To amend the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) to ensure that the Department of Homeland Security is led by qualified, experienced personnel.

This Act may be cited as the “Department of Homeland Security Qualified Leaders Act of 2005”.

This Act may be cited as the “Department of Homeland Security Qualified Leaders Act of 2005”.

(1) the Department of Homeland Security, a large organization comprised of 180,000 employees
and 22 legacy agencies, has a complex mission of securing the homeland from man-made and natural disasters;

(2) the Department and the agencies within require strong leadership from proven managers with significant experience in their respective fields; and

(3) the majority of positions requiring Senate confirmation at the Department do not have minimum qualifications.

SEC. 3. QUALIFICATIONS OF CERTAIN SENIOR OFFICERS.

(a) In General.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by inserting after section 103 the following:

“SEC. 104. QUALIFICATIONS OF CERTAIN SENIOR OFFICERS.

“(a) Executive Schedule Level II or III Positions.—

“(1) Positions.—This subsection shall apply to any position in the Department that—

“(A) requires appointment by the President, by and with the advice and consent of the Senate; and

“(B) is at level II or III of the Executive Schedule under section 5313 or 5314 of title 5, United States Code, (including any position for
which the rate of pay is determined by reference to level II or III of the Executive Schedule).

“(2) ADDITIONAL QUALIFICATIONS.—In addition to any other qualification applicable to a position described under paragraph (1), any individual appointed to such a position shall possess—

“(A) at least 5 years of executive leadership and management experience in the public or private sector;

“(B) at least 5 years of significant experience in a field relevant to the position for which the individual is nominated; and

“(C) a demonstrated ability to manage a substantial staff and budget.

“(b) EXECUTIVE SCHEDULE LEVEL IV POSITIONS.—

“(1) POSITIONS.—This subsection shall apply to any position in the Department that—

“(A) requires appointment by the President, by and with the advice and consent of the Senate; and

“(B) is at level IV of the Executive Schedule under section 5315 of title 5, United States Code, (including any position for which the rate
of pay is determined by reference to level IV of the Executive Schedule).

“(2) ADDITIONAL QUALIFICATIONS.—In addition to any other qualification applicable to a position described under paragraph (1), any individual appointed to such a position shall possess—

“(A) significant executive leadership and management experience in the public or private sector;

“(B) at least 5 years of significant experience in a field relevant to the position for which the individual is nominated; and

“(C) a demonstrated ability to manage a substantial staff and budget.

“(c) EXCEPTIONS.—This section shall not apply to the position of—

“(1) the Secretary;

“(2) the Deputy Secretary of Homeland Security; or

“(3) the Commandant of the Coast Guard.

“(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to lessen any qualification otherwise required of any position.

“(e) SENSE OF CONGRESS.—It is the sense of Congress that individuals nominated by the President for the
positions of Secretary and Deputy Secretary of Homeland Security should possess significant management experience and expertise in a relevant field because of the significant level of responsibility entrusted to these individuals.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—
The table of contents in section 1 of the Homeland Security Act of 2002 (6 U.S.C. 101) is amended by inserting after the item relating to section 103 the following:

“Sec. 104. Qualifications of certain senior officers.”.