

Resilience Corps

April 2, 2020

Introduction

The coronavirus pandemic means that we are now living in a disaster economy. The federal government's immediate relief efforts are designed to provide much-needed temporary stability for American workers and businesses. But a real recovery will depend on how we strengthen our economy for the long term. That's going to mean investing in the right kinds of workers, right now.

America needs to support, protect, and expand what we call the Resilience Workforce.

These are the millions of people who go to work in and after major disasters. They power our response and drive our recovery. They are builders, caregivers, and social-service workers. After natural disasters, they clean up debris, repair downed power lines, and provide hot meals for people in emergency evacuation shelters. In the current pandemic crisis, they are disinfecting ICUs, retrofitting hotels into temporary hospitals, delivering groceries to vulnerable residents who can't leave their homes. Maintaining society's most essential functions, so that the rest of us can shelter in place.

The stronger this workforce is, the better our society is able to ride out and rebuild from disasters. We may not be used to thinking of them as a single workforce, but they share in common an indispensable role in sustaining us through times of crisis. These are the men and women who enable the rest of us to keep calm and carry on.

But while they labor on the front lines of the pandemic, these workers are also vulnerable—to sickness, to job loss, to crises of their own, all of which threatens their ability to continue their vital work. We need this workforce to be safe and stable. And we need it to grow.

On the other side of our immediate health crisis are double-digit unemployment numbers: millions of workers laid off from service-sector jobs that may never come back. With the right support, they could become part of the expanded Resilience Workforce our society needs—building security and stability for generations to come.

Building the Resilience Corps

Congress should create a New Deal-style, federally-funded national service corps and jobs program called the Resilience Corps. The Corps would stream millions of Americans into critical roles in essential industries that are connected to disaster response and recovery.

It should be modeled on our nation's response to another disaster: the Great Depression. During the New Deal, the Works Progress Administration employed 8.5 million people and supported 30 million of their dependents at a federal cost of \$190 billion over eight years, with an additional \$9-27 billion from states and localities (all 2018 dollars).

The Resilience Corps will be a ready workforce directed by the federal government to engage in critical work that the private sector alone is not equipped to handle. The Corps will directly perform some work that is typically contracted out, helping avoid the profiteering, delay and worker abuse that are rampant in subcontracting chains. When does need to be contracted out, it will be done so with meaningful worker protections.

The Resilience Corps will be equipped to engage in:

- Setting up and staffing widespread drive-up and home coronavirus testing programs, which experts agree are necessary to release the nation from harsh social distancing requirements;
- Delivering groceries, prepared meals and medication to low-income and high-risk individuals, and to all, in the event that the current private sector system of grocery and food delivery breaks down due to worker withdrawal over concerns about personal protective equipment; and
- Certified nursing assistant tasks such as home testing and the taking of vital signs.

Training, Apprenticeship and License Portability

The Corps should include training and apprenticeship programs that put millions of Americans on professional paths. Specifically, Resilience Corps workers should receive priority consideration for federally-funded apprenticeship programs. Resilience Corps members should gain relevant occupational licenses and professional certifications through the Corps, but the current patchwork of state occupational licensing would limit the utility of the Corps to be nimble in response. Because of this, the licenses and certifications of Resilience Corps members should be portable across the United States.

Broad Participation

The Corps should encourage the broadest possible participation, including people with past criminal convictions and noncitizens. We need all the help we can get.

Specifically, the Resilience Corps should:

Reduce Barriers for People with Criminal Records

Approximately 77 million Americans, or 1 in 3 adults, have a criminal record.¹ Employment barriers faced by people with criminal records have amounted to a loss of at least 1.7 million workers from the workforce. The proven racial bias² in the criminal justice system then leads to a discriminatory effect prohibiting many people of color and others from entering or advancing in the workforce. Because of this, Resilience Corps should:

- Include funds for filing fees and legal assistance to correct errors, process expungements, and obtain pardons of criminal records.
- Apply the current federal hiring policy of “ban the box,” meaning that the U.S. government and contractors of Resilience Corps workers will not ask about criminal records during the hiring process until after a job offer is made. Further, all arrests and misdemeanor convictions

¹ National Conference of State Legislatures, Barriers to Work: People with Criminal Records, July 17, 2018. Available at <https://www.ncsl.org/research/labor-and-employment/barriers-to-work-individuals-with-criminal-records.aspx> (Last accessed April 2, 2020).

² Radley Balko, There’s overwhelming proof that the criminal-justice system is racist. Here’s the proof, Washington Post, September 18, 2018. Available at <https://www.washingtonpost.com/news/opinions/wp/2018/09/18/theres-overwhelming-evidence-that-the-criminal-justice-system-is-racist-heres-the-proof/>. (Last accessed April 2, 2020).

should be disregarded, as should all convictions five years or older, provided there have been no further felony convictions since that time. Any decisions to exclude an applicant because of a felony conviction should be made in writing, and submitted to and reviewed by an independent board at least quarterly.

- Require contractors to participate in the U.S. Department of Labor's Federal Bonding Program, which removes much of the legal and financial risk of hiring people with felony convictions.³

Remove Unnecessary Drug Testing Barriers

Current federal law mandates drug testing for many federal employees and federal contractors, but the law has not kept up with state marijuana legalization. Because of this, the Resilience Corps should not disqualify workers for positive drug tests for marijuana in states where recreational marijuana use is legal.

Reduce Barriers for Immigrants

- Remove the requirement from the Federal Emergency Management Agency (FEMA) Cadre of On Call and Response/Recovery (CORE)⁴ and FEMA Reservist⁵ programs that excludes noncitizens. This likely can be done administratively by FEMA⁶ as these are excepted service positions exempt from Executive Order 11935.⁷ which directs the hiring of U.S. citizens in federal government positions.
- Permit undocumented participation through a limited deferred action and work authorization program, and then provide

³ Federal Bonding Program, About the FBP. Available at <https://bonds4jobs.com/about-us>. (Last accessed April 2, 2020).

⁴ U.S. Federal Emergency Management Agency, Cadre of On-Call Response/Recovery. Available at <https://careers.fema.gov/cadre-call-responserecovery>. (Last accessed April 2, 2020).

⁵ U.S. Federal Emergency Management Agency, Reservist Program. Available at <https://www.fema.gov/reservist-program> (Last accessed April 2, 2020).

⁶ By revising FEMA Directive FD 010-6, Revision Number 02, January 25, 2017, Requirements Section A(1)(a). Available at <https://www.fema.gov/media-library-data/1524579186868-9141f60ffe7e7e3429ffa24630cb0cc9/FEMAReservistProgramDirective.pdf>. (Last accessed April 2, 2020).

⁷ U.S. Office of Personnel Management, Frequently Asked Questions: Do I have to be a U.S. citizen to apply? Available at <https://www.opm.gov/faqs/topic/employment/index.aspx?page=2>. (Last accessed April 2, 2020).

undocumented participants with a more permanent legal status at the end of the disaster. See Resilience Force Policy Paper on Legal Status for Resilience Workers, forthcoming, for more details on this.

Not Just for Coronavirus, But for All Disasters & Climate Change Adaptation

The Resilience Corps should become part of America's permanent disaster-response infrastructure. On the other side of the COVID-19 curve, we face the ongoing climate-related disasters that grow more frequent and intense every year: hurricanes, floods, and fires. This workforce will increase our resilience by rebuilding infrastructure, strengthening our public health systems, and helping cities adapt to climate change before and after disasters. Among the existing federal programs that can be expanded to create the Resilience Corps are:

- AmeriCorps National Civilian Conservation Corps,⁸ a direct successor of the New Deal-era Civilian Conservation Corps, which includes FEMA Corps,⁹ a joint FEMA/AmeriCorps program;
- FEMA Community Emergency Response Teams (CERT),¹⁰ which train volunteers in basic disaster response skills including fire safety, light search and rescue, team organization and disaster medical operations;
- FEMA Sheltering and Temporary Essential Power Program (STEP), an innovative program deployed after Hurricane Sandy and subsequent natural disasters to conduct rapid repairs of damaged housing before it becomes completely unusable, as happens in most disasters¹¹;
- FEMA CORE (see above);
- FEMA Reservists (see above);

⁸ Commission on National & Community Service, AmeriCorps NCCC. Available at <https://www.nationalservice.gov/programs/ameri-corps/ameri-corps-programs/ameri-corps-nccc>. (Last accessed April 2, 2020).

⁹ Commission on National & Community Service, FEMA Corps. Available at <https://nationalservice.gov/programs/ameri-corps/ameri-corps-programs/ameri-corps-nccc/fema-corps>. (Last accessed April 2, 2020).

¹⁰ U.S. Department of Homeland Security, Community Emergency Response Team. Available at <https://www.ready.gov/cert>. (Last accessed April 2, 2020).

¹¹ U.S. Federal Emergency Management Agency, FAQ: Sheltering and Temporary Essential Power, January 19, 2019. Available at <https://www.fema.gov/news-release/2019/01/11/faq-sheltering-and-temporary-essential-power> (Last accessed April 2, 2020).

- FEMA Pre-Disaster Mitigation Grant Program (PDM)¹²; and
- U.S. Department of Health & Human Services' Low-Income Home Energy Assistance Program (LIHEAP).¹³

The Resilience Corps should serve other federal agencies and their missions as well, most importantly the Army Corps of Engineers. It will support critical work such as home fortification, tree planting, transition to renewable energies, humanitarian disaster preparation and relief, and care for children and elders.

¹² U.S. Federal Emergency Management Agency, Pre-Disaster Mitigation Grant Program. Available at <https://www.fema.gov/pre-disaster-mitigation-grant-program>. (Last accessed April 2, 2020).

¹³ U.S. Department of Health & Human Services, Office of Community Services, Low Income Home Energy Assistance Program (LIHEAP). Available at <https://www.acf.hhs.gov/ocs/programs/liheap>. (Last accessed April 2, 2020).