

118TH CONGRESS  
2D SESSION

# S. 4181

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

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IN THE SENATE OF THE UNITED STATES

APRIL 18, 2024

Mr. PETERS (for himself and Mr. CASSIDY) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

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

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 “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.

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

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

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

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

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

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

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

11 (A) a process to monitor and evaluate  
12 progress toward those goals;

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

16 (C) a discussion of the addition or deletion  
17 of any specific performance measures;

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

20 (3) an analysis of the current workforce of the  
21 Agency and possible gaps in the current staffing  
22 structure of the Agency needed to fulfill the mission  
23 of the Agency, including an assessment of—

24 (A) the critical skills, critical and emerg-  
25 ing, that will be needed in the workforce of the

1 Agency to support the mission and responsibil-  
2 ities of, and effectively manage, the Agency  
3 during the 3-year period following the date of  
4 the submission of the plan, including target  
5 staffing numbers by cadre, region, and office;

6 (B) the skills of the workforce of the Agen-  
7 cy, including numbers of employees by cadre,  
8 region, and office on the date of submission of  
9 the plan;

10 (C) projected trends in the workforce of  
11 the Agency based on expected losses due to re-  
12 tirement and other attrition, including any  
13 known data for the causes of attrition; and

14 (D) the staffing levels of each category of  
15 employee of the Agency, including shortages in  
16 the workforce of the Agency and in the pro-  
17 jected workforce of the Agency that should be  
18 addressed to ensure that the Agency has contin-  
19 ued access to the critical skills and com-  
20 petencies described in subparagraph (A);

21 (4) a plan of action with specific recommenda-  
22 tions for developing and reshaping the workforce of  
23 the Agency to address the gaps in critical skills de-  
24 scribed in paragraph (3)(A), including—

1 (A) specific recruitment and retention  
2 goals by cadre and mission critical occupations,  
3 including the analysis that the Agency uses to  
4 produce those numbers;

5 (B) specific strategies for developing,  
6 training, deploying, motivating, and retaining  
7 the workforce of the Agency and the ability of  
8 the workforce of the Agency to fulfill the mis-  
9 sion and responsibilities of the Agency, includ-  
10 ing the program objectives of the Department  
11 and the Agency to be achieved through such  
12 strategies;

13 (C) specific strategies for recruiting and  
14 retaining individuals needed to address work-  
15 force gaps within specific cadres;

16 (D) specific strategies for the development,  
17 training, and coordinated and rapid deployment  
18 of the Surge Capacity Force; and

19 (E) any necessary legislative proposals to  
20 improve recruitment and retention; and

21 (5) a discussion that—

22 (A) details the number of employees not  
23 employed by the Agency serving in the Surge  
24 Capacity Force and the qualifications or cre-  
25 dentials and training of such individuals;

1 (B) includes information on annual data  
2 relating to the deployment of the workforce of  
3 the Agency following major disasters or emer-  
4 gencies declared by the President under section  
5 401 or 501, respectively, of the Robert T. Staf-  
6 ford Disaster Relief and Emergency Assistance  
7 Act (42 U.S.C. 5170, 5191) during the 3-year  
8 period preceding the date of the submission of  
9 the plan;

10 (C) details—

11 (i) average tenure and attrition data,  
12 categorized by type of attrition, for—

13 (I) types of Agency employees by  
14 hiring authority; and

15 (II) specific offices, regions, and  
16 cadres of the Agency; and

17 (ii) any known reasons why some  
18 types of Agency employees or specific of-  
19 fices, regions, or cadres of the Agency may  
20 have higher levels of attrition and strate-  
21 gies to address those higher levels of attri-  
22 tion;

23 (D) details—

1 (i) efforts of the Agency to help pre-  
2 vent and respond to discrimination and  
3 harassment; and

4 (ii) information on reported cases of  
5 discrimination and harassment within the  
6 Agency and the outcomes of those cases;  
7 and

8 (E) describes, with respect to hiring infor-  
9 mation of the Agency, the time between the  
10 date on which the Agency validates a need to  
11 hire a new employee for a position and—

12 (i) the acceptance of an offer of em-  
13 ployment for the position by an applicant;  
14 and

15 (ii) the start date of the employee at  
16 the Agency for the position.

17 (e) REPORT.—Not later than 180 days after the date  
18 of the submission of the plan required under subsection  
19 (b), the Comptroller General of the United States shall  
20 submit to the Committee on Homeland Security and Gov-  
21 ernmental Affairs of the Senate and the Committee on  
22 Transportation and Infrastructure of the House of Rep-  
23 resentatives a report that—

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

1           (2) includes necessary recommendations to en-  
2           sure subsequent plans meet the requirements of this  
3           Act.

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