

115TH CONGRESS  
1ST SESSION

# H. R. 2283

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## AN ACT

To amend the Homeland Security Act of 2002 to improve morale within the Department of Homeland Security workforce by conferring new responsibilities to the Chief Human Capital Officer, establishing an employee engagement steering committee, requiring action plans, and authorizing an annual employee award program, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Department of Home-  
3 land Security Morale, Recognition, Learning and Engage-  
4 ment Act of 2017” or the “DHS MORALE Act”.

5 **SEC. 2. CHIEF HUMAN CAPITAL OFFICER RESPONSIBIL-**  
6 **ITIES.**

7 Section 704 of the Homeland Security Act of 2002  
8 (6 U.S.C. 344) is amended—

9 (1) in subsection (b)—

10 (A) in paragraph (1)—

11 (i) by inserting “, including with re-  
12 spect to leader development and employee  
13 engagement,” after “policies”;

14 (ii) by striking “and in line” and in-  
15 serting “, in line”; and

16 (iii) by inserting “and informed by  
17 best practices within the Federal govern-  
18 ment and the private sector,” after “prior-  
19 ities,”;

20 (B) in paragraph (2), by striking “develop  
21 performance measures to provide a basis for  
22 monitoring and evaluating” and inserting  
23 “evaluate, on an ongoing basis,”;

24 (C) in paragraph (3), by inserting “that,  
25 to the extent practicable, are informed by em-  
26 ployee feedback,” after “policies”;

1 (D) in paragraph (4), by inserting “includ-  
2 ing leader development and employee engage-  
3 ment programs,” before “in coordination”;

4 (E) in paragraph (5), by inserting before  
5 the semicolon at the end the following: “that is  
6 informed by an assessment, carried out by the  
7 Chief Human Capital Officer, of the learning  
8 and developmental needs of employees in super-  
9 visory and non-supervisory roles across the De-  
10 partment and appropriate workforce planning  
11 initiatives”;

12 (F) by redesignating paragraphs (9) and  
13 (10) as paragraphs (11) and (12), respectively;  
14 and

15 (G) by inserting after paragraph (8) the  
16 following new paragraphs:

17 “(9) maintain a catalogue of available employee  
18 development opportunities, including the Homeland  
19 Security Rotation Program pursuant to section 844,  
20 departmental leadership development programs,  
21 interagency development programs, and other rota-  
22 tional programs;

23 “(10) ensure that employee discipline and ad-  
24 verse action programs comply with the requirements

1 of all pertinent laws, rules, regulations, and Federal  
2 guidance, and ensure due process for employees;”;

3 (2) by redesignating subsections (d) and (e) as  
4 subsections (e) and (f), respectively;

5 (3) by inserting after subsection (c) the fol-  
6 lowing new subsection:

7 “(d) CHIEF LEARNING AND ENGAGEMENT OFFI-  
8 CER.—The Chief Human Capital Officer may designate  
9 an employee of the Department to serve as a Chief Learn-  
10 ing and Engagement Officer to assist the Chief Human  
11 Capital Officer in carrying out this section.”; and

12 (4) in subsection (e), as so redesignated—

13 (A) by redesignating paragraphs (2), (3),  
14 and (4) as paragraphs (5), (6), and (7), respec-  
15 tively; and

16 (B) by inserting after paragraph (1) the  
17 following new paragraphs:

18 “(2) information on employee development op-  
19 portunities catalogued pursuant to paragraph (9) of  
20 subsection (b) and any available data on participa-  
21 tion rates, attrition rates, and impacts on retention  
22 and employee satisfaction;

23 “(3) information on the progress of Depart-  
24 ment-wide strategic workforce planning efforts as  
25 determined under paragraph (2) of subsection (b);



1 employee feedback platforms, including through an-  
2 nual employee surveys, questionnaires, and other  
3 communications, as appropriate.

4 “(2) Identify, develop, and distribute initiatives  
5 and best practices to improve employee engagement,  
6 morale, and communications within the Department,  
7 including through annual employee surveys, ques-  
8 tionnaires, and other communications, as appro-  
9 priate.

10 “(3) Monitor efforts of each component to ad-  
11 dress employee engagement, morale, and commu-  
12 nications based on employee feedback provided  
13 through annual employee surveys, questionnaires,  
14 and other communications, as appropriate.

15 “(4) Advise the Secretary on efforts to improve  
16 employee engagement, morale, and communications  
17 within specific components and across the Depart-  
18 ment.

19 “(5) Conduct regular meetings and report, not  
20 less than once per quarter, to the Under Secretary  
21 for Management, the head of each component, and  
22 the Secretary on Department-wide efforts to improve  
23 employee engagement, morale, and communications.

24 “(b) ACTION PLAN; REPORTING.—The Secretary,  
25 acting through the Chief Human Capital Officer, shall—

1           “(1) not later than 120 days after the date of  
2 the establishment of the steering committee under  
3 subsection (a), issue a Department-wide employee  
4 engagement action plan, reflecting input from the  
5 employee engagement steering committee established  
6 pursuant to subsection (a) and employee feedback  
7 provided through annual employee surveys, question-  
8 naires, and other communications in accordance with  
9 paragraph (1) of such subsection, to execute strate-  
10 gies to improve employee engagement, morale, and  
11 communications within the Department; and

12           “(2) require the head of each component to—

13           “(A) develop and implement a component-  
14 specific employee engagement plan to advance  
15 the action plan required under paragraph (1)  
16 that includes performance measures and objec-  
17 tives, is informed by employee feedback pro-  
18 vided through annual employee surveys, ques-  
19 tionnaires, and other communications, as appro-  
20 priate, and sets forth how employees and, where  
21 applicable, their labor representatives are to be  
22 integrated in developing programs and initia-  
23 tives;

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

1           “(C) provide to the Chief Human Capital  
2           Officer and the steering committee quarterly re-  
3           ports on actions planned and progress made  
4           under this paragraph.

5           “(c) TERMINATION.—This section shall terminate on  
6 the date that is 5 years after the date of the enactment  
7 of this section.”.

8           (b) CLERICAL AMENDMENT.—The table of contents  
9 in section 1(b) of the Homeland Security Act of 2002 is  
10 amended by inserting after the item relating to section  
11 709 the following new item:

“Sec. 710. Employee engagement.”.

12           (c) SUBMISSIONS TO CONGRESS.—

13           (1) DEPARTMENT-WIDE EMPLOYEE ENGAGE-  
14           MENT ACTION PLAN.—The Secretary of Homeland  
15           Security, acting through the Chief Human Capital  
16           Officer of the Department of Homeland Security,  
17           shall submit to the Committee on Homeland Secu-  
18           rity of the House of Representatives and the Com-  
19           mittee on Homeland Security and Governmental Af-  
20           fairs of the Senate the Department-wide employee  
21           engagement action plan required under subsection  
22           (b)(1) of section 710 of the Homeland Security Act  
23           of 2002 (as added by subsection (a) of this section)  
24           not later than 30 days after the issuance of such  
25           plan under such subsection (b)(1).

1           (2) COMPONENT-SPECIFIC EMPLOYEE ENGAGE-  
2           MENT PLANS.—Each head of a component of the  
3           Department of Homeland Security shall submit to  
4           the Committee on Homeland Security of the House  
5           of Representatives and the Committee on Homeland  
6           Security and Governmental Affairs of the Senate the  
7           component-specific employee engagement plan of  
8           each such component required under subsection  
9           (b)(2) of section 710 of the Homeland Security Act  
10          of 2002 (as added by subsection (a) of this section)  
11          not later than 30 days after the issuance of each  
12          such plan under such subsection (b)(2).

13 **SEC. 4. ANNUAL EMPLOYEE AWARD PROGRAM.**

14          (a) IN GENERAL.—Title VII of the Homeland Secu-  
15          rity Act of 2002 (6 U.S.C. 341 et seq.), as amended by  
16          section 3 of this Act, is further amended by adding at the  
17          end the following new section:

18 **“SEC. 711. ANNUAL EMPLOYEE AWARD PROGRAM.**

19          “(a) IN GENERAL.—The Secretary may establish an  
20          annual employee award program to recognize Department  
21          employees or groups of employees for significant contribu-  
22          tions to the achievement of the Department’s goals and  
23          missions. If such a program is established, the Secretary  
24          shall—

1           “(1) establish within such program categories  
2 of awards, each with specific criteria, that empha-  
3 sizes honoring employees who are at the non-super-  
4 visory level;

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

8           “(3) establish an internal review board com-  
9 prised of representatives from Department compo-  
10 nents, headquarters, and field personnel to submit to  
11 the Secretary award recommendations regarding  
12 specific employees or groups of employees;

13           “(4) select recipients from the pool of nominees  
14 submitted by the internal review board under para-  
15 graph (3) and convene a ceremony at which employ-  
16 ees or groups of employees receive such awards from  
17 the Secretary; and

18           “(5) publicize such program within the Depart-  
19 ment.

20           “(b) INTERNAL REVIEW BOARD.—The internal re-  
21 view board described in subsection (a)(3) shall, when car-  
22 rying out its function under such subsection, consult with  
23 representatives from operational components and head-  
24 quarters, including supervisory and non-supervisory per-

1 sonnel, and employee labor organizations that represent  
2 Department employees.

3 “(c) **RULE OF CONSTRUCTION.**—Nothing in this sec-  
4 tion may be construed to authorize additional funds to  
5 carry out the requirements of this section or to require  
6 the Secretary to provide monetary bonuses to recipients  
7 of an award under this section.”.

8 (b) **CLERICAL AMENDMENT.**—The table of contents  
9 in section 1(b) of the Homeland Security Act of 2002, as  
10 amended by section 3 of this Act, is further amended by  
11 inserting after the item relating to section 710 the fol-  
12 lowing new item:

“Sec. 711. Annual employee award program.”.

13 **SEC. 5. INDEPENDENT INVESTIGATION AND IMPLEMENTA-**  
14 **TION PLAN.**

15 (a) **IN GENERAL.**—Not later than 120 days after the  
16 date of the enactment of this Act or the issuance of a  
17 report by the Inspector General of the Department of  
18 Homeland Security on the extent to which the Department  
19 has an equitable and consistent disciplinary process,  
20 whichever is later, but in no case later than 1 year after  
21 such date of enactment, the Comptroller General of the  
22 United States shall utilize, if available, such report and  
23 investigate whether the application of discipline and ad-  
24 verse actions are administered in an equitable and con-  
25 sistent manner that results in the same or substantially

1 similar disciplinary outcomes across the Department for  
2 misconduct by a non-supervisory or supervisor employee  
3 who engaged in the same or substantially similar mis-  
4 conduct.

5 (b) CONSULTATION.—In carrying out the investiga-  
6 tion described in subsection (a), the Comptroller General  
7 of the United States shall consult with the employee en-  
8 gagement steering committee established pursuant to sub-  
9 section (b)(1) of section 710 of the Homeland Security  
10 Act of 2002 (as added by section 3(a) of this Act).

11 (c) ACTION BY UNDER SECRETARY FOR MANAGE-  
12 MENT.—Upon completion of the investigation described in  
13 subsection (a), the Under Secretary for Management of  
14 the Department of Homeland Security shall review the  
15 findings and recommendations of such investigation and  
16 implement a plan, in consultation with the employee en-  
17 gagement steering committee established pursuant to sub-  
18 section (b)(1) of section 710 of the Homeland Security  
19 Act of 2002, to correct any relevant deficiencies identified  
20 by the Comptroller General of the United States. The  
21 Under Secretary for Management shall direct the em-  
22 ployee engagement steering committee to review such plan  
23 to inform committee activities and action plans authorized  
24 under such section 710.

1 **SEC. 5. PROHIBITION ON NEW FUNDING.**

2       No additional funds are authorized to carry out the  
3 requirements of this Act and the amendments made by  
4 this Act. Such requirements shall be carried out using  
5 amounts otherwise authorized.

        Passed the House of Representatives June 20, 2017.

Attest:

*Clerk.*

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