

ment of Homeland Security in existence on the day before the date of the enactment of this section [Dec. 23, 2016] may serve as the Director of such Joint Task Force on and after such date of enactment until a Director of such Joint Task Force is appointed pursuant to subparagraph (A) of section 708(b)(3) [6 U.S.C. 348(b)(3)], as added by subsection (a) of this section.”

### § 349. Office of Strategy, Policy, and Plans

#### (a) In general

There is established in the Department an Office of Strategy, Policy, and Plans.

#### (b) Head of Office

The Office of Strategy, Policy, and Plans shall be headed by an Under Secretary for Strategy, Policy, and Plans, who shall serve as the principal policy advisor to the Secretary. The Under Secretary for Strategy, Policy, and Plans shall be appointed by the President, by and with the advice and consent of the Senate.

#### (c) Functions

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

- (1) lead, conduct, and coordinate Department-wide policy development and implementation and strategic planning;
- (2) develop and coordinate policies to promote and ensure quality, consistency, and integration for the programs, components, offices, and activities across the Department;
- (3) develop and coordinate strategic plans and long-term goals of the Department with risk-based analysis and planning to improve operational mission effectiveness, including consultation with the Secretary regarding the quadrennial homeland security review under section 347 of this title;
- (4) manage Department leadership councils and provide analytics and support to such councils;
- (5) manage international coordination and engagement for the Department;
- (6) review and incorporate, as appropriate, external stakeholder feedback into Department policy; and
- (7) carry out such other responsibilities as the Secretary determines appropriate.

#### (d) Deputy Under Secretary

##### (1) In general

The Secretary may—

- (A) establish within the Office of Strategy, Policy, and Plans a position of Deputy Under Secretary to support the Under Secretary for Strategy, Policy, and Plans in carrying out the Under Secretary’s responsibilities; and
- (B) appoint a career employee to such position.

##### (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) Assistant Secretary

##### (1) In general

There is established within the Office of Strategy, Policy, and Plans an Assistant Secretary, who shall assist the Secretary in carrying out the duties under paragraph (2) and the responsibilities under paragraph (3). Notwithstanding section 113(a)(1) of this title, the Assistant Secretary established under this paragraph shall be appointed by the President without the advice and consent of the Senate.

##### (2) Duties

At the direction of the Secretary, the Assistant Secretary established under paragraph (1)

shall be responsible for policy formulation regarding matters relating to economic security and trade, as such matters relate to the mission and the operations of the Department.

**(3) Additional responsibilities**

In addition to the duties specified in paragraph (2), the Assistant Secretary established under paragraph (1), at the direction of the Secretary, may—

(A) oversee—

(i) coordination of supply chain policy; and

(ii) assessments and reports to Congress related to critical economic security domains;

(B) coordinate with stakeholders in other Federal departments and agencies and non-governmental entities with trade and economic security interests, authorities, and responsibilities; and

(C) perform such additional duties as the Secretary or the Under Secretary of Strategy, Policy, and Plans may prescribe.

**(4) Definitions**

In this subsection:

**(A) Critical economic security domain**

The term “critical economic security domain” means any infrastructure, industry, technology, or intellectual property (or combination thereof) that is essential for the economic security of the United States.

**(B) Economic security**

The term “economic security” has the meaning given such term in section 474(c)(2) of this title.

**(h) 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; amended Pub. L. 117–263, div. G, title LXXI, § 7116(b), Dec. 23, 2022, 136 Stat. 3637.)

**Editorial Notes**

AMENDMENTS

2022—Subsecs. (g), (h). Pub. L. 117–263 added subsec. (g) and redesignated former subsec. (g) as (h).

**Statutory Notes and Related Subsidiaries**

RULE OF CONSTRUCTION

Pub. L. 117–263, div. G, title LXXI, § 7116(c), Dec. 23, 2022, 136 Stat. 3638, provided that: “Nothing in this section [amending this section and enacting provisions set out as a note under section 451 of this title] or the amendments made by this section may be construed to affect or diminish the authority otherwise granted to any other officer of the Department of Homeland Security.”

**§ 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.