

(2) Limitation on establishment of Deputy Under Secretary positions

A Deputy Under Secretary position (or any substantially similar position) within the Office of Strategy, Policy, and Plans may not be established except for the position provided for by paragraph (1), unless the Secretary receives prior authorization from Congress.

(3) Definitions

For purposes of paragraph (1)—

(A) the term “career employee” means any employee (as such term is defined in section 2105 of title 5), but does not include a political appointee; and

(B) the term “political appointee” means any employee who occupies a position which has been excepted from the competitive service by reason of its confidential, policy-determining, policy-making, or policy-advocating character.

(e) Coordination by Department components

To ensure consistency with the policy priorities of the Department, the head of each component of the Department shall coordinate with the Office of Strategy, Policy, and Plans in establishing or modifying policies or strategic planning guidance with respect to each such component.

(f) Homeland Security statistics and joint analysis

(1) Homeland Security statistics

The Under Secretary for Strategy, Policy, and Plans shall—

(A) establish standards of reliability and validity for statistical data collected and analyzed by the Department;

(B) be provided by the heads of all components of the Department with statistical data maintained by the Department regarding the operations of the Department;

(C) conduct or oversee analysis and reporting of such data by the Department as required by law or as directed by the Secretary; and

(D) ensure the accuracy of metrics and statistical data provided to Congress.

(2) Transfer of responsibilities

There shall be transferred to the Under Secretary for Strategy, Policy, and Plans the maintenance of all immigration statistical information of U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and United States Citizenship and Immigration Services, which shall include information and statistics of the type contained in the publication entitled “Yearbook of Immigration Statistics” prepared by the Office of Immigration Statistics, including region-by-region statistics on the aggregate number of applications and petitions filed by an alien (or filed on behalf of an alien) and denied, and the reasons for such denials, disaggregated by category of denial and application or petition type.

(g) Limitation

Nothing in this section overrides or otherwise affects the requirements specified in section 468 of this title.

(Pub. L. 107–296, title VII, § 709, as added Pub. L. 114–328, div. A, title XIX, § 1902(a), Dec. 23, 2016, 130 Stat. 2670.)

§ 350. Workforce health and medical support

(a) In general

The Under Secretary for Management shall be responsible for workforce-focused health and medical activities of the Department. The Under Secretary for Management may further delegate responsibility for those activities, as appropriate.

(b) Responsibilities

The Under Secretary for Management, in coordination with the Chief Medical Officer, shall—

(1) provide oversight and coordinate the medical and health activities of the Department for the human and animal personnel of the Department;

(2) establish medical, health, veterinary, and occupational health exposure policy, guidance, strategies, and initiatives for the human and animal personnel of the Department;

(3) as deemed appropriate by the Under Secretary, provide medical liaisons to the components of the Department, on a reimbursable basis, to provide subject matter expertise on occupational medical and public health issues;

(4) serve as the primary representative for the Department on agreements regarding the detail of Commissioned Corps officers of the Public Health Service of the Department of Health and Human Services to the Department, except that components of the Department shall retain authority for funding, determination of specific duties, and supervision of such detailed Commissioned Corps officers; and

(5) perform such other duties relating to the responsibilities described in this subsection as the Secretary may require.

(Pub. L. 107–296, title VII, § 710, as added Pub. L. 115–387, § 2(d), Dec. 21, 2018, 132 Stat. 5167.)

§ 351. Employee engagement

(a) Steering committee

Not later than 120 days after December 27, 2021, the Secretary shall establish an employee engagement steering committee, including representatives from operational components, headquarters, and field personnel, including supervisory and nonsupervisory personnel, and employee labor organizations that represent Department employees, and chaired by the Under Secretary for Management, to carry out the following activities:

(1) Identify factors that have a negative impact on employee engagement, morale, and communications within the Department, such as perceptions about limitations on career progression, mobility, or development opportunities, collected through employee feedback platforms, including through annual employee surveys, questionnaires, and other communications, as appropriate.

(2) Identify, develop, and distribute initiatives and best practices to improve employee engagement, morale, and communications

within the Department, including through annual employee surveys, questionnaires, and other communications, as appropriate.

(3) Monitor efforts of each component to address employee engagement, morale, and communications based on employee feedback provided through annual employee surveys, questionnaires, and other communications, as appropriate.

(4) Advise the Secretary on efforts to improve employee engagement, morale, and communications within specific components and across the Department.

(5) Conduct regular meetings and report, not less than once per quarter, to the Under Secretary for Management, the head of each component, and the Secretary on Departmentwide efforts to improve employee engagement, morale, and communications.

(b) Action plan; reporting

The Secretary, acting through the Chief Human Capital Officer, shall—

(1) not later than 120 days after the date of the establishment of the employee engagement steering committee under subsection (a), issue a Departmentwide employee engagement action plan, reflecting input from the steering committee and employee feedback provided through annual employee surveys, questionnaires, and other communications in accordance with paragraph (1) of such subsection, to execute strategies to improve employee engagement, morale, and communications within the Department; and

(2) require the head of each component to—

(A) develop and implement a component-specific employee engagement plan to advance the action plan required under paragraph (1) that includes performance measures and objectives, is informed by employee feedback provided through annual employee surveys, questionnaires, and other communications, as appropriate, and sets forth how employees and, where applicable, their labor representatives are to be integrated in developing programs and initiatives;

(B) monitor progress on implementation of such action plan; and

(C) provide to the Chief Human Capital Officer and the steering committee quarterly reports on actions planned and progress made under this paragraph.

(c) Termination

This section shall terminate on the date that is five years after December 27, 2021.

(Pub. L. 107–296, title VII, § 711, as added Pub. L. 117–81, div. F, title LXIV, § 6401(a), Dec. 27, 2021, 135 Stat. 2397.)

Statutory Notes and Related Subsidiaries

SUBMISSIONS TO CONGRESS

Pub. L. 117–81, div. F, title LXIV, § 6401(c), Dec. 27, 2021, 135 Stat. 2398, provided that:

“(1) DEPARTMENT-WIDE EMPLOYEE ENGAGEMENT ACTION PLAN.—The Secretary of Homeland Security, acting through the Chief Human Capital Officer of the Department of Homeland Security, shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security

and Governmental Affairs of the Senate the Department-wide employee engagement action plan required under subsection (b)(1) of section 711 of the Homeland Security Act of 2002 [this section] (as added by subsection (a) of this section) not later than 30 days after the issuance of such plan under such subsection (b)(1).

“(2) COMPONENT-SPECIFIC EMPLOYEE ENGAGEMENT PLANS.—Each head of a component of the Department of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the component-specific employee engagement plan of each such component required under subsection (b)(2) of section 711 of the Homeland Security Act of 2002 [this section] not later than 30 days after the issuance of each such plan under such subsection (b)(2).”

§ 352. Annual employee award program

(a) In general

The Secretary may establish an annual employee award program to recognize Department employees or groups of employees for significant contributions to the achievement of the Department's goals and missions. If such a program is established, the Secretary shall—

(1) establish within such program categories of awards, each with specific criteria, that emphasize honoring employees who are at the nonsupervisory level;

(2) publicize within the Department how any employee or group of employees may be nominated for an award;

(3) establish an internal review board comprised of representatives from Department components, headquarters, and field personnel to submit to the Secretary award recommendations regarding specific employees or groups of employees;

(4) select recipients from the pool of nominees submitted by the internal review board under paragraph (3) and convene a ceremony at which employees or groups of employees receive such awards from the Secretary; and

(5) publicize such program within the Department.

(b) Internal review board

The internal review board described in subsection (a)(3) shall, when carrying out its function under such subsection, consult with representatives from operational components and headquarters, including supervisory and nonsupervisory personnel, and employee labor organizations that represent Department employees.

(c) Rule of construction

Nothing in this section may be construed to authorize additional funds to carry out the requirements of this section or to require the Secretary to provide monetary bonuses to recipients of an award under this section.

(Pub. L. 107–296, title VII, § 712, as added Pub. L. 117–81, div. F, title LXIV, § 6402(a), Dec. 27, 2021, 135 Stat. 2398.)

§ 353. Acquisition professional career program

(a) Establishment

There is established in the Department an acquisition professional career program to develop a cadre of acquisition professionals within the Department.