

Administration Reform Act of 1998” after “assistance to the grantee”.

Subsec. (d)(2). Pub. L. 108-373, §503(b), inserted “program performance,” after “applied research,”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective Feb. 11, 1999, see section 105 of Pub. L. 105-393, set out as a note under section 3121 of this title.

#### § 3197. Notification of reorganization

Not later than 30 days before the date of any reorganization of the offices, programs, or activities of the Economic Development Administration, the Secretary shall provide notification of the reorganization to the Committee on Environment and Public Works and the Committee on Appropriations of the Senate, and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives.

(Pub. L. 89-136, title V, §507, as added Pub. L. 105-393, title I, §102(a), Nov. 13, 1998, 112 Stat. 3611.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 507 of Pub. L. 89-136 was classified to section 3187 of this title prior to repeal by Pub. L. 97-35, §1821(a)(8).

Prior sections 3201 to 3204 were repealed by Pub. L. 105-393, title I, §102(a), Nov. 13, 1998, 112 Stat. 3597.

Section 3201, Pub. L. 89-136, title VI, §601(a), Aug. 26, 1965, 79 Stat. 569; Pub. L. 97-195, §1(c)(3), June 16, 1982, 96 Stat. 115, related to appointment of Assistant Secretary of Commerce and Administrator for Economic Development.

Section 3202, Pub. L. 89-136, title VI, §602, Aug. 26, 1965, 79 Stat. 570, related to National Public Advisory Committee on Regional Economic Development.

Section 3203, Pub. L. 89-136, title VI, §603, Aug. 26, 1965, 79 Stat. 570, authorized Secretary to consult with other persons and agencies.

Section 3204, Pub. L. 89-136, title VI, §604, as added Pub. L. 90-103, title II, §204, Oct. 11, 1967, 81 Stat. 268, conditioned assistance upon proper administration, operation, and maintenance of project.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective Feb. 11, 1999, see section 105 of Pub. L. 105-393, set out as a note under section 3121 of this title.

#### § 3198. Office of Tribal Economic Development

##### (a) Establishment

There is established within the Economic Development Administration an Office of Tribal Economic Development (referred to in this section as the “Office”).

##### (b) Purposes

The purposes of the Office shall be—

(1) to coordinate all Tribal economic development activities carried out by the Secretary;

(2) to help Tribal communities access economic development assistance programs, including the assistance provided under this chapter;

(3) to coordinate Tribal economic development strategies and efforts with other Federal agencies; and

(4) to be a participant in any negotiated rulemakings or consultations relating to, or having an impact on, projects, programs, or funding that benefit Tribal communities.

##### (c) Tribal economic development strategy

##### (1) In general

Not later than 1 year after January 4, 2025, the Office shall initiate a Tribal consultation process to develop, and not less frequently than every 3 years thereafter, update, a strategic plan for Tribal economic development for the Economic Development Administration.

##### (2) Submission to Congress

Not later than 1 year after January 4, 2025, and not less frequently than every 3 years thereafter, the Office shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate the strategic plan for Tribal economic development developed under paragraph (1).

##### (d) Outreach

The Secretary shall establish a publicly facing website to help provide a comprehensive, single source of information for Indian tribes, Tribal leaders, Tribal businesses, and citizens in Tribal communities to better understand and access programs that support economic development in Tribal communities, including the economic development programs administered by Federal agencies or departments other than the Department.

##### (e) Dedicated staff

The Secretary shall ensure that the Office has sufficient staff to carry out all outreach activities under this section.

(Pub. L. 89-136, title V, §508, as added Pub. L. 118-272, div. B, title II, §2227, Jan. 4, 2025, 138 Stat. 3192.)

#### § 3199. Office of Disaster Recovery and Resilience

##### (a) Establishment

The Secretary shall establish an Office of Disaster Recovery and Resilience—

(1) to direct and implement the post-disaster economic recovery responsibilities of the Economic Development Administration pursuant to subsections (c)(2) and (e) of section 3149 of this title and section 3233 of this title;

(2) to direct and implement economic recovery and enhanced resilience support function activities as directed under the National Disaster Recovery Framework; and

(3) support long-term economic recovery in communities in which a major disaster or emergency has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), or otherwise impacted by an event of national significance, as determined by the Secretary, through—

(A) convening and deploying an economic development assessment team;

(B) hosting or attending convenings related to identification of additional Federal, State, local, and philanthropic entities and resources;

(C) exploring potential flexibilities related to existing awards;

(D) provision of technical assistance through staff or contractual resources; and

(E) other activities determined by the Secretary to be appropriate.

**(b) Appointment authorities**

**(1) Appointment**

The Secretary is authorized to appoint such temporary personnel as may be necessary to carry out the responsibilities of the Office of Disaster Recovery and Resilience, without regard to the provisions of subchapter I of chapter 33 of title 5 governing appointments in the competitive service.

**(2) Conversion of employees**

Notwithstanding chapter 33 of title 5, or any other provision of law relating to the examination, certification, and appointment of individuals in the competitive service, a temporary employee appointed under this subsection may be selected by the Secretary for a permanent appointment in the competitive service in the Economic Development Administration under internal competitive promotion procedures if—

(A) the employee has served continuously for at least 2 years under 1 or more appointments under this subsection; and

(B) the employee's performance has been at an acceptable level of performance throughout the period or periods referred to in subparagraph (A).

**(3) Status upon conversion**

An individual converted under this subsection shall become a career-conditional employee, unless the employee has already completed the service requirements for career tenure.

**(4) Reporting**

For any fiscal year during which the Secretary exercises the authority under this subsection, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the use of that authority including, at a minimum—

(A) the number of employees hired under the authority during the fiscal year;

(B) the positions and grades for which employees were hired;

(C) the number of employees converted to career-conditional;

(D) a description of how the Secretary assessed employee performance to determine the eligibility of the employee for conversion under paragraph (2)(B);

(E) the number of employees who were hired under that authority as temporary employees who have met the continuous service requirements described in subparagraph (A) of paragraph (2) but not the performance requirements described in subparagraph (B) of that paragraph; and

(F) the number of employees who were hired under that authority who have separated from the Economic Development Administration.

**(5) Rule of construction**

Nothing in this subsection waives any requirement relating to qualifications of applicants for positions in the Office of Disaster Recovery and Resilience under this subsection.

**(6) Termination**

The authority provided by this subsection shall expire on September 30, 2029.

**(c) Disaster team**

**(1) Establishment**

As soon as practicable after January 4, 2025, the Secretary shall establish a disaster team (referred to in this section as the "disaster team") for the deployment of individuals to carry out responsibilities of the Office of Disaster Recovery and Resilience after a major disaster or emergency has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and the Department has been activated by the Federal Emergency Management Agency.

**(2) Membership**

**(A) Designation of staff**

As soon as practicable after January 4, 2025, the Secretary shall designate to serve on the disaster team—

(i) employees of the Office of Disaster Recovery and Resilience;

(ii) employees of the Department who are not employees of the Economic Development Administration; and

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

**(B) Capabilities**

In designating individuals under subparagraph (A), the Secretary shall ensure that the disaster team includes a sufficient quantity of—

(i) individuals who are capable of deploying rapidly and efficiently to respond to major disasters and emergencies; and

(ii) highly trained full-time employees who will lead and manage the disaster team.

**(3) Training**

The Secretary shall ensure that appropriate and ongoing training is provided to members of the disaster team to ensure that the members are adequately trained regarding the programs and policies of the Economic Development Administration relating to post-disaster economic recovery efforts.

**(4) Expenses**

In carrying out this section, the Secretary may—

(A) use, with or without reimbursement, any service, equipment, personnel, or facility of any Federal agency with the explicit support of that agency, to the extent such

use does not impair or conflict with the authority of the President or the Administrator of the Federal Emergency Management Agency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) to direct Federal agencies in any major disaster or emergency declared under that Act; and

(B) provide members of the disaster team with travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, while away from the home or regular place of business of the member in the performance of services for, or relating to, the disaster team.

**(d) Annual reports**

Not later than July 1, 2026, and annually thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(1) a summary of the activities of the Office of Disaster Recovery and Resilience and any disaster teams established pursuant to subsection (c);

(2) the number and details of the disasters in which the Office of Disaster Recovery and Resilience and permanent and temporary personnel, including disaster teams, were involved and deployed;

(3) the locations and length of any deployments;

(4) the number of personnel deployed, broken down by category, including permanent and temporary personnel; and

(5) a breakdown of expenses, with or without reimbursement.

(Pub. L. 89-136, title V, §509, as added Pub. L. 118-272, div. B, title II, §2228, Jan. 4, 2025, 138 Stat. 3192.)

**Editorial Notes**

REFERENCES IN TEXT

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, referred to in subsecs. (a)(3) and (c)(1), (4)(A), is Pub. L. 93-288, May 22, 1974, 88 Stat. 143, which is classified principally to chapter 68 (§5121 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 5121 of this title and Tables.

**§ 3200. Technical Assistance Liaisons**

**(a) In general**

A Regional Director of a regional office of the Economic Development Administration may designate a staff member to act as a “Technical Assistance Liaison” for any State served by the regional office.

**(b) Role**

A Technical Assistance Liaison shall—

(1) work in coordination with an Economic Development Representative to provide technical assistance, in addition to technical assistance under section 3147 of this title, to eligible recipients that are underresourced communities, as determined by the Technical As-

sistance Liaison, that submit applications for assistance under subchapter II; and

(2) at the request of an eligible recipient that submitted an application for assistance under subchapter II, provide technical feedback on unsuccessful grant applications.

**(c) Technical assistance**

The Secretary may enter into a contract or cooperative agreement with an eligible recipient for the purpose of providing technical assistance to eligible recipients that are underresourced communities that have submitted or may submit an application for assistance under this chapter.

(Pub. L. 89-136, title V, §510, as added Pub. L. 118-272, div. B, title II, §2229, Jan. 4, 2025, 138 Stat. 3195.)

SUBCHAPTER VI—MISCELLANEOUS

**§ 3211. Powers of Secretary**

**(a) In general**

In carrying out the duties of the Secretary under this chapter, the Secretary may—

(1) adopt, alter, and use a seal, which shall be judicially noticed;

(2) subject to the civil service and classification laws, select, employ, appoint, and fix the compensation of such personnel as are necessary to carry out this chapter;

(3) hold such hearings, sit and act at such times and places, and take such testimony, as the Secretary determines to be appropriate;

(4) request directly, from any Federal agency, board, commission, office, or independent establishment, such information, suggestions, estimates, and statistics as the Secretary determines to be necessary to carry out this chapter (and each Federal agency, board, commission, office, or independent establishment may provide such information, suggestions, estimates, and statistics directly to the Secretary);

(5) under regulations promulgated by the Secretary—

(A) assign or sell at public or private sale, or otherwise dispose of for cash or credit, in the Secretary’s discretion and on such terms and conditions and for such consideration as the Secretary determines to be reasonable, any evidence of debt, contract, claim, personal property, or security assigned to or held by the Secretary in connection with assistance provided under this chapter; and

(B) collect or compromise all obligations assigned to or held by the Secretary in connection with that assistance until such time as the obligations are referred to the Attorney General for suit or collection;

(6) deal with, complete, renovate, improve, modernize, insure, rent, or sell for cash or credit, on such terms and conditions and for such consideration as the Secretary determines to be reasonable, any real or personal property conveyed to or otherwise acquired by the Secretary in connection with assistance provided under this chapter;

(7) pursue to final collection, by means of compromise or other administrative action,