

118TH CONGRESS
1ST SESSION

S. 2779

To amend the Public Works and Economic Development Act of 1965 to direct the Secretary of Commerce to establish an Office of Disaster Recovery and Resilience, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 13, 2023

Mr. PADILLA (for himself and Mr. BOOZMAN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Public Works and Economic Development Act of 1965 to direct the Secretary of Commerce to establish an Office of Disaster Recovery and Resilience, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Office of Disaster Re-
5 covery and Resilience Act”.

1 **SEC. 2. OFFICE OF DISASTER RECOVERY AND RESILIENCE.**

2 (a) IN GENERAL.—Title V of the Public Works and
3 Economic Development Act of 1965 (42 U.S.C. 3191 et
4 seq.) is amended by adding at the end the following:

5 **“SEC. 508. OFFICE OF DISASTER RECOVERY AND RESIL-**
6 **IENCE.**

7 “(a) ESTABLISHMENT.—The Secretary shall estab-
8 lish an Office of Disaster Recovery and Resilience—

9 “(1) to direct and implement the post-disaster
10 economic recovery responsibilities of the Economic
11 Development Administration pursuant to subsections
12 (c)(2) and (e) of section 209;

13 “(2) to direct and implement economic recovery
14 support function activities as directed under the Na-
15 tional Disaster Recovery Framework; and

16 “(3) to administer disaster appropriations made
17 available to carry out activities described in para-
18 graphs (1) and (2).

19 “(b) APPOINTMENT AND COMPENSATION AUTHORI-
20 TIES.—

21 “(1) APPOINTMENT.—The Secretary is author-
22 ized to appoint such temporary personnel as may be
23 necessary to carry out the responsibilities of the Of-
24 fice of Disaster Recovery and Resilience, without re-
25 gard to the provisions of subchapter I of chapter 33
26 of title 5, United States Code, governing appoint-

1 ments in the competitive service and compensation
2 of personnel.

3 “(2) CONVERSION OF EMPLOYEES.—Notwith-
4 standing chapter 33 of title 5, United States Code,
5 or any other provision of law relating to the exam-
6 ination, certification, and appointment of individuals
7 in the competitive service, the Secretary is author-
8 ized to convert a temporary employee appointed
9 under this subsection to a permanent appointment
10 in the competitive service in the Economic Develop-
11 ment Administration under merit promotion proce-
12 dures if—

13 “(A) the employee has served continuously
14 for at least 2 years under one or more appoint-
15 ments under this subsection; and

16 “(B) the employee’s performance has been
17 at an acceptable level of performance through-
18 out the period or periods referred to in sub-
19 paragraph (A).

20 “(3) COMPENSATION.—An individual converted
21 under this subsection shall become a career-condi-
22 tional employee, unless the employee has already
23 completed the service requirements for career ten-
24 ure.

25 “(c) DISASTER TEAM.—

1 “(1) ESTABLISHMENT.—As soon as practicable
2 after the date of enactment of this section, the Sec-
3 retary shall establish a disaster team (referred to in
4 this section as the ‘disaster team’) for the deploy-
5 ment of individuals to carry out responsibilities of
6 the Office of Disaster Recovery and Resilience after
7 a major disaster or emergency has been declared
8 under the Robert T. Stafford Disaster Relief and
9 Emergency Assistance Act (42 U.S.C. 5121 et seq.)
10 and the Department has been activated by the Fed-
11 eral Emergency Management Agency.

12 “(2) MEMBERSHIP.—

13 “(A) DESIGNATION OF STAFF.—As soon
14 as practicable after the date of enactment of
15 this section, the Secretary shall designate to
16 serve on the disaster team—

17 “(i) employees of the Office of Dis-
18 aster Recovery and Resilience;

19 “(ii) employees of the Department
20 who are not employees of the Economic
21 Development Administration; and

22 “(iii) in consultation with the heads of
23 other Federal agencies, employees of those
24 agencies, as appropriate.

1 “(B) CAPABILITIES.—In designating indi-
2 viduals under subparagraph (A), the Secretary
3 shall ensure that the disaster team includes a
4 sufficient quantity of—

5 “(i) individuals who are capable of de-
6 ploying rapidly and efficiently to respond
7 to major disasters and emergencies; and

8 “(ii) highly trained full-time employ-
9 ees who will lead and manage the disaster
10 team.

11 “(3) TRAINING.—The Secretary shall ensure
12 that appropriate and ongoing training is provided to
13 members of the disaster team to ensure that the
14 members are adequately trained regarding the pro-
15 grams and policies of the Economic Development
16 Administration relating to post-disaster economic re-
17 covery efforts.

18 “(4) EXPENSES.—In carrying out this section,
19 the Secretary may—

20 “(A) use, with or without reimbursement,
21 any service, equipment, personnel, or facility of
22 any Federal agency with the explicit support of
23 that agency, to the extent such use does not im-
24 pair or conflict with the authority of the Presi-
25 dent or the Administrator of the Federal Emer-

1 agency Management Agency under the Robert T.
2 Stafford Disaster Relief and Emergency Assist-
3 ance Act (42 U.S.C. 5121 et seq.) to direct
4 Federal agencies in any major disaster or emer-
5 gency declared under that Act; and

6 “(B) provide members of the disaster team
7 with travel expenses, including per diem in lieu
8 of subsistence, at rates authorized for an em-
9 ployee of an agency under subchapter I of chap-
10 ter 57 of title 5, United States Code, while
11 away from the home or regular place of busi-
12 ness of the member in the performance of serv-
13 ices for, or relating to, the disaster team.”.

14 (b) COST-SHARE.—Section 204(c) of the Public
15 Works and Economic Development Act of 1965 (42
16 U.S.C. 3144(c)) is amended by adding at the end the fol-
17 lowing:

18 “(4) DISASTER RECOVERY.—In the case of a
19 grant provided under section 209 for a project for
20 economic recovery in response to a major disaster or
21 emergency declared under the Robert T. Stafford
22 Disaster Relief and Emergency Assistance Act (42
23 U.S.C. 5121 et seq.), the Federal share of the cost
24 of the project shall be 100 percent.”.

1 (c) AUTHORIZATION OF APPROPRIATIONS FOR DIS-
2 ASTER ECONOMIC RECOVERY ACTIVITIES.—Section 703
3 of the Public Works and Economic Development Act of
4 1965 (42 U.S.C. 3233) is amended to read as follows:

5 **“SEC. 703. AUTHORIZATION OF APPROPRIATIONS FOR**
6 **POST-DISASTER ECONOMIC RECOVERY AC-**
7 **TIVITIES.**

8 “In addition to amounts made available under section
9 701, there are authorized to be appropriated such sums
10 as are necessary to carry out subsections (c)(2) and (e)
11 of section 209 and for other activities of the Office of Dis-
12 aster Recovery and Resilience established under section
13 508(a), to remain available until expended.”.

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