produce more Privacy Impact Assessments (PIAs) than do those without. The PIAs produced by these three components account for 57 percent of all published DHS PIAs.

COST

The Congressional Budget Office estimates that, "implementing H.R. 5170 would cost about \$1 million annually."

[Full CBO cost estimate for H.R. 5107](#)

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