

109TH CONGRESS
1ST SESSION

S. 1863

To establish the Gulf Coast Recovery and Disaster Preparedness Agency,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 7 (legislative day, OCTOBER 6), 2005

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

A BILL

To establish the Gulf Coast Recovery and Disaster
Preparedness Agency, 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 “Gulf Coast Recovery
5 and Disaster Preparedness Act of 2005”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) AGENCY.—The term “agency” has the
9 meaning given under section 551(1) of title 5,
10 United States Code.

1 (2) AUTHORITY.—The term “Authority” means
2 the Gulf Coast Revitalization Authority.

3 (3) DIRECTOR.—The term “Director” means
4 the Director of Gulf Coast Recovery and Disaster
5 Preparedness.

6 (4) GULF COAST AGENCY.—The term “Gulf
7 Coast Agency” means the Gulf Coast Recovery and
8 Disaster Preparedness Agency.

9 (5) GULF COAST RECOVERY AND DISASTER
10 PREPAREDNESS PROGRAM.—The term “Gulf Coast
11 Recovery and Disaster Preparedness Program”
12 means all activities described under section 3(b)(3)
13 (B) and (C).

14 **SEC. 3. ESTABLISHMENT AND FUNCTIONS.**

15 (a) ESTABLISHMENT.—There is established the Gulf
16 Coast Recovery and Disaster Preparedness Agency. The
17 Gulf Coast Recovery and Disaster Preparedness Agency
18 is an independent establishment as defined under section
19 104 of title 5, United States Code.

20 (b) DIRECTOR.—

21 (1) APPOINTMENT.—

22 (A) IN GENERAL.—The Director of Gulf
23 Coast Recovery and Disaster Preparedness shall
24 be the head of the Gulf Coast Agency. The Di-

1 rector shall be appointed by the President, by
2 and with the advice and consent of the Senate.

3 (B) EXECUTIVE SCHEDULE LEVEL I POSI-
4 TION.—The Director shall be paid at the rate
5 of pay payable for a position at level I of the
6 Executive Schedule under section 5312 of title
7 5, United States Code.

8 (C) DIRECT REPORT TO PRESIDENT.—The
9 Director shall directly report to the President.

10 (2) QUALIFICATIONS.—The individual ap-
11 pointed as Director shall be appointed on the basis
12 of—

13 (A) demonstrated leadership, integrity, and
14 experience; and

15 (B) demonstrated experience in manage-
16 ment of large organizations.

17 (3) FUNCTIONS.—The Director shall—

18 (A) be responsible for the efficient and ef-
19 fective use of Federal resources relating to the
20 recovery from Hurricane Katrina and Hurri-
21 cane Rita;

22 (B) exercise planning, management, and
23 overall control of all Federal funding, personnel,
24 and assets used by Federal, State, or local gov-
25 ernment authorities for the purposes of—

1 (i) rebuilding or responding to the
2 damage or destruction of private or public
3 infrastructure caused by Hurricane
4 Katrina and Hurricane Rita to the United
5 States;

6 (ii) responding, supporting, or other-
7 wise assisting efforts to meet the nutri-
8 tional, health, educational, housing, trans-
9 portation, employment, law enforcement,
10 and social service needs of citizens who
11 have been personally displaced or otherwise
12 adversely and directly impacted by Hurri-
13 cane Katrina and Hurricane Rita;

14 (iii) studying, planning, and preparing
15 public and private responses to future nat-
16 ural disasters in the region;

17 (iv) planning, building, and repairing
18 public infrastructure to prevent or mitigate
19 the impact of future natural disasters in
20 the region, including the levee system sur-
21 rounding the City of New Orleans, Lou-
22 isiana;

23 (v) studying, planning, and imple-
24 menting environmental remediation and
25 coastal restoration efforts in the region;

1 (vi) studying, planning, and imple-
2 menting economic redevelopment efforts in
3 areas affected by Hurricane Katrina and
4 Hurricane Rita;

5 (vii) ensuring the efficient and effec-
6 tive use of Federal funds in all activities
7 relating to the recovery from Hurricane
8 Katrina and Hurricane Rita; and

9 (viii) any other recovery, rebuilding,
10 or redevelopment effort relating to the di-
11 rect impact of Hurricane Katrina and
12 Hurricane Rita; and

13 (C) expend and obligate funds appro-
14 priated to the Gulf Coast Agency for purposes
15 described under subparagraph (B), including
16 specific reconstruction projects.

17 (4) BUDGET AUTHORITIES RELATING TO THE
18 GULF COAST RECOVERY AND DISASTER PREPARED-
19 NESS PROGRAM.—

20 (A) BUDGET.—With respect to budget re-
21 quests and appropriations for the Gulf Coast
22 Recovery and Disaster Preparedness Program,
23 the Director shall—

24 (i) based on priorities set by the
25 President, provide to agencies performing

1 activities of the Program, guidance for de-
2 veloping the Program budget pertaining to
3 such agencies;

4 (ii) develop and determine an annual
5 consolidated Gulf Coast Recovery and Dis-
6 aster Preparedness Program budget; and

7 (iii) present such consolidated budget,
8 together with any comments from the
9 heads of agencies, to the President for ap-
10 proval.

11 (B) APPROPRIATIONS.—

12 (i) IN GENERAL.—The Director shall
13 be responsible for managing appropriations
14 for the Gulf Coast Recovery and Disaster
15 Preparedness Program by directing the al-
16 lotment or allocation of such appropria-
17 tions through the heads of the agencies
18 performing activities of the Program, with
19 prior notice (including the provision of ap-
20 propriate supporting information) to the
21 head of the agency receiving any such allo-
22 cation or allotment.

23 (ii) ALLOCATIONS.—Notwithstanding
24 any other provision of law, pursuant to rel-
25 evant appropriations Acts for the Gulf

1 Coast Recovery and Disaster Preparedness
2 Program, the Director of the Office of
3 Management and Budget shall exercise the
4 authority of the Director of the Office of
5 Management and Budget to apportion
6 funds, at the exclusive direction of the Di-
7 rector of Gulf Coast Recovery and Disaster
8 Preparedness, for allocation to agencies
9 performing activities of the Gulf Coast Re-
10 covery and Disaster Preparedness Pro-
11 gram. Department comptrollers or appro-
12 priate budget execution officers shall allot,
13 allocate, reprogram, or transfer funds ap-
14 propriated for the Gulf Coast Recovery and
15 Disaster Preparedness Program in an ex-
16 peditious manner.

17 (iii) MONITORING IMPLEMENTA-
18 TION.—The Director shall monitor the im-
19 plementation and execution of the Gulf
20 Coast Recovery and Disaster Preparedness
21 Program by the heads of relevant agencies.

22 (iv) APPORTIONMENT AND ALLOT-
23 MENT.—Apportionment and allotment of
24 funds under this paragraph shall be sub-
25 ject to chapter 13 and section 1517 of title

1 31, United States Code, and the Congres-
2 sional Budget and Impoundment Control
3 Act of 1974 (2 U.S.C. 621 et seq.).

4 (c) OFFICERS TO ASSIST THE DIRECTOR.—

5 (1) IN GENERAL.—The Office shall have other
6 officers necessary to assist the Director in carrying
7 out the functions of the Director, including—

8 (A) overseeing recovery operations and dis-
9 aster preparedness;

10 (B) expending and obligating Federal
11 funds appropriated to the Gulf Coast Agency
12 for the Gulf Coast Recovery and Disaster Pre-
13 paredness Program, including specific recon-
14 struction projects;

15 (C) ensuring that Federal funds are pru-
16 dently spent and fully audited; and

17 (D) investigating waste, fraud, and abuse
18 in the use of Federal funds for the activities of
19 the Gulf Coast Recovery and Disaster Pre-
20 paredness Program.

21 (2) DEPUTY DIRECTORS.—The Director may
22 appoint no more than 5 Deputy Directors who shall
23 be assigned to geographic areas of the Gulf Coast
24 region.

1 (d) LOCATION OF THE OFFICE OF THE DIRECTOR.—
2 The Office of the Director shall be physically located with-
3 in the region comprising the gulf coast areas of the States
4 of Louisiana and Mississippi. The Director may establish
5 additional office locations as necessary.

6 **SEC. 4. ADMINISTRATIVE AND PERSONNEL PROVISIONS.**

7 (a) EMPLOYEES.—The Director may select, appoint,
8 and employ such officers and employees as may be nec-
9 essary—

10 (1) in accordance with the provisions of title 5,
11 United States Code, including section 3101 of that
12 title; and

13 (2) without regard to chapter 51 and sub-
14 chapter III of chapter 53 of title 5, United States
15 Code, relating to classification of positions and Gen-
16 eral Schedule pay rates, except the pay of any per-
17 sonnel under this paragraph may not exceed the rate
18 payable for level V of the Executive Schedule under
19 section 5316 of that title.

20 (b) CONSULTANTS AND CONTRACTS.—The Director
21 may—

22 (1) obtain services as authorized by section
23 3109 of title 5, United States Code, at daily rates
24 not to exceed the equivalent rate prescribed for

1 grade GS–15 of the General Schedule by section
2 5332 of title 5, United States Code; and

3 (2) to the extent and in such amounts as may
4 be provided in advance by appropriations Acts, to
5 enter into contracts and other arrangements and to
6 make such payments as may be necessary to carry
7 out the provisions of this Act.

8 **SEC. 5. SUPPORT FOR WORKERS AFFECTED BY HURRICANE**
9 **KATRINA AND HURRICANE RITA.**

10 (a) DEFINITIONS.—In this section:

11 (1) EXECUTIVE AGENCY.—The term “executive
12 agency” has the meaning given such term in section
13 4 of the Office of Federal Procurement Policy Act
14 (41 U.S.C. 403).

15 (2) WORKERS AFFECTED BY HURRICANE
16 KATRINA AND HURRICANE RITA.—The term “work-
17 ers affected by Hurricane Katrina and Hurricane
18 Rita” means workers who were residing in the area
19 directly impacted by Hurricane Katrina and Hurri-
20 cane Rita as of the date those hurricanes occurred.

21 (b) EMPLOYMENT REQUIREMENT.—

22 (1) CONTRACTS.—Except as provided in sub-
23 section (c), the Director or the head of an executive
24 agency may not enter into a contract to procure dis-
25 aster recovery services in connection with Hurricane

1 Katrina and Hurricane Rita reconstruction efforts
2 unless such contract requires that workers affected
3 by Hurricane Katrina and Hurricane Rita—

4 (A) comprise not less than 30 percent of
5 the workforce employed by the contractor to
6 perform such services; and

7 (B) comprise not less than 30 percent of
8 the workforce employed by each subcontractor
9 at each tier in connection with such contract.

10 (2) GRANTS.—Except as provided in subsection
11 (c), the head of an executive agency may not award
12 a grant of Federal funds to any recipient, for the
13 purpose of providing disaster recovery services in
14 connection with Hurricane Katrina and Hurricane
15 Rita reconstruction efforts unless the terms of the
16 grant require that such workers affected by Hurri-
17 cane Katrina and Hurricane Rita—

18 (A) comprise not less than 30 percent of
19 the workforce employed by that recipient to per-
20 form such services; and

21 (B) comprise not less than 30 percent of
22 the workforce employed by any indirect recipi-
23 ent of such grant funds to perform such serv-
24 ices.

1 (3) EXCEPTION FOR PROFESSIONAL SERV-
2 ICES.—The requirements under paragraphs (1) and
3 (2) do not apply to the procurement of professional
4 services.

5 (c) EXEMPTIONS FOR EXCEPTIONAL CIR-
6 CUMSTANCES.—

7 (1) AUTHORITY.—The Director or the head of
8 an executive agency may enter into a contract or
9 award a grant that would otherwise be prohibited
10 under subsection (b) due to the employment by an
11 employer of a workforce that does not meet the
12 workforce composition requirement under such sub-
13 section if the employer qualifies for and receives an
14 exemption under paragraph (2).

15 (2) PROCEDURES FOR GRANTING EXEMP-
16 TIONS.—

17 (A) IN GENERAL.—Not later than 45 days
18 after the date of the appointment of the Direc-
19 tor, the Director shall establish procedures for
20 providing exemptions for employers who despite
21 making reasonable efforts to do so, are unable
22 to comply with the workforce composition re-
23 quirement under subsection (b) due to an emer-
24 gency, or due to the lack of available and ap-
25 propriately qualified workers who have been af-

1 fected by Hurricane Katrina and Hurricane
2 Rita.

3 (B) EXEMPTIONS BEFORE PROCEDURES
4 ESTABLISHED.—During the 45-day period re-
5 ferred to under subparagraph (A), the Director
6 may exempt an employer as the Director deter-
7 mines necessary.

8 (d) REPORTS REQUIRED.—

9 (1) IN GENERAL.—In the each report submitted
10 under section 6, the Director shall include a report
11 of the hiring of workers affected by Hurricane
12 Katrina and Hurricane Rita.

13 (2) CONTENT.—Each report submitted under
14 paragraph (1) shall include, with respect to the pre-
15 ceding fiscal quarter, information on—

16 (A) the total number of workers affected
17 by Hurricane Katrina and Hurricane Rita hired
18 by contractors, subcontractors, or employers
19 that provided disaster recovery services in con-
20 nection with Hurricane Katrina and Hurricane
21 Rita reconstruction efforts;

22 (B) the total number of individuals hired
23 by contractors, subcontractors, or employers
24 that provided disaster recovery services in con-

1 nection with Hurricane Katrina and Hurricane
2 Rita reconstruction efforts; and

3 (C)(i) whether the Director or head of the
4 executive agency provided any exemptions under
5 subsection (a)(2);

6 (ii) the total number of contractors, sub-
7 contractors, and employers provided such ex-
8 emptions in each State, and the percentage they
9 represent of all contractors, subcontractors, and
10 employers providing services; and

11 (iii) the total number of workers employed
12 under contracts or grants for which an exemp-
13 tion was granted and the percentage of such
14 workers who were workers affected by Hurri-
15 cane Katrina and Hurricane Rita.

16 (3) SOURCE OF INFORMATION.—For purposes
17 of preparing a report required under paragraph (1),
18 the Director or the head of an executive agency shall
19 require employers providing disaster recovery serv-
20 ices in connection with Hurricane Katrina and Hur-
21 ricane Rita reconstruction efforts to provide to the
22 agency, under penalty of perjury, information rel-
23 evant to such reports.

1 **SEC. 6. REPORTS TO CONGRESS.**

2 (a) IN GENERAL.—Every 3 months, for each cal-
3 endar quarter, the Director shall submit a report to Con-
4 gress on the progress of the Gulf Coast Recovery and Dis-
5 aster Preparedness Program, including—

6 (1) any findings regarding fraud, waste, and
7 abuse of Federal funds, personnel, and assets; and

8 (2) the status of progress toward the rebuilding
9 of the Gulf Coast region during the 3-month period
10 preceding the date of submission of the report.

11 (b) FIRST REPORT.—The first report under this sec-
12 tion shall be submitted for the first full calendar quarter
13 for which a Director has been appointed.

14 **SEC. 7. GULF COAST REVITALIZATION AUTHORITY.**

15 (a) ESTABLISHMENT.—There is established, within
16 the Gulf Coast Agency, the Gulf Coast Revitalization Au-
17 thority. The Authority shall have responsibility for the de-
18 velopment of a comprehensive plan for rebuilding and im-
19 proving the public infrastructure of the Gulf Coast region
20 affected by Hurricane Katrina and Hurricane Rita.

21 (b) PURPOSE.—The purpose of the Authority is to
22 develop a plan with substantial local participation to—

23 (1) rebuild and improve the public infrastruc-
24 ture of the Gulf Coast region affected by Hurricane
25 Katrina and Hurricane Rita;

1 (2) determine how best to use available Federal
2 resources; and

3 (3) coordinate State and local government and
4 private sector initiatives with the Federal effort.

5 (c) COMPOSITION OF THE AUTHORITY.—The Author-
6 ity shall consist of 19 members including—

7 (1) the Director, who shall serve as Chairperson
8 of the Authority;

9 (2) the Governor of Louisiana;

10 (3) the Governor of Mississippi;

11 (4) the Governor of Alabama;

12 (5) the Governor of Texas;

13 (6) the Mayor of New Orleans, Louisiana;

14 (7) 3 members appointed by the President;

15 (8) 3 residents of communities within the area
16 affected by Hurricane Katrina and Hurricane Rita
17 appointed by the Governor of Louisiana—

18 (A) of whom 1 shall be a local elected offi-
19 cial;

20 (B) of whom 1 shall be from a nonprofit
21 organization; and

22 (C) of whom 1 shall be a leader in the pri-
23 vate sector;

1 (9) 3 residents of the communities within the
2 area affected by Hurricane Katrina and Hurricane
3 Rita appointed by the Governor of Mississippi—

4 (A) of whom 1 shall be a local elected offi-
5 cial;

6 (B) of whom 1 shall be from a nonprofit
7 organization; and

8 (C) of whom 1 shall be a leader in the pri-
9 vate sector;

10 (10) 1 resident of a community within the area
11 affected by Hurricane Katrina and Hurricane Rita
12 appointed by the Governor of Alabama;

13 (11) 1 resident of a community within the area
14 affected by Hurricane Katrina and Hurricane Rita
15 appointed by the Governor of Texas; and

16 (12) 2 residents of New Orleans, Louisiana, ap-
17 pointed by the Mayor of New Orleans, Louisiana.

18 (d) REPRESENTATIVES.—

19 (1) IN GENERAL.—Each member of the Author-
20 ity described under subsection (c) (2) through (6)
21 may designate a representative to attend any meet-
22 ing of the Authority in the absence of that member.

23 (2) QUORUM AND VOTING.—A representative
24 designated under this subsection—

1 (A) shall count for purposes of a quorum;
2 and

3 (B) may vote on any matter of the Author-
4 ity.

5 (e) APPOINTMENTS; VACANCIES; QUORUM.—

6 (1) APPOINTMENTS.—All members of the Au-
7 thority shall be appointed within 14 days after the
8 date of enactment of this Act.

9 (2) PERIOD OF APPOINTMENT; VACANCIES.—
10 Members shall be appointed for the life of the Au-
11 thority. Any vacancy in the Authority shall not af-
12 fect its powers, but shall be filled in the same man-
13 ner as the original appointment.

14 (3) QUORUM.—A majority of the members of
15 the Authority shall constitute a quorum, but a lesser
16 number of members may hold hearings.

17 (f) PERSONNEL MATTERS FOR AUTHORITY MEM-
18 BERS.—

19 (1) COMPENSATION OF MEMBERS.—

20 (A) IN GENERAL.—Except as provided
21 under subparagraph (B), each member of the
22 Authority described under subsection (e)(7)
23 through (12) shall be compensated at a rate
24 equal to the daily equivalent of the annual rate
25 of basic pay prescribed for level IV of the Exec-

1 utive Schedule under section 5315 of title 5,
2 United States Code, for each day (including
3 travel time) during which such member is en-
4 gaged in the performance of the duties of the
5 Authority.

6 (B) FEDERAL OFFICERS AND EMPLOY-
7 EES.—All members of the Authority who are of-
8 ficers or employees of the United States shall
9 serve without compensation in addition to that
10 received for their services as officers or employ-
11 ees of the United States.

12 (2) TRAVEL EXPENSES.—The members of the
13 Authority described under subsection (c) (7) through
14 (12) shall be allowed travel expenses, including per
15 diem in lieu of subsistence, at rates authorized for
16 employees of agencies under subchapter I of chapter
17 57 of title 5, United States Code, while away from
18 their homes or regular places of business in the per-
19 formance of services for the Authority.

20 (g) PREPARATION OF A COMPREHENSIVE PLAN.—

21 (1) PRELIMINARY PLAN.—Not later than 134
22 days after the date of enactment of this Act, the Au-
23 thority shall approve a preliminary plan for rebuild-
24 ing and improving the public infrastructure of the
25 Gulf Coast region.

1 (2) COMPREHENSIVE PLAN.—Not later than
2 194 days after the date of enactment of this Act, the
3 Authority shall approve a comprehensive plan for re-
4 building and improving the public infrastructure of
5 the Gulf Coast region.

6 (3) EXTENSION.—For good cause shown, the
7 Authority by majority vote may extend the time pe-
8 riod for adoption of the comprehensive plan by not
9 more than 60 days.

10 (h) AUTHORITY OF DIRECTOR BEFORE PLANS.—
11 Nothing in this section shall be construed to limit the au-
12 thority of the Director to approve priority projects and
13 initiate programs which the Director determines are need-
14 ed before the adoption of the preliminary and comprehen-
15 sive plans.

16 (i) APPROVAL OF PLANS.—Adoption of the plans
17 shall require approval of a majority of the members of the
18 Authority and approval by the Director. After each of the
19 plans has been adopted, individual projects authorized by
20 the Gulf Coast Agency shall be consistent with that plan.

21 (j) GOVERNORS APPROVAL.—Nothing in this section
22 shall affect the authority of a Governor to approve indi-
23 vidual projects within the State of that Governor to the
24 extent that the approval of the Governor is required by
25 law.

1 (k) IMPLEMENTATION MODIFICATIONS.—

2 (1) IN GENERAL.—After the adoption of the
3 comprehensive plan, the Authority—

4 (A) shall monitor implementation;

5 (B) develop more detailed advisory pro-
6 posals consistent with the comprehensive plan;
7 and

8 (C) consider and adopt such modifications
9 to the comprehensive plan as may become nec-
10 essary and appropriate.

11 (2) MODIFICATIONS.—Modifications to the com-
12 prehensive plan shall be adopted in the same manner
13 as the plan.

14 (l) CONSIDERATIONS.—In developing the plan, the
15 Authority shall consider—

16 (1) the impact of public infrastructure on mini-
17 mizing the impact of future hurricanes;

18 (2) the impact of public infrastructure on—

19 (A) improving the opportunities for eco-
20 nomic development in the region; and

21 (B) enhancing public services available to
22 residents;

23 (3) the preservation of the unique historical and
24 cultural character of communities, maintaining tra-

1 ditional styles of architecture, neighborhood design,
2 and community facilities wherever possible; and

3 (4) procedures to ensure that rebuilding and re-
4 development is carried out in an efficient and cost-
5 effective manner, including efforts to promote the in-
6 volvement of the private sector and nonprofit organi-
7 zations.

8 (m) OPPORTUNITY FOR PUBLIC COMMENT.—The
9 Authority shall conduct public hearings in each of the af-
10 fected States and shall endeavor to provide substantial op-
11 portunity for public input, including opportunity for public
12 comment on the preliminary plan before the comprehen-
13 sive plan is adopted.

14 (n) AUTHORITY PERSONNEL.—

15 (1) IN GENERAL.—To develop the comprehen-
16 sive plan the Authority shall select and supervise
17 consultants and employees as provided under para-
18 graphs (2) and (3) who shall include planners, archi-
19 tects, engineers, and experts on information tech-
20 nology, the environment, and economic development.

21 (2) PROCUREMENT OF TEMPORARY AND INTER-
22 MITTENT SERVICES.—After consultation with the
23 Authority, the Director shall procure temporary and
24 intermittent services under section 3109(b) of title
25 5, United States Code, of the individuals selected by

1 the Authority under paragraph (1) of this sub-
2 section. The rate of pay for any such individual may
3 not exceed the daily equivalent of the annual rate of
4 basic pay prescribed for level V of the Executive
5 Schedule under section 5316 of title 5, United
6 States Code.

7 (3) EMPLOYEES.—After consultation with the
8 Authority, the Director shall employ individuals se-
9 lected by the Authority under paragraph (1).

10 (4) ASSISTANCE.—To the extent practicable,
11 the consultants and employees under this subsection
12 shall provide local officials with technical assistance
13 and consultation on local efforts.

14 (o) DETAILEES.—Any Federal employee may be de-
15 tailed to the Authority with reimbursement, and such de-
16 tail shall be without interruption or loss of civil service
17 status or privilege. Federal agencies shall provide detailees
18 to the Authority at the request of the Authority to the
19 extent feasible.

20 (p) USE OF FEDERAL AGENCY EXPERTISE.—The
21 Authority shall consult with the heads of agencies, and
22 other Federal officials as necessary in the preparation of
23 the comprehensive plan, and the heads of those agencies
24 shall consult with the Authority as requested. Federal

1 agencies shall provide expertise to the Authority to the ex-
2 tent feasible.

3 (q) AREAS ADDRESSED BY COMPREHENSIVE
4 PLAN.—The comprehensive plan shall address the fol-
5 lowing areas of redevelopment:

6 (1) Water Management:

7 (A) Design improvements and placement of
8 water control facilities (including drainage
9 channels, pumping facilities, levees and bar-
10 riers).

11 (B) Design improvements and repair of
12 water treatment and delivery systems and sew-
13 age collection and treatment facilities.

14 (2) Environmental Restoration:

15 (A) A long-term coastal restoration plan,
16 including the restoration of coastal wetlands
17 and barrier islands that are natural flood con-
18 trol systems to prevent erosion and flood dam-
19 ages.

20 (B) Land and water resource conservation.

21 (3) Transportation:

22 (A) Priorities and criteria for demolishing
23 and rebuilding damaged bridges, roads and
24 highways.

1 (B) Identification of appropriate placement
2 of bridges, roads, and highways that takes into
3 consideration daily traffic flow as well as future
4 evacuation requirements and susceptibility to
5 hurricane damage.

6 (C) Adequate public transportation facili-
7 ties connected to regional transportation net-
8 works that takes into consideration daily trans-
9 portation needs of residents and evacuation re-
10 quirements for residents without personal vehi-
11 cles.

12 (D) Airport reconstruction including run-
13 way layouts, and connections to public transit,
14 roads and highways.

15 (E) Priorities and criteria for rebuilding
16 freight rail and freight terminals.

17 (4) Ports:

18 (A) Design standards for rebuilding port
19 facilities.

20 (B) A plan for working with private enti-
21 ties to rebuild port facilities including berths,
22 storage facilities, navigation channels, and
23 docks.

1 (C) Identification of the need for improved
2 security technologies available for port security
3 screening.

4 (5) Housing:

5 (A) Criteria for demolition of damaged
6 housing, restoration of housing where advisable,
7 and development of newly built housing.

8 (B) Design improvement standards for
9 housing that can minimize damage from a fu-
10 ture hurricane.

11 (C) A plan for working with private enti-
12 ties and nonprofit organizations to facilitate re-
13 building an adequate supply of housing that is
14 affordable to residents of all incomes displaced
15 by Hurricane Katrina and Hurricane Rita.

16 (6) Schools:

17 (A) Priorities and criteria for rebuilding
18 schools where advisable and construction of re-
19 placement schools where necessary.

20 (B) Design improvement standards for
21 schools that need to be rebuilt that include,
22 where advisable and cost effective, state of the
23 art information technology infrastructure.

24 (7) Hospitals and Other Public Health Care
25 Facilities:

1 (A) Design improvement standards for
2 hospitals that will be rebuilt that includes state
3 of the art information technology infrastruc-
4 ture.

5 (B) Design standards for health care facili-
6 ties to withstand and continue operation during
7 a future hurricane.

8 (8) Utility Infrastructure: A plan for working
9 with private entities that serve the public to ensure
10 utility coverage of redeveloped areas with tele-
11 communication services, including broadband access,
12 and energy and electricity generation and distribu-
13 tion.

14 (9) Employment and Training:

15 (A) A plan for the training of residents of
16 the affected communities in job skills that will
17 be required in the region.

18 (B) Priority for jobs for residents of the
19 affected communities created by reconstruction
20 programs funded by the Gulf Coast Agency to
21 the extent practicable.

22 (10) Other Public Facilities:

23 (A) A plan for the rebuilding of public
24 buildings and facilities, and for buildings and
25 facilities of nonprofit organizations that serve a

1 public function open to all residents within com-
2 munities.

3 (B) A plan for the rebuilding of museums
4 and other facilities operated by nonprofit orga-
5 nizations that are used to preserve and promote
6 the historic, cultural, musical and artistic tradi-
7 tions of the affected areas.

8 (r) EXPEDITING THE REBUILDING PROCESS.—The
9 Authority shall—

10 (1) consider whether it is necessary to waive or
11 modify any Federal, State, or local law relating to
12 the environment, land use, or the permitting of con-
13 struction projects in order to expedite reconstruction
14 within the Gulf Coast region; and

15 (2) make appropriate recommendations in the
16 comprehensive plan relating to the waiver or modi-
17 fication of such laws.

18 (s) PLANNING PRINCIPLES.—In developing and im-
19 plementing the comprehensive plan, the Authority and the
20 Gulf Coast Agency shall take into consideration the fol-
21 lowing planning principles:

22 (1) Provide substantial opportunities for area
23 residents to participate in the planning process.

24 (2) All public structures should be designed to
25 withstand a category 5 hurricane.

1 (3) Preserve the unique historical, cultural, and
2 architectural character of communities to the max-
3 imum extent possible.

4 (4) Infrastructure should be developed to mini-
5 mize the impact of future hurricanes.

6 (5) Infrastructure should be developed to im-
7 prove economic opportunity for the region and its
8 residents.

9 (6) Transportation infrastructure should be de-
10 signed and built with future evacuation needs in
11 mind.

12 (7) Establish systems to maintain infrastruc-
13 ture over time and accommodate growth in the re-
14 gion.

15 (8) Promote access to housing, transportation,
16 jobs and schools to residents of all incomes that ac-
17 commodates economic and social integration.

18 (9) Promote energy efficient design.

19 (10) Promote transit oriented development in
20 metropolitan areas.

21 (11) Promote innovations in public-private part-
22 nerships.

23 (12) Promote efficient and cost-effective re-
24 building efforts.

1 (13) Promote involvement of the private sector
2 and nonprofit organizations to broaden participation
3 and help control costs to the Federal Government.

4 (t) COLLABORATION WITH LOCAL GOVERNMENT,
5 NONPROFIT ORGANIZATIONS, AND PRIVATE ENTITIES.—

6 (1) IN GENERAL.—Throughout the process of
7 developing a comprehensive plan, the Authority and
8 the planning staff of the Authority shall work with
9 local government officials, nonprofit organizations
10 and private entities with a stake in the redevelop-
11 ment of the region.

12 (2) INDIVIDUALS AND ENTITIES.—Individuals
13 and entities shall include—

14 (A) State and local government officials;

15 (B) community based nonprofit organiza-
16 tions;

17 (C) chambers of commerce and business
18 community leaders;

19 (D) school superintendents, parent and
20 teacher associations;

21 (E) environmental groups;

22 (F) real estate and construction industries,
23 both nonprofit organizations and for-profit enti-
24 ties;

25 (G) social service providers;

- 1 (H) emergency relief and disaster planning
2 nonprofit organizations;
- 3 (I) labor organizations;
- 4 (J) utility companies;
- 5 (K) hospital administrators and practi-
6 tioners; and
- 7 (L) insurance companies.

8 (u) NONAPPLICABILITY OF CERTAIN PROVISIONS.—
9 The Authority shall not be construed to be an agency for
10 purposes of chapter 5 of title 5, United States Code, and
11 such chapter shall not be construed to apply to the Gulf
12 Coast Agency with respect to the Authority. The Federal
13 Advisory Committee Act (5 U.S.C. App.) shall not apply
14 to the Authority.

15 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated such sums
17 as necessary to carry out this Act.

18 **SEC. 9. TERMINATION OF OFFICE.**

19 (a) IN GENERAL.—The Office and position of Direc-
20 tor shall terminate 3 years after the date of enactment
21 of this Act.

22 (b) EXTENSION OF TERMINATION.—

23 (1) IN GENERAL.—The President may extend
24 the date of termination under subsection (a) in ac-
25 cordance with this subsection.

1 (2) CONDITIONS OF EXTENSION.—Any exten-
2 sion of termination under this subsection—

3 (A) shall not be effective for any period oc-
4 curring 6 years after the date of enactment of
5 this Act;

6 (B) may not apply retroactively if the Of-
7 fice and the position of Director have already
8 terminated under this section;

9 (C) shall not be effective unless 6 months
10 before the date on which a termination would
11 occur the President submits a notice to Con-
12 gress of a determination to extend the termi-
13 nation and setting forth the length of the exten-
14 sion; and

15 (D) subject to subparagraph (A), may be
16 made only for a 1-year period, 2-year period, or
17 3-year period.

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