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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

To establish a Commission on Federal Natural Disaster Resilience and Recovery to examine and recommend reforms to improve the efficiency and effectiveness of the Federal Government’s approach to natural disaster resilience and recovery, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. HIGGINS of Louisiana introduced the following bill; which was referred to the Committee on _____

A BILL

To establish a Commission on Federal Natural Disaster Resilience and Recovery to examine and recommend reforms to improve the efficiency and effectiveness of the Federal Government’s approach to natural disaster resilience and recovery, 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 “Natural Disaster Resil-
5 ience and Recovery Accountability Act”.

1 **SEC. 2. COMMISSION ON FEDERAL NATURAL DISASTER RE-**
2 **SILIENCE AND RECOVERY.**

3 (a) ESTABLISHMENT.—There is established within
4 the Office of Management and Budget a Commission on
5 Federal Natural Disaster Resilience and Recovery.

6 (b) DUTIES.—The duties of the Commission shall be
7 to examine and recommend administrative and legislative
8 reforms to improve the efficiency, effectiveness, and budg-
9 et funding of Federal agency programs and activities sup-
10 porting natural disaster resilience and recovery.

11 (c) MEMBERSHIP.—

12 (1) IN GENERAL.—The Commission shall be
13 composed of 15 members, appointed by the Director
14 of the Office. One such member shall be an employee
15 of the Office. Each other member shall, to the extent
16 practicable, be an official, emergency manager, or
17 emergency response provider from State, local, and
18 Tribal governments, the private sector, and non-
19 governmental organizations, representing multiple
20 geographic (including urban and rural) areas, in-
21 cluding—

22 (A) individuals from the emergency man-
23 agement field and emergency response pro-
24 viders, including fire service, law enforcement,
25 hazardous materials response, emergency med-
26 ical services, and emergency management per-

1 sonnel, or organizations representing such indi-
2 viduals;

3 (B) health scientists, emergency and inpa-
4 tient medical providers, and public health pro-
5 fessionals;

6 (C) experts from Federal, State, local, and
7 Tribal governments, and the private sector, rep-
8 resenting standards-setting and accrediting or-
9 ganizations, including representatives from the
10 voluntary consensus codes and standards devel-
11 opment community, particularly those with ex-
12 pertise in the emergency preparedness and re-
13 sponse field;

14 (D) State, local, and Tribal government of-
15 ficials with expertise in preparedness, protec-
16 tion, response, recovery, and mitigation, includ-
17 ing Adjutants General;

18 (E) elected State, local, and Tribal govern-
19 ment executives;

20 (F) experts in public and private sector in-
21 frastructure protection, cybersecurity, and com-
22 munications;

23 (G) representatives of individuals with dis-
24 abilities and other populations with special
25 needs; and

1 (H) such other individuals as the Director
2 determines to be appropriate.

3 (2) EXPERTISE.—In making appointments
4 under paragraph (1), the Director shall give consid-
5 eration to individuals with expertise in—

6 (A) natural disaster resilience and recov-
7 ery;

8 (B) emergency management at the Fed-
9 eral, State, local, territorial or Tribal level;

10 (C) critical infrastructure;

11 (D) transportation;

12 (E) housing; and

13 (F) intergovernmental relations.

14 (3) APPOINTMENT DEADLINE.—All appoint-
15 ments to the Commission shall be made not later
16 than 120 days after the date of enactment of this
17 Act.

18 (4) CHAIR AND VICE CHAIR.—The Commission
19 shall have a chair and vice-chair. The chair shall be
20 a member of the Commission elected by an affirma-
21 tive vote of at least eight members of the Commis-
22 sion and the vice chair shall be the Commission
23 member who is an employee of the Office.

24 (5) COMPENSATION.—

1 (A) IN GENERAL.—A member of the Com-
2 mission who is not an officer or employee of the
3 Federal Government—

4 (i) shall not be considered a Federal
5 employee for any purpose other than for
6 purposes of chapter 81 of title 5, United
7 States Code, (relating to compensation for
8 injury) and sections 2671 through 2680 of
9 title 28, United States Code, (relating to
10 tort claims); and

11 (ii) shall be allowed travel expenses,
12 including per diem in lieu of subsistence,
13 at rates authorized for employees of agen-
14 cies under subchapter I of chapter 57 of
15 such title 5 while away from their homes
16 or regular places of business in the per-
17 formance of services for the Commission.

18 (B) FEDERAL EMPLOYEES.—A member of
19 the Commission who is an officer or employee
20 of the Federal Government shall not receive any
21 additional compensation for service as such a
22 member.

23 (d) ADMINISTRATION.—

24 (1) MEETINGS.—

1 (A) FIRST MEETING.—The Commission
2 shall first meet not later than 240 days after
3 the date of the enactment of this Act.

4 (B) OTHER MATTERS.—The Commission
5 may, for the purpose of carrying out this Act,
6 meet virtually or in-person to hold hearings, sit
7 and act at times and places, take testimony,
8 and receive evidence as the Commission con-
9 siders appropriate.

10 (2) EXECUTIVE BRANCH ASSISTANCE.—The
11 heads of the following agencies shall advise and con-
12 sult with the Commission on matters within their re-
13 spective areas of responsibility:

14 (A) The Small Business Administration.

15 (B) The Department of Agriculture.

16 (C) The Department of Homeland Secu-
17 rity.

18 (D) The Department of Labor.

19 (E) The Department of the Interior.

20 (F) The Department of Energy.

21 (G) The Department of Transportation.

22 (H) The Department of Housing and
23 Urban Development.

24 (I) The Environmental Protection Agency.

25 (J) The Department of Justice.

1 (K) The Federal Emergency Management
2 Agency.

3 (L) The United States Army Corps of En-
4 gineers.

5 (M) The Corporation for National and
6 Community Service.

7 (N) The Department of Commerce.

8 (O) The Department of the Treasury.

9 (P) The Office of Management and Budg-
10 et.

11 (Q) Any other agency, as determined by
12 the Commission.

13 (3) INFORMATION FROM FEDERAL AGENCIES.—

14 The Commission may request from any Federal
15 agency such information as the Commission con-
16 siders necessary to carry out its duties. Upon re-
17 quest of the Chairperson of the Commission, the
18 head of a Federal agency shall furnish such informa-
19 tion to the Commission.

20 (4) POSTAL SERVICES.—The Commission may
21 use the United States mails in the same manner and
22 under the same conditions as other departments and
23 agencies of the Federal Government.

24 (5) RULES OF PROCEDURE.—The chair and
25 vice chair shall, with an affirmative vote of at least

1 eight members of the Commission, establish written
2 rules of procedure for the Commission, which shall
3 include a quorum requirement to conduct official
4 business.

5 (6) STAFF.—

6 (A) IN GENERAL.—The chair of the Com-
7 mission may, without regard to the civil service
8 laws and regulations, appoint and terminate
9 support personnel as may be necessary to en-
10 able the Commission to perform its duties.

11 (B) EXECUTIVE DIRECTOR.—The Commis-
12 sion, by an affirmative vote of at least eight
13 members of the Commission, shall appoint an
14 executive director of the Commission.

15 (C) COMPENSATION.—The chair of the
16 Commission may fix the compensation of the
17 executive director and other personnel without
18 regard to chapter 51 and subchapter III of
19 chapter 53 of title 5, United States Code, relat-
20 ing to classification of positions and General
21 Schedule pay rates, except that the rate of pay
22 for the executive director and other personnel
23 may not exceed the rate payable for level V of
24 the Executive Schedule under section 5316 of
25 such title.

1 (D) DETAIL OF GOVERNMENT EMPLOY-
2 EES.—A Federal Government employee may be
3 detailed to the Commission, without reimburse-
4 ment, and such detail shall be without interrup-
5 tion or loss of civil service status or privilege.

6 (e) REPORTS.—

7 (1) FINAL REPORT.—Not later than 2 years
8 after the date of the first meeting of the Commis-
9 sion, the Commission shall submit, to the Committee
10 on Oversight and Accountability of the House of
11 Representatives and the Committee on Homeland
12 Security and Governmental Affairs of the Senate, a
13 report describing recommendations to improve the
14 Federal Government’s approach to natural disaster
15 resilience and recovery. Such report shall include the
16 following:

17 (A) Specific and actionable policy rec-
18 ommendations, including legislative rec-
19 ommendations, as applicable, to improve the ef-
20 fectiveness of the Federal approach to natural
21 disaster resilience and recovery, including con-
22 sideration of the 11 options presented in the
23 Government Accountability Office report titled
24 “Disaster Recovery: Actions Needed to Improve

1 the Federal Approach”, issued on November
2 15, 2022 (GAO–23–104956).

3 (B) A comprehensive review all federally
4 funded activities, Federal financial assistance
5 and grant, and agency programs related to nat-
6 ural disaster resilience and recovery using, to
7 the extent practical, data systems and metrics
8 consistently across the Federal agencies, includ-
9 ing budget information and the Federal Pro-
10 gram Inventory established under section 9601
11 of Public Law 116–283 and section 1122 of
12 title 31, United States Code, in order to evalu-
13 ate the effectiveness of such activities and pro-
14 grams to meet established goals and statutory
15 requirements.

16 (C) A complete list of all Federally funded
17 natural disaster resilience and recovery pro-
18 grams and activities along with prior funding
19 information, program goals, statutory authority
20 of such programs and activities with relevant
21 law citations, and reference to related financial
22 assistance and grant programs.

23 (D) Consideration of potential administra-
24 tive changes to the roles and responsibilities of

1 the various Federal agencies involved in natural
2 disaster resilience and recovery.

3 (E) Policies that aim to improve the effi-
4 ciency and effectiveness of the Federal Govern-
5 ment's approach to natural disaster resilience
6 and recovery, to increase the access and efficacy
7 of respective Federal programs to all impacted
8 individuals and entities, and to recommend ap-
9 propriate investments in natural disaster resil-
10 ience to reduce duplication and inefficiency.

11 (F) Other areas of natural disaster resil-
12 ience and recovery that are not outlined in this
13 Act, as determined by the Commission.

14 (2) SPECIFIC POLICY RECOMMENDATIONS.—To
15 the maximum extent practicable, the report under
16 paragraph (1) shall include specific short- and long-
17 term legislative and administrative policy rec-
18 ommendations.

19 (3) INTERIM REPORTS.—Not later than 6
20 months after the date of the enactment of this Act
21 and every 6 months thereafter, the Commission shall
22 submit to the Committee on Oversight and Account-
23 ability of the House of Representatives and the
24 Committee on Homeland Security and Governmental

1 Affairs of the Senate interim reports relating to any
2 matter described in paragraph (1).

3 (f) TERMINATION.—The Commission shall terminate
4 on the date that is 60 days after the date on which the
5 Commission submits its final report to Congress pursuant
6 to subsection (e)(1).

7 (g) AUTHORIZATION OF APPROPRIATIONS.—
8 Amounts authorized to be appropriated to carry out this
9 Act shall be derived solely from amounts otherwise appro-
10 priated for the Office, and no additional funds are author-
11 ized to be appropriated to carry out this Act.

12 (h) DEFINITIONS.—In this Act—

13 (1) the term “Commission” means the Commis-
14 sion on Federal Natural Disaster Resilience and Re-
15 covery established under subsection (a);

16 (2) the term “natural disaster” means a weath-
17 er event (relating to cold or hot weather), flood,
18 earthquake, tornado, hurricane, or ice storm, or an
19 event meeting such other criteria as the Commission
20 may determine to be appropriate; and

21 (3) the term “Office” means the Office of Man-
22 agement and Budget.