

DELEGATION TO THE OFFICER FOR CIVIL RIGHTS AND CIVIL LIBERTIES FOR MATTERS INVOLVING CIVIL RIGHTS, CIVIL LIBERTIES, AND EQUAL EMPLOYMENT OPPORTUNITY

I. Purpose

This is a delegation of authority to the Officer for Civil Rights and Civil Liberties in the Office of the Secretary to fulfill responsibilities set forth in Title VII of the Homeland Security Act of 2002 (the Act), P.L. 107-296.

II. Delegation

By virtue of the authority vested in the Secretary of Homeland Security by law, including the Homeland Security Act of 2002, the Officer for Civil Rights and Civil Liberties is hereby delegated the authority to:

A. Direct the Department's processing of equal employment opportunity (EEO) complaints to ensure that EEO complaints are handled in a timely and cost-effective manner. The process includes:

1. accepting or dismissing [formal]complaints of discrimination;
2. conducting complete and fair investigations;
3. rendering all final decisions and final orders on individual and class complaints of discrimination pursuant to the administrative process described in 29 CFR 1614;
4. rendering decisions on allegations of breach of settlement agreements; and
5. requiring any authorized form of appropriate remedial action, whenever necessary.

B. Direct the Department's equal employment opportunity programs on coordination with the Chief Human Capitol Officer, including, but not limited to:

1. the Hispanic Employment Program (including the Educational Excellence for Hispanic Americans Program);
2. the Federal Women's Program;
3. the Historically Black Colleges and Universities Program;
4. the Federal Equal Opportunity Recruitment Program;
5. the Program to Increase Employment Opportunity for Individuals with Disabilities;
6. the Affirmative Employment Program for Minorities and Women; and
7. the Disabled Veterans Affirmative Action Program.

C. Direct the Department's diversity initiative;

D. Evaluate the effectiveness of EEO programs, including diversity training activities, and recommend to the head of an organizational element and the Secretary appropriate improvements in the programs;

E. Assure that all federally-assisted and federally-conducted programs or activities of the Department comply with the provisions of Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972, as amended; the Rehabilitation Act of 1973, as amended; the Age Discrimination Act of 1975, as amended; and related Executive Orders, including but not limited to, Executive Orders 12898, 13160, 13163, and 13166.

F. Promulgate policies, rules and regulations to carry out the responsibilities in this Delegation Order;

G. Approve procedures for the use of alternative dispute resolution methods in EEO complaints;

H. Develop and administer an effective dispute prevention program;

I. Administer such projects as the Secretary shall establish;

J. Review and assess information alleging abuses of civil rights and civil liberties, including allegations of racial and ethnic profiling by employees and officials of the Department;

K. Publish information on the responsibilities and functions of the Officer of Civil Rights and Civil Liberties in accordance with this Delegation Order and other applicable Management Directives;

L. Carry out the functions and exercise the authority in 29 CFR 1614.110 to take final action in Departmental EEO complaints; and

M. Perform such other duties as the Secretary may direct.

III. Re-delegation

The powers, authorities, responsibilities, and functions of the Officer for Civil Rights and Civil Liberties may be re-delegated in writing to any other appropriate subordinate official.

IV. Authorities

The Homeland Security Act of 2002, P.L. 107-296; 5 U.S.C. 301.

V. Office of Primary Interest

The Office of Civil Rights and Civil Liberties is the office with primary interest in this delegation.



Secretary of Homeland Security