

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—118th Cong., 2d Sess.**

**S. 4181**

To require the development of a workforce plan for the  
Federal Emergency Management Agency.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended  
to be proposed by Mr. PETERS

Viz:

1 Strike all after the enacting clause and insert the fol-  
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Emergency  
5 Mobilization Accountability (FEMA) Workforce Planning  
6 Act”.

7 **SEC. 2. FEMA WORKFORCE PLAN.**

8 (a) DEFINITIONS.—In this section:

9 (1) ADMINISTRATOR.—The term “Adminis-  
10 trator” means the Administrator of the Agency.

11 (2) AGENCY.—The term “Agency” means the  
12 Federal Emergency Management Agency.

1           (3) DEPARTMENT.—The term “Department”  
2 means the Department of Homeland Security.

3           (4) SURGE CAPACITY FORCE.—The term  
4 “Surge Capacity Force” means the Surge Capacity  
5 Force described in section 624 of the Post-Katrina  
6 Emergency Management Reform Act of 2006 (6  
7 U.S.C. 711).

8           (b) PLAN DEVELOPMENT.—Not later than 1 year  
9 after the date of enactment of this Act, and not less fre-  
10 quently than once every 3 years thereafter, the Adminis-  
11 trator shall develop and submit to the Committee on  
12 Homeland Security and Governmental Affairs of the Sen-  
13 ate and the Committee on Transportation and Infrastruc-  
14 ture of the House of Representatives a human capital op-  
15 erating plan to shape and improve the workforce of the  
16 Agency.

17           (c) LEADING PRACTICES.—The Administrator shall  
18 develop the plan required under subsection (b) in accord-  
19 ance with best practices outlined by the Director of the  
20 Office of Personnel Management, the Comptroller General  
21 of the United States, and other sources relevant to the  
22 Federal workforce.

23           (d) CONTENTS.—The plan developed under sub-  
24 section (b) shall include—

1           (1) performance measures to monitor and  
2 evaluate progress towards the human capital goals,  
3 including filling staffing gaps of the Agency, closing  
4 skills gaps in mission critical occupations, and imple-  
5 menting workforce training and, if applicable,  
6 progress towards meeting those goals since the date  
7 of submission of the most recent plan under sub-  
8 section (b), including—

9                   (A) a process to monitor and evaluate  
10 progress toward those goals;

11                   (B) a discussion of why the Agency has or  
12 has not met those goals, including a description  
13 of specific barriers; and

14                   (C) a discussion of the addition or deletion  
15 of any specific performance measures;

16           (2) details of the types of employees of the  
17 Agency, including by hiring authority and cadre;

18           (3) a comprehensive analysis of the projected  
19 costs associated with implementing the plan;

20           (4) strategies and practices designed to increase  
21 cost-efficiency within the workforce operations of the  
22 Agency, including reducing overhead costs, improv-  
23 ing resource utilization, and avoiding unnecessary  
24 expenditures;

1           (5) a detailed analysis of how the Agency deter-  
2           mined the current overall staffing goals of the Agen-  
3           cy;

4           (6) an analysis of the current workforce of the  
5           Agency and possible gaps in the current staffing  
6           structure of the Agency needed to fulfill the mission  
7           of the Agency, including an assessment of—

8                   (A) the critical skills, critical and emerg-  
9                   ing, that will be needed in the workforce of the  
10                  Agency to support the mission and responsibil-  
11                  ities of, and effectively manage, the Agency  
12                  during the 3-year period following the date of  
13                  the submission of the plan, including target  
14                  staffing numbers by cadre, region, and office;

15                  (B) the skills of the workforce of the Agen-  
16                  cy, including numbers of employees by cadre,  
17                  region, and office on the date of submission of  
18                  the plan;

19                  (C) projected trends in the workforce of  
20                  the Agency based on expected losses due to re-  
21                  irement and other attrition, including any  
22                  known data for the causes of attrition; and

23                  (D) the staffing levels of each category of  
24                  employee of the Agency, including shortages in  
25                  the workforce of the Agency and in the pro-

1           jected workforce of the Agency that should be  
2           addressed to ensure that the Agency has contin-  
3           ued access to the critical skills and com-  
4           petencies described in subparagraph (A);

5           (7) a plan of action with specific recommenda-  
6           tions for developing and reshaping the workforce of  
7           the Agency to address the gaps in critical skills de-  
8           scribed in paragraph (6)(A), including—

9                   (A) specific recruitment and retention  
10                  goals by cadre and mission critical occupations,  
11                  including the analysis that the Agency uses to  
12                  produce those numbers;

13                   (B) specific strategies for developing,  
14                  training, deploying, motivating, and retaining  
15                  the workforce of the Agency and the ability of  
16                  the workforce of the Agency to fulfill the mis-  
17                  sion and responsibilities of the Agency, includ-  
18                  ing the program objectives of the Department  
19                  and the Agency to be achieved through such  
20                  strategies;

21                   (C) specific strategies for recruiting and  
22                  retaining individuals needed to address work-  
23                  force gaps within specific cadres;

1 (D) specific strategies for the development,  
2 training, and coordinated and rapid deployment  
3 of the Surge Capacity Force; and

4 (E) any necessary legislative proposals to  
5 improve recruitment and retention; and

6 (8) a discussion that—

7 (A) details the number of employees not  
8 employed by the Agency serving in the Surge  
9 Capacity Force and the qualifications or cre-  
10 dentials and training of such individuals;

11 (B) includes information on annual data  
12 relating to the deployment of the workforce of  
13 the Agency following major disasters or emer-  
14 gencies declared by the President under section  
15 401 or 501, respectively, of the Robert T. Staf-  
16 ford Disaster Relief and Emergency Assistance  
17 Act (42 U.S.C. 5170, 5191) during the 3-year  
18 period preceding the date of the submission of  
19 the plan;

20 (C) details—

21 (i) average tenure and attrition data,  
22 categorized by type of attrition, for—

23 (I) types of Agency employees by  
24 hiring authority; and

1 (II) specific offices, regions, and  
2 cadres of the Agency; and

3 (ii) any known reasons why some  
4 types of Agency employees or specific of-  
5 fices, regions, or cadres of the Agency may  
6 have higher levels of attrition and strate-  
7 gies to address those higher levels of attri-  
8 tion;

9 (D) details—

10 (i) efforts of the Agency to help pre-  
11 vent and respond to discrimination and  
12 harassment; and

13 (ii) information on reported cases of  
14 discrimination and harassment within the  
15 Agency and the outcomes of those cases;  
16 and

17 (E) describes, with respect to hiring infor-  
18 mation of the Agency, the time between the  
19 date on which the Agency validates a need to  
20 hire a new employee for a position and—

21 (i) the acceptance of an offer of em-  
22 ployment for the position by an applicant;  
23 and

24 (ii) the start date of the employee at  
25 the Agency for the position.

1           (e) REPORT.—Not later than 180 days after the date  
2 of the submission of the plan required under subsection  
3 (b), the Comptroller General of the United States shall  
4 submit to the Committee on Homeland Security and Gov-  
5 ernmental Affairs of the Senate and the Committee on  
6 Transportation and Infrastructure of the House of Rep-  
7 resentatives a report that—

8           (1) analyzes whether the plan meets the re-  
9 quirements of this Act; and

10           (2) includes necessary recommendations to en-  
11 sure subsequent plans meet the requirements of this  
12 Act.