



# Interagency Coordinating Council on Emergency Preparedness and Individuals with Disabilities

2009 Annual Report to the President  
(August 2008 to December 2009)

# Individuals with Disabilities in Emergency Preparedness

This report is also available in alternative formats and on the website of the Interagency Coordinating Council on Emergency Preparedness and Individuals with Disabilities, <http://www.disabilitypreparedness.gov>

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# I. MESSAGE FROM THE CHAIR AND CHAIR-DESIGNEE



I am pleased to present this report to the President, pursuant to Executive Order 13347, *Individuals With Disabilities in Emergency Preparedness*, from the Interagency Coordinating Council (ICC) on Emergency Preparedness and Individuals with Disabilities. The Council is instrumental to integrating the needs and expertise of individuals with disabilities into our Nation's preparedness, response, and recovery efforts to achieve better planning and response policies, more research dedicated to this important topic, and improved training activities and exercises.

Janet Napolitano, Secretary, U.S. Department of Homeland Security  
Chair, ICC on Emergency Preparedness and Individuals with Disabilities



It is my privilege to serve as Secretary Napolitano's designated Chair of the Interagency Coordinating Council on Emergency Preparedness and Individuals with Disabilities. I assumed that role in January 2010 on my appointment by President Obama as DHS Officer for Civil Rights and Civil Liberties. This report describes the work that preceded my tenure, including the ICC's response to Hurricanes Gustav and Ike and the H1N1 Pandemic; ICC members' significant role in the 2009 National Conference on Community Preparedness; and the vital contributions of ICC member agencies towards the development of an inclusive *National Disaster Recovery Framework*.

Margo Schlanger, DHS Officer for Civil Rights and Civil Liberties

## II. INTRODUCTION

Americans with disabilities are living more independently and are more integrated into their communities than ever before. In the last several decades, legislation such as the *Rehabilitation Act of 1973*, as amended; the *Individuals with Disabilities Education Act of 1975*, as amended (IDEA); and the *Americans with Disabilities Act of 1990*, as amended (ADA), have enabled Americans with disabilities to enjoy more equal access to public programs and facilities, schools, mass transit systems, hospitals and the workplace. The 2004 issuance of Executive Order 13347, *Individuals With Disabilities in Emergency Preparedness*, broadened the Federal Government's commitment to the equality and inclusion of individuals with disabilities by addressing the area of emergency management. The Executive Order calls for a coordinated effort among Federal agencies to ensure that the Federal Government appropriately supports safety and security for individuals with disabilities in the event of a terrorist attack and other emergency situations. (See Appendix A for the full text of Executive Order 13347.)

While natural disasters negatively affect everyone in the community, individuals with disabilities often are disproportionately impacted. A variety of barriers may have prevented their equal participation in the emergency planning process, and other barriers are either created or exacerbated by the disaster itself. In order to ensure their full and equal inclusion, individuals with disabilities are protected by civil rights laws that require accessibility and nondiscrimination in service delivery, including emergency preparedness, response, and recovery.

Leaders and experts within the government, disability community, and nongovernmental organizations (NGO) are recognizing that collaboration among stakeholders is critical to achieving full integration in emergency management. ICC activity in 2008 and 2009 demonstrates that collaboration is on the rise and significant progress is being made.

Section 1 of the Executive Order directs the agencies of the Federal Government to:

- (a) consider, in their emergency preparedness planning, the unique needs of agency employees with disabilities and individuals with disabilities whom the agency serves;
- (b) encourage, including through the provision of technical assistance, as appropriate, consideration of the unique needs of employees and individuals with disabilities served by State, local, and tribal governments and private organizations and individuals in emergency preparedness planning; and
- (c) facilitate cooperation among Federal, State, local, and tribal governments and private organizations and individuals in the implementation of emergency preparedness plans as they relate to individuals with disabilities.

Executive Order 13347 established the Interagency Coordinating Council on Emergency Preparedness and Individuals with Disabilities (ICC), directing more than 25 Federal executive departments and agencies to work together to ensure that emergency preparedness plans incorporate the perspectives and needs of individuals with disabilities, and that barriers to their access to services and planning are removed. The Executive Order designates the Secretary of Homeland Security as chair; the Secretary has in turn designated the DHS Officer for Civil Rights and Civil Liberties to take that role.

## Members of the ICC include:

### *Executive Departments Named in the Executive Order*

Homeland Security  
Transportation  
Federal Communications Commission  
Health and Human Services  
Housing and Urban Development  
Agriculture  
Commerce  
Defense  
Education  
Energy  
Interior  
Justice  
Labor  
State  
Treasury  
Veterans Affairs

### *Agencies Named in the Executive Order*

Environmental Protection Agency  
General Services Administration  
Office of Personnel Management  
Social Security Administration

### *Other Agencies Invited by the Chair*

Access Board  
Equal Employment Opportunity Commission  
National Council on Disability  
President's Committee for People with Intellectual Disabilities  
White House Office of Domestic Policy

This Report fulfills the requirement in Section 3(b) of Executive Order 13347, that the Council submit to the President a yearly report describing its policy achievements, best practices, and recommendations. This Report presents information regarding the work of the ICC and its members between August 2008 and December 2009. Future reports will cover single calendar years.

## III. HIGHLIGHTS

From August 2008 to December 2009, there were 89 Presidential disaster declarations—including those in response to record-breaking snow in South Dakota and Washington; hurricane destruction in Texas and Louisiana; severe flooding in New Hampshire, Alabama, and Idaho; wildfires in California; and severe winds and tornados in Oklahoma, Indiana, and Florida. Across the Federal Government, work on emergency preparedness and disability issues was most significantly shaped by the impact of Hurricane Ike on the Texas Gulf Coast in the fall of 2008. The damage to homes, personal property, the environment, and local businesses, coupled with the overall national economic downturn, set the affected communities on a challenging road to recovery. The ICC and its members worked to ensure that the perspectives of people with disabilities were included in the long-term recovery process, and that barriers to their equal access to services were removed.

### *Comprehensive Preparedness Guide 301*

The first guidance available to state and local governments on planning for individuals with disabilities and other access and functional needs was released in August 2008. This guidance, *Comprehensive Preparedness Guide 301 (CPG-301), Emergency Management Planning Guide for Special Needs Populations*, was designed to aid state, local, territorial, and tribal governments in emergency planning for individuals with disabilities and other access and functional needs, including needs related to communication, medical care, maintaining functional independence, and transportation. It is available at <http://www.fema.gov/pdf/media/2008/301.pdf>. FEMA is incorporating some of the content of *CPG-301* into the next version of *CPG-101: A Guide for All-Hazard Emergency Operations Planning*, scheduled for release in 2010.

### *Hurricane Ike Impact Report Source Document*

In October 2008, CRCL prepared the *Hurricane Ike Impact Report: Source Document*, which is based on the insights of state, local, and nongovernmental organizations representing individuals with disabilities and other access and functional needs in East Texas. This report provides an in-depth examination of the long-term community recovery needs of individuals with disabilities affected by Hurricane Ike, and offers recommendations for use by the State of Texas and its localities in their efforts to ensure equal access to all facets of long-term community recovery for individuals with disabilities. This document informed the overall Hurricane Ike Impact Report issued by FEMA in December 2008, as well as the subsequent *National Disaster Recovery Framework*. The *Hurricane Ike Impact Report: Source Document* is available at [http://www.disabilitypreparedness.gov/pdf/ike\\_snp.pdf](http://www.disabilitypreparedness.gov/pdf/ike_snp.pdf).

### *Long Term Disaster Recovery Working Group*

National disaster-related policy historically focused on short-term emergency response, but recent disaster history (i.e. Hurricanes Katrina and Ike, and the tornadoes of 2008) reinforced the need for the development of long-term disaster recovery policy. In October 2009, the President called for the establishment of a Long Term Disaster Recovery Working Group to engage recovery stakeholders and create a comprehensive coordinating structure that will enhance collaboration and recovery assistance delivery. The ICC provided recommendations to the White House to ensure that individuals with disabilities are an integral part of community restoration. For more information, see part VI.

### *Appointment of FEMA Senior Advisor for Disability Issues*

FEMA's overall mission is to build, sustain, and improve American capability to prepare for, protect against, respond to, recover from, and mitigate all hazards. In carrying out this mission, FEMA seeks to ensure the full integration of people with disabilities and other access and functional needs into all aspects of disaster preparedness, response, and recovery activities. In 2009, the President appointed a FEMA Senior Advisor for Disability Issues – a significant milestone. This Advisor plays an integral part in the ICC, providing critical information on the development of new emergency management policies and procedures and tapping into expertise provided by the member agencies during policy development and following a disaster.

### *H1N1*

Shortly after H1N1 reached the United States in the spring of 2009, the Federal Government focused its efforts on mitigating the potential impact of pandemic influenza on the health and economy of the Nation. Federal agencies developed contingency plans to meet workforce needs that took into account Federal employees with disabilities and individuals with disabilities they serve. Including disability and other civil rights considerations at interagency level planning was groundbreaking.

While considerable progress has been made, more improvements are needed in preparedness efforts for Federal employees and better integration of resources and knowledge across Federal agencies. The ICC continues to explore new opportunities to collaborate with Federal agencies and serve as a valuable resource for the public.



## IV. ACTIVITIES OF THE ICC AND ITS MEMBERS

### A. ICC Meetings

The ICC improves communication and the sharing of best practices and lessons learned among member agencies and serves as a communication conduit among stakeholders in Federal, state, local, and nongovernmental agencies during and after a disaster. Between August 2008 and December 2009, the ICC held five staff-level meetings to further these ends:

*December 4, 2008*

Topic: Transition to the new Administration; Hurricane Ike long-term recovery work along the Texas Gulf Coast. Consensus was reached regarding a transition plan and the opportunity to use the research and material developed for the Hurricane Ike Report to inform national long-term recovery policy.

*March 19, 2009*

Topic: “The Role of Emergency Support Function 8 in Disaster Response” presentation delivered by Dr. Kevin Yeskey, Department of Health and Human Services Deputy Assistant Secretary and Director of Preparedness and Emergency Operations. Consensus was reached on strengthening ICC coordination with Emergency Support Function (ESF)-8 operations, and plans for ICC participation in the 2009 Citizen Corps Conference scheduled for August 2009.

*April 30, 2009*

Topic: Briefing for Kareem Dale, Special Assistant to the President for Disability Policy on the role of the ICC. The Council agreed to develop and deliver recommendations for consideration by the new Administration.

*July 29, 2009*

Topic: “Improvements to Accessibility of FEMA Housing” presentation delivered by Ryan Buras, Program Specialist, Housing Operations Unit, FEMA Individual Assistance Division. Preparations were made for ICC participation in the 2009 National Preparedness Month activities.

*December 2, 2009*

Topic: Overview of National Disaster Recovery Framework (NDRF). The Council developed disability specific language for inclusion in the NDRF and recovery policy recommendations for the White House.

### B. ICC Members’ Disaster Response Actions

Effective and inclusive evacuation, sheltering, and other response and recovery activities are critical as a disaster situation plays out. A key function of the ICC is to coordinate engagement with governmental and nongovernmental partners and maintain situational awareness with regard to an anticipated event (e.g., a hurricane) as well as following a “no-notice” event (e.g., an earthquake). CRCL leads this effort, working in tandem with the applicable agency to make contact with NGO partners in affected areas and serve as a resource for issues relating to individuals with disabilities or other populations that need functional support.

Any concerns that emerge are communicated to appropriate Federal partners—ICC members—so that gaps in assistance can be closed.

During the current reporting period, this ICC coordination resulted in effective outreach to residents and stakeholder organizations in areas affected by major disasters. Outreach included providing technical assistance with regard to emergency preparations; obtaining real-time information to ensure accurate monitoring of the situation; and facilitating linkages among partners, both governmental and nongovernmental, so that the needs of individuals with disabilities in the affected region were met.

#### *Hurricane Gustav*

On September 1, 2008, Hurricane Gustav made landfall along the Gulf Coast of Louisiana. In anticipation of the landfall, ICC partner agencies took a number of actions, including:

- CRCL conducted outreach to stakeholders in the area of anticipated impact.
- CRCL kept Federal and NGO partners informed with relevant, real time information with regard to issues or concerns related to individuals with disabilities, the elderly, or others in need of additional assistance to make it safely through the storm.
- HHS declared a Public Health Emergency to ensure that individuals, including those enrolled in Medicare, Medicaid, and the State Children’s Health Insurance Program, in Louisiana, Texas, Mississippi, and Alabama would continue to receive their health care items and services.
- The FCC took steps to ensure that televised emergency information during Gustav and its aftermath was accessible to individuals with hearing and other disabilities, and provided a means for residents who were not able to access TV news to file a complaint and rectify the situation.
- The FEMA Disability Coordinator communicated with the Louisiana Governor’s Office of Disability Affairs regarding state and local level evacuation of people with disabilities and other functional needs and shared resources for assisting people with disabilities in a disaster with ESF-6, state and local emergency management partners.

Preparations for Gustav at the state and local level allowed individuals with disabilities and other functional needs to be evacuated well ahead of the storm’s landfall. Although the storm did not come ashore with the strength that had been anticipated, New Orleans and other cities along the Gulf Coast were successful in moving people out of harm’s way. Over two million people in the Gulf Coast region were successfully evacuated prior to the storm making landfall using helicopters, trains, buses, and cars.

#### *Hurricane Ike*

On September 13, 2008, Hurricane Ike delivered a heavy blow to multiple jurisdictions in East Texas where recovery from Hurricane Rita of 2005 was just taking hold. In addition to conducting pre-event outreach to NGOs in the anticipated area of impact, the ICC quickly responded after the hurricane by convening two teleconferences to determine whether individuals with disabilities and other functional needs in the impacted areas were having their needs met, and to discuss improvements to disaster response and recovery for individuals with disabilities following future disasters.

The first conference call was held on September 23, 2008 to engage individuals with disabilities, their families, service providers, and advocacy organizations in the affected areas regarding the status of Federal response and recovery activities tailored towards individuals with disabilities and other access and functional needs. This was an after-action examination of how the overall response activities were conducted in terms

of meeting the needs of all residents in the impacted area, including individuals with disabilities. Participants included representatives from FEMA, American Red Cross, HHS, and Housing and Urban Development (HUD) who provided useful information and answers to stakeholders' questions and concerns. The second conference call was convened on October 8, 2008 to engage state and local governments, NGOs, individuals with disabilities, their families, service providers, and advocacy organizations in the affected areas to identify factors to be considered in planning for the long-term recovery of the affected communities. The insights of local residents were critical to the recovery process as governmental and nongovernmental agencies worked together to restore communities to be accessible, supportive, inclusive, and resilient. The recommendations identified during this call formed the basis for the underlying framework that was used by CRCL in compiling the *Hurricane Ike Impact Report Source Document*.

#### *H1N1 Influenza Pandemic*

The 2009 H1N1 influenza virus was first detected in people in the United States in April 2009. On June 11, 2009, the World Health Organization declared that a pandemic of 2009 H1N1 flu was underway. Most people who get the flu (either seasonal or 2009 H1N1) will have mild illness, will not need medical care or antiviral drugs, and will recover in less than two weeks. However, some people, including many persons with disabilities or pre-existing medical conditions, have a higher risk of getting the flu and of experiencing possible complications that may result in hospitalization and, in rare instances, death. The Centers for Disease Control and Prevention (CDC) provides a full list of people at high risk for developing flu-related complications at <http://www.cdc.gov/h1n1flu/highrisk.htm>.

CRCL, the Department of Labor (DOL) Office on Disability Employment Policy, and the Equal Employment Opportunity Commission collaborated to present a webcast hosted by the Job Accommodation Network (JAN) titled "Considering the Needs of Employees With Disabilities During a Pandemic Flu Outbreak." This webcast provided an update to employers on the status of H1N1; reviewed policies and practices for good health planning to prevent continued spread; and reviewed what employers need to know to empower their employees with disabilities to engage in effective preparedness and prevention activities regarding H1N1. CRCL disseminated information about the 2009 H1N1 Flu to stakeholders by postings to the ICC web site, [www.disabilitypreparedness.gov](http://www.disabilitypreparedness.gov), and via the ICC listserv, which has over one thousand subscribers. Information included CDC resources to obtain the most current information on the status of the virus, recommendations for preventing the spread of the flu, and links to other flu-related reports and guidance.

## C. Achievements of the ICC Members

This section presents the achievements of ICC member agencies in strengthening emergency preparedness for individuals with disabilities during the reporting period of August 2008 through December 2009. Achievements were made in integrating disability related considerations into the Nation's preparedness, response, and recovery systems, as well as improving safety and security of employees with disabilities in the Federal workplace. Areas of focus within the report are based on each Agency's roles and responsibilities.

### *Named Executive Departments on the ICC*

#### **DEPARTMENT OF HOMELAND SECURITY**

Information for this report was provided by the Department of Homeland Security (DHS) Office for Civil Rights and Civil Liberties and the Federal Emergency Management Agency.

## **DHS Office for Civil Rights and Civil Liberties (CRCL)**

Secretary Janet Napolitano designated the Officer for Civil Rights and Civil Liberties to serve as the Chair of the ICC. CRCL's overall mission is to support DHS as it secures the Nation while preserving individual liberty, fairness, and equality under the law. As one crucial part of this endeavor, CRCL works to remove barriers to full and equal access for people with disabilities to disaster-related services and programs, and ensures that the varied perspectives, needs, and civil rights and civil liberties of disaster-impacted populations are integral to the Federal Government's emergency management policy, planning, and procedures.

### *Administration of the ICC*

During the reporting period, CRCL coordinated the ICC's response activities related to Hurricanes Gustav and Ike and the H1N1 Pandemic; provided strategic direction for the ICC; convened principal and staff level meetings; developed and disseminated ICC Update email newsletters every two months; managed [www.disabilitypreparedness.gov](http://www.disabilitypreparedness.gov), a disability preparedness resource website; and drafted the ICC's 2008 Annual Report to the President. In addition, CRCL conducted three meetings of disability-focused NGOs to exchange critical information with the disability community.

### *Comprehensive Preparedness Guide 301*

In collaboration with FEMA, CRCL coordinated the development and dissemination in August 2008 of the *Comprehensive Preparedness Guide 301 (CPG-301)*, *Emergency Management Planning Guide for Special Needs Populations*, which received a 2008 Team DHS Excellence Award. The Guide, available at <http://www.fema.gov/pdf/media/2008/301.pdf>, is a tool for State, territorial, tribal, and local emergency managers to use in the development of emergency operations plans that include the entire population in jurisdictions of all sizes. The Guide moves emergency planners away from considering populations with specific characteristics separately and instead encourages the identification of functional needs such as maintaining independence, communication, transportation, and medical care as part of the larger emergency management process.

### *Technical Assistance*

CRCL provided technical assistance to state and local governments as well as non-government organizations based on the principles of CPG-301. Most significantly, California and North Carolina requested assistance to develop strategies for ongoing planning:

- In California, CRCL staff joined state and local emergency planners and members of the disability community in shaping San Francisco's outreach strategies, implementing San Jose's accessible shelter plan, and formulating the Bay Area regional catastrophic emergency management plan.
- In North Carolina, CRCL staff conducted a working session with the Governor's Council on Developmental Disabilities; held one-on-one meetings with State Secretaries for Public Safety and Health; and provided keynote presentations to approximately 460 county leaders on Strengthening Community Emergency Operation Plans at the Disability and Elderly Emergency Management Summits in Ashville and New Bern.

### *Hurricane Ike Long Term Recovery*

On September 13, 2008, Hurricane Ike made landfall over Galveston, Texas, with maximum sustained winds nearing 110 mph. It then continued into Houston and eastward up the Texas coast. The damage was

extensive and the recovery process was complex and costly. CRCL contributed its expertise to FEMA's ESF-14, Long Term Community Recovery, at the Joint Field Office in Austin, Texas. FEMA tasked CRCL to develop an impact assessment focusing on disability and other populations with access and functional needs to ensure that they were an integral part of the recovery process. CRCL worked with state, local, and NGO partners to develop the *Hurricane Ike Impact Report Source Document*, which identifies distinct areas in which communities will need to build capacity to ensure that disability and other populations that face barriers to equal access are fully included in long-term recovery. This document was used to inform the overall *Hurricane Ike Impact Report* issued by FEMA in December 2008 and the National Disaster Recovery Framework in 2009.

#### *National Disaster Recovery Framework (NDRF)*

On August 27, 2009, FEMA Administrator Craig Fugate announced the establishment of a NDRF Working Group. The purpose of the NDRF is to create a comprehensive coordinating structure that will enhance the Federal Government's ability to work with state and local governments, NGOs, and the private sector to effectively deliver recovery assistance. CRCL and FEMA co-chaired a working session of ICC agency representatives to develop recommendations for the NDRF, and the ICC submitted a set of proposed guiding principles. At the same time, the ICC was invited to submit recommendations to the White House identifying actions that may require statutory changes in order to streamline long-term recovery processes so as to make them more inclusive. These recommendations are discussed in Section VI of this report.

#### *Pandemic Influenza Planning*

Throughout 2009, CRCL provided disability-related and overarching civil rights and civil liberties expertise to DHS leadership regarding planning for pandemic influenza, especially the H1N1 flu outbreak. Key activities included: 1) providing advice about the civil rights and civil liberties implications of the Federal response to the H1N1 pandemic; 2) integrating civil rights and civil liberties language into the DHS H1N1 Strategic Plan; 3) participating in the DHS Intra-Departmental Pandemic Influenza Exercises; and 4) advising the DHS Pandemic Influenza Workgroup on reasonable accommodations for employees with disabilities during the flu outbreak.

#### *Post-Katrina Emergency Management Reform Act Progress Update*

In November 2009, CRCL and FEMA hosted a working session of ICC partner agencies to examine and document progress on the disability-related provisions of the *Post-Katrina Emergency Management Reform Act* (PKEMRA) of 2006. Results were submitted to FEMA.

#### *Community Outreach and Collaboration*

Many barriers to access for people with disabilities can be avoided or resolved if collaborative relationships between disability communities, the Federal Government, and the private sector are established and maintained. CRCL has a proactive outreach program to develop and encourage these relationships. Below are examples of CRCL's outreach activities.

- CRCL staff delivered presentations on "Creating a Culture of Preparedness through Partnership" during three *Partnerships in Emergency Preparedness Workshops* in New York City, Washington, DC, and Chicago. The conferences, hosted by the DHS Office for Faith-Based and Community Initiatives, encouraged strategic partnerships between the private sector, governmental entities, non-profit groups, NGOs, and faith-based groups to develop a national culture of preparedness.
- CRCL delivered a presentation on "Emergency Planning for the Entire Community" at an April 2, 2009 symposium that brought together local emergency managers and planners from the

Chicago area interested in learning more about mass care and evacuation of populations with access and functional needs.

- CRCL conducted the first ever disability-related workplace preparedness workshop at the June 1-5, 2009 annual conference of the Society of American Indian Government Employees.
- CRCL conducted two workshops at the July 13-17, 2009 *ESRI International User Conference* in San Diego to illustrate how the use of geographic information systems in community emergency planning could benefit populations that often face barriers to equal access.
- As part of September 2009's designation as National Preparedness Month, CRCL partnered with the Department of Labor's (DOL) Office of Disability Employment Policy and the Job Accommodation Network to conduct a nationwide webcast, "Preparing Together: From the Workplace to the Community."

## **Federal Emergency Management Agency (FEMA)**

FEMA takes its obligation to serve all citizens very seriously, and during this reporting period assumed a lead role in shifting our national emergency management approach away from a paradigm that views people with disabilities and other access and functional needs as separate or apart from the general population, and towards a paradigm that integrates all segments of American society into one inclusive emergency management approach.

FEMA Administrator Craig Fugate has voiced his support for the full inclusion of individuals with disabilities and other access and functional needs in our Nation's emergency management efforts, and in June 2009 Marcie Roth became the Senior Advisor for Disability Issues at FEMA. Ms. Roth immediately established a series of meetings with internal and external stakeholders to build relationships, develop partnerships, and set up structures to maximize FEMA's capacity to serve individuals with disabilities and other access and functional needs in disaster situations. Additionally, Ms. Roth established an Office on Disability Integration and Coordination within FEMA; that Office became operational shortly after the reporting period ended, and Ms. Roth now serves as its director.

### ***FEMA Initiatives by the Senior Advisor for Disability Issues***

#### *Policies and Partnerships:*

- Supported a taskforce led by FEMA's Mass Care Section to develop *Guidance on Planning for Integration of Functional Needs Support Services in General Population Shelters*, a document for state governments in planning their emergency sheltering efforts.
- Participated in the creation of a FEMA Children's Working Group, and established a focus within that group on children with disabilities.
- Facilitated the development of a partnership between FEMA and the Department of Education on inclusive preparedness curriculums for children in schools.
- Initiated Memoranda of Understanding between FEMA and the National Council on Independent Living, and FEMA and the National Disability Rights Network, to provide assistance at FEMA Disaster Recovery Centers.

- Supported Mass Care’s “just-in-time” capacity for FEMA to provide durable medical equipment and consumable medical supplies to states upon request.
- Partnered with Mass Care to develop a multi-agency shelter assessment tool.
- Began providing technical assistance and expert guidance on disability integration in multiple venues, including: FEMA Regional Offices, FEMA National Advisory Council, the National Disaster Housing Taskforce, the Pandemic Planning Guidance Workgroup, the Long Term Disaster Recovery Initiative, and the National Exercise Program’s National Level Exercise 11.
- Engaged in an ongoing series of trainings, presentations, and meetings with government and private entities in order to get the word out about disability integration in emergency management, build capacity, and develop networks. Venues included: Federal Communication Commission (FCC), Broadband Opportunities for Individuals with Disabilities Initiative; DOL Workplace Employment Conference, *Preparing the Workplace for Everyone: Emergency Preparedness and COOP*; Wireless Emergency Communications 2009 Conference; International Association of Emergency Management Special Needs Subcommittee; Iowa Special Needs Symposium; National Council on Community Preparedness; National Organization on Disability; Access to Readiness Coalition; and Citizens with Disabilities Emergency Management Taskforce.
- Communicated with over 500 disability and disaster constituency groups to provide updates on the disability response during the American Samoa Tsunami.

*Congressional Briefings:*

- Met with Congressional staff regarding evacuation and sheltering for people with physical, intellectual and cognitive disabilities.
- Briefed the Congressional Disability Caucus on “Effective Emergency Management: Making Improvements for Communities and People with Disabilities.”
- Updated the House Homeland Security Committee on FEMA’s plans to meet the needs of individuals with disabilities and other access and functional needs.

## **DEPARTMENT OF TRANSPORTATION**

Information for this report was received from the Department of Transportation (DOT) Office of Civil Rights.

In addition to its work as a participating member of the ICC under Executive Order 13347, DOT is the lead agency for the Coordinating Council on Access and Mobility created by Executive Order 13330. This Executive Order charges the Department and other Federal agencies with simplifying customer access to transportation; reducing duplication of transportation services; streamlining Federal rules and regulations that may impede the coordinated delivery of services; and improving the availability, quality, and efficient delivery of transportation services for older adults, people with disabilities, and individuals with lower incomes. The Department fulfills its obligations under both Executive Orders through its *United We Ride (UWR) Initiative*.

*National Conference on Community Preparedness*

The Federal Highway Administration (FHWA) Office of Operations' Emergency Transportation Operations participated in two sessions at the August 9-13, 2009 *National Conference on Community Preparedness, The Power of Citizen Corps*. Please see Section V, Best Practices Showcase, for details.



### *Transportation and Evacuation Planning Workshops*

The National Association of Regional Councils, under contract with DOT's FHWA Office of Planning, organized and held two workshops on transportation and evacuation planning to address streamlining, cross linking, and coordination of evacuation planning efforts by regional councils and metropolitan planning organizations in instances of manmade or natural disasters.

- The first workshop, "Transportation and Evacuation Planning Workshop" was held on February 24, 2009 during the *2009 National Conference of Regions* in Washington, DC. This workshop examined how evacuation planning can be cross-linked and coordinated with multi-modal transportation planning for special needs populations. Three critical components highlighted were:
  - Cross-coordination with relevant local and regional agencies during the planning process.
  - Effective communication techniques used to make plans accessible to special needs populations.
  - Efforts for multi-modal evacuations affecting multiple regional planning organizations, which are contiguous to one another.

The second workshop, "Streamlining Cross-linking and Coordination of Transportation and Evacuation Planning among Regional Councils and Metropolitan Planning Organizations" was held on June 1, 2009 during the National Association of Regional Council's *43<sup>rd</sup> Annual Conference and Exhibition*, in Denver, Colorado. This workshop examined the impacts data collection, analysis, and implementation have on cross-linking transportation and evacuation planning at the Federal, regional, and local levels. A summary is available for each of these workshops at <http://narc.org/events/workshops/other-workshops/transportation-and-evacuation-planning.html>.

### *Other DOT Activity*

- The FHWA staff serve as technical representatives to the Hawaii State Civil Defense Mass Evacuation Task Force, addressing access and functional needs of residents and tourists whether in full (sending to Neighbor Island or back mainland) or partial evacuations (sending to other part of island or to Neighbor Island). FHWA also provides technical resources on access and functional needs populations in evacuations to Federal agencies (civilian and military, as well as the judiciary) under the aegis of the Honolulu-Pacific Federal Executive Board. The FHWA is working with the University of Hawaii and Hawaii State Civil Defense on access and functional needs populations in emergency evacuations.
- Under Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments* (November 2000), DOT recognizes the unique legal relationship that the Federal Government has with Indian tribes and sets forth the criteria agencies should follow when formulating and implementing policies that have tribal implications. DOT has stated that it will "[e]nsure meaningful Tribal input into future Tribal transportation programs by: Consulting with Tribal governments on making transportation services available to improve mobility, employment opportunities, and access to community services for persons who are disabled, elderly, or low-income."
- The Federal Transit Administration (FTA) has two demonstration projects underway—the Mid-Ohio Regional Planning Commission and Arlington County, Virginia. The projects are evaluating local emergency preparedness/evacuation plans, identifying individuals who may need assistance in

an emergency, and coordinating with local authorities and agencies to identify gaps and implement the plans. The three-year cooperative agreements were awarded in 2008. Work is underway; anticipated completion is FY2011-FY2012.

- FTA is funding a research project with the University of New Orleans to study evacuation plans for car-less individuals, including elderly and disability populations.
- The 2008 American Association of State Highway and Transportation Officials (AASHTO) National Transportation Civil Rights Conference took place on September 5-10 in Anchorage, Alaska. The theme of the conference was *The Evolution of Transportation—Civil Rights in Motion*. Departmental Office of Civil Rights (DOCR) staff and representatives from FHWA and the FTA served as panelists on the “Evacuating Populations with Special Needs Workshop.” This panel discussed the mission of the ICC under the leadership of DHS and the Coordinating Council on Access and Mobility under DOT leadership and their roles in encouraging and facilitating state, local, tribal governments, and private organizations to include access and functional needs populations in their emergency planning. In addition, the panelists gave an overview of the areas of work the Department has completed and made available to other organizations.
- FTA and FHWA staff participated as liaisons to a Transit Cooperative Research Program panel that developed a scope of work for a new research and demonstration project on emergency preparedness. The research sponsored by this project will produce a toolkit for emergency managers and transportation officials. The toolkit will contain strategies, policies, and practices that will allow them to more effectively communicate emergency preparedness information to: older adults; people with disabilities; people with limited English proficiency; low-literacy, low-income individuals; and others who may have specific emergency communications and transportation needs. The request for proposals is available at <http://www.trb.org/TRBNet/ProjectDisplay.asp?ProjectID=2611>.

#### *Federal Aviation Administration (FAA) National Initiative*

In partnership with the DOL’s Occupational Safety and Health Administration (OSHA), the FAA launched a national inspection initiative in June 2008 entitled “FAA ATCT Monitoring Program.” The instruction/directive was then modified and signed by the Acting Assistant Secretary on June 22, 2009. This program reviewed the compliance of FAA owned and operated air traffic control towers to ensure all employees have an appropriate means of egress. The review specifically monitored the compliance with 29 CFR § 1910 Subpart E and FAA Alternate Standard for Fire Safety in Airport Traffic Control Towers, 29 CFR § 1960.17.

#### *National Policy Improvements*

In November 2009, the FAA updated its acquisition policy to state that “In the event an investment program impacts egress routes or fire safety of a facility, the Occupant Emergency Plan (OEP) must be updated by the service organization performing the project.”

#### *FAA Local Emergency Preparedness*

During the reporting period, the FAA’s Eastern, Western Pacific, and Great Lakes Regional Offices carried out an array of actions designed to improve safety and security for employees with disabilities. Examples of actions taken in different buildings include:

- Conducted a formal building review ensuring the office space was compliant with Uniform Federal Accessibility Standards.

- Installed enhanced strobe lighting to alert hearing impaired employees, in accordance with the local fire safety ordinance.
- Positioned evacuation chairs throughout each floor to assist individuals with disabilities in a stairway evacuation.
- Installed emergency generators which have been linked to all elevators to provide options for evacuation of injured persons or individuals with disabilities.
- Provided hands-on training for staff in the use of EVAC-CHAIR emergency chairs.
- Updated the OEP to encourage employee self-reporting in order to assist designated/trained floor wardens to locate and assist individuals with disabilities during emergencies.
- Upgraded internal building signage to include Braille lettering.
- Installed a local pager system for the emergency notification of hearing impaired employees.
- Obtained 10 transport chairs, pre-positioned throughout the building to provide assistance during an evacuation or shelter-in-place event, in conjunction with the established buddy system.
- Stored 30 heavy duty folding chairs in a shed outside of the building for individuals with disabilities who would have difficulty standing in a designated area throughout the duration of an evacuation.

## FEDERAL COMMUNICATIONS COMMISSION

Information for this report was provided by the Federal Communications Commission (FCC), Disability Rights Office, Consumer and Government Affairs Bureau.

The FCC leads the focus area of emergency communications under Executive Order 13347. Emergency communications consist of three components, and each must operate effectively in order to achieve successful responses and positive outcomes:

1. The processing, delivery and dispatch of 911 telephone calls;
2. The Emergency Alert System (EAS); and
3. The radio and/or broadcast or cable television station news and updates.

### *Processing, Delivery, and Dispatch of 911 Telephone Calls*

“911” is the official national emergency number in the United States and Canada. Emergency personnel and others often learn about emergencies through 911 calls. Reaching a 911 call center connects the caller to a public safety answering point (PSAP) dispatcher (telecommunicator) trained to route a call to local emergency medical, fire, and law enforcement agencies. The 911 network is a vital part of our Nation’s emergency response and disaster preparedness system.

Over the past year, the FCC addressed issues relating to telecommunications relay service (TRS) emergency calling through Internet-based telecommunications relay service (TRS). As American Sign Language (ASL) users increasingly rely on video relay services (VRS) as their preferred means of using TRS to access the telephone system, the FCC found that it was in the public interest for all VRS users to be able to place calls to a PSAP in the event of emergency so that the caller would be able to communicate through relay using ASL. VRS users now receive 10-digit geographically appropriate telephone numbers and register those numbers and the address of their video equipment with their video relay providers. When a VRS user makes an emergency call, the communications assistant handling that call now automatically has access to the caller’s number and location and can relay it to the PSAP call taker.

The Nation's 911 system is evolving toward supporting "Next Generation 911" (NG911), which will integrate the core functions and capabilities of Enhanced 911 (E911) while adding new 911 capabilities in multiple formats, such as texting, photos, video, and e-mail. NG911 also will integrate entities involved in emergency response beyond the PSAP.<sup>1</sup> This will vastly improve the quality and speed of response, giving all callers—including people with disabilities—equal service. The possibility of sending video and photographs to the PSAP will transcend language barriers and provide eyewitness-quality information to give first responders the most relevant information at the scene of an emergency. NG911 will provide a more interoperable and integrated emergency response capability for PSAPs, first responders, hospitals and other emergency response professionals. The four fundamental purposes of NG911 are to:

- Replace the E911 system while retaining its core functions, such as automatic location information and automatic number identification.
- Add capabilities to support 911 access in multiple formats for all types of originating service providers, application developers, and device manufacturers.
- Increase system flexibility, redundancy, and efficiency for PSAPs and 911 governing authorities.
- Add capabilities to integrate and interoperate with entities involved in emergency response beyond the PSAP.

Broadband will make it possible for PSAPs to push and pull video, images, medical information, environmental sensor transmissions, and a host of other data through shared databases and networks. This will make it easier for the public—including persons with disabilities—to access 911 services. Users will be able to transmit voice, text, or images to PSAPs from a variety of broadband-capable devices.

#### *Emergency Alert System*

The Emergency Alert System (EAS) is a national public warning system that requires broadcasters, cable television systems, wireless cable systems, satellite digital audio radio service providers, and direct broadcast satellite service providers to provide the communications capability to the President to address the American public during a national emergency. The system also may be used by state and local authorities, at their discretion, to deliver important emergency information such as AMBER alerts (dealing with child abductions, see <http://www.amberalert.gov>) and weather information targeted to a specific area. The EAS has never been tested at the national level.

Following a 30-Day Review on FCC Preparedness for Major Public Emergencies, the Public Safety and Homeland Security Bureau (PSHSB) noted that concerns had been raised regarding the frequency and scope of EAS testing.<sup>2</sup> The PSHSB recommended that the three Federal partners responsible for EAS—the FCC, FEMA, and the National Weather Service (NWS)—review the testing regime to see where improvement could be made. Since the 30-Day Review was conducted, the Commission, FEMA, and NWS, along with the Executive Office of the President (EOP), have initiated discussions regarding testing of the EAS at the national level.

The FCC and its Federal partners agree that it is vital that the EAS work as designed and share concerns that existing testing may be insufficient to ensure its effective operation. In light of this, the Commission,

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<sup>1</sup> See *Connecting America: The National Broadband Plan*, GN Docket No. 09-51, 323-325 (*National Broadband Plan*), available at: <http://www.broadband.gov/plan>.

<sup>2</sup> See *FCC Preparedness for Major Public Emergencies Chairman's 30 Day Review*, prepared by the Public Safety and Homeland Security Bureau (Sep. 2009)(*Chairman's Review*) at 24, available at [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/DOC-293332A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-293332A1.pdf).

FEMA, NWS, and EOP have begun planning for a national EAS test, with subsequent tests to occur thereafter. To facilitate this test program, a Second Further Notice of Proposed Rulemaking was released, proposing to amend our EAS rules to specifically provide for national EAS testing and data collection. See Review of the Emergency Alert System, EB Docket No. 04-296, Second Further Notice of Proposed Rulemaking, FCC 10-11, FCC Rcd (75 FR 4760, Jan. 29, 2010). The FCC's Disability Rights Office is a participant in an internal FCC working group that is charged with outreach and education to the public about the national test. In collaboration with the ICC, the FCC will obtain the participation of disability stakeholders and observers to highlight accessibility requirements for individuals with all kinds of disabilities and will identify accessibility and usability issues of the national EAS test message.

#### *Radio and/or Broadcast or Cable Television Station News and Updates*

To ensure that video programming is accessible to deaf and hard of hearing individuals, the 1996 *Telecommunications Act* provided for the phase-in of closed captioning of new and pre-existing programming by video programming distributors (VPD). The FCC has implemented this mandate through a series of comprehensive regulations that establish closed captioning obligations for these VPDs (47 CFR § 79.1). Under a separate set of FCC regulations, 47 CFR § 79.2, the FCC requires emergency information that is exhibited on television to be accessible to people with hearing and visual disabilities. These FCC regulations require that any emergency information that is provided *aurally* must be made visually accessible to persons with hearing disabilities. This can be achieved through open captioning, crawls, scrolls, or other visually presented information. The rules also require that emergency information provided visually during a regularly scheduled newscast or a newscast that interrupts regular programming be made accessible to persons with visual disabilities. Emergency information provided in the video portion of programming that is not a regularly scheduled newscast or a newscast that interrupts regular programming must be accompanied by an aural tone. Enforcement of and technical assistance for these requirements by the FCC ensures that Americans with hearing and visual disabilities have access to critical emergency information displayed on their televisions.

#### *National Broadband Plan*

The *American Recovery and Reinvestment Act of 2009* directed the FCC to submit to Congress a National Broadband Plan that “shall seek to ensure that all people of the United States have access to broadband capability and shall establish benchmarks for meeting that goal.” The FCC conducted a series of workshops to seek feedback on how this mandate could be effectively implemented for people with disabilities. The first of these workshops, dedicated to accessibility and use of broadband by people with disabilities, was held on August 20, 2009 at the FCC. A second broadband workshop devoted to opportunities through and the accessibility of broadband applications was held at the FCC on October 20, 2009. Finally, the FCC hosted a hearing on accessibility at Gallaudet University on November 6, 2009. Consumers, advocates, industry and public entities participated in each of these events.

To better enable Americans with disabilities to experience the benefits of broadband, the National Broadband Plan, includes a number of recommendations to make hardware, software, services, and digital content more accessible and to make assistive technologies more affordable. Those recommendations are:

- The Executive Branch should convene a Broadband Accessibility Working Group to maximize broadband adoption by people with disabilities.
- The FCC should establish an Accessibility and Innovation Forum.
- Congress, the FCC, and the Department of Justice should modernize accessibility laws, rules, and related subsidy programs.

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

Information for this report was provided by the Department of Health and Human Services (HHS) Assistant Secretary for Preparedness and Response (ASPR) and Office on Disability (OD).

In 2006 the *Pandemic and All-Hazards Preparedness Act* (PAHPA) was enacted, with broad implications for the HHS preparedness and response activities. The Act authorized the establishment of the ASPR, tasked with new authorities for a number of programs, as well as a Director of At-Risk Individuals within ASPR. PAHPA directed ASPR to take into account the needs of at-risk individuals, which includes individuals with disabilities, in areas such as HHS grantee guidance, the Strategic National Stockpile, novel and best practices of outreach to and care of at-risk individuals, and curriculum development for public health and medical response training programs.

To achieve these objectives ASPR established what is today known as the Division of At-Risk, Behavioral Health, and Community Resilience (ABC). The Director of ABC chairs the Emergency Preparedness Health Subcommittee of the ICC. This subcommittee serves as a forum for the exchange of information among HHS agencies to ensure the inclusion of individuals with disabilities in all HHS emergency preparedness planning and policies. Members include the Office on Disability (OD); Office for Civil Rights (OCR); Administration on Aging; Centers for Disease Control and Prevention (CDC); Indian Health Service; Administration for Children and Families (ACF); National Institutes of Health; Office of Minority Health (OMH); and other HHS agencies.

HHS's agencies have worked closely together to have intra- and inter-departmental coordination on numerous guidance documents, and provided technical assistance focusing on emergency preparedness, to help ensure that the functional needs of persons with disabilities are addressed in all phases of an emergency. HHS has worked to address the following issues:

- Inclusion of individuals with disabilities and their representatives in strategic planning and community outreach efforts.
- Provision of information in forms accessible to persons with disabilities.
- Ensuring that during disasters and public health emergencies, individuals with disabilities are not separated from their sources of support, such as service animals, caregivers, and durable medical equipment.
- Accessibility of sheltering, housing, and transportation.
- Ensuring that people with disabilities have access to accommodations and other assistance, as appropriate.

It is also noteworthy that in December 2009 HHS completed the first National Health Security Strategy (NHSS); this strategy was released in January 2010. The purpose of the NHSS is to refocus the patchwork of disparate public health and medical preparedness, response, and recovery strategies in order to ensure that the Nation is prepared for, protected from, and resilient in the face of health threats or incidents with potentially negative health consequences. This refocusing will strengthen the community; integrate response and recovery systems; address the functional needs of at-risk individuals including those with disabilities; generate a framework for accountability and continuous quality improvement; and create seamless coordination between all levels of the medical system. The resulting NHSS will provide a common vision for how the Nation will achieve national health security.

### *Key Accomplishments*

HHS has made significant progress in the areas of planning, grants, and guidance; research; accommodations; service delivery; access to medical supplies; training; and development of tools; and dissemination of information to at-risk populations. Examples of these efforts are described below.

- In response to the H1N1 influenza pandemic, the HHS/OD, in conjunction with the CDC, worked to ensure the development and dissemination of guidance for persons with disabilities and their caregivers. OD also undertook an extensive survey of Federal resources on the H1N1 outbreak and persons with disabilities, and worked with Flu.gov to ensure that these were compiled centrally and provided to persons with disabilities. In addition, OD developed an extensive contact list of disability organizations and resources for Departmental use to rapidly disseminate information as needed to the disability community on emergency preparedness, response, and recovery.
- The HHS/OCR provided technical assistance and training, and conducted outreach to facilitate appropriate action by emergency planners, managers, and responders. OCR also provided input on various emergency preparedness guidance to ensure that needs of persons with disabilities are addressed, including: *Report on Pandemic Influenza and At-Risk Individuals*; *National Health Security Strategy* (stakeholder lists for listening sessions, strategic issues, goals, and Implementation Plan); *National Disaster Recovery Framework*; *Concept of Operations*, and the draft *HHS Recovery Concept Paper*; FEMA's *National Disaster Housing Strategy*; and ESF-6 and -8 standard operating procedures. OCR also provided input in the New Madrid Seismic Disaster training exercise through the development of objectives related to inclusion of individuals with disabilities, as well as test communication, evaluation of integration at-risk individuals, evaluation of accessibility of sheltering and transportation, and tracking sources of daily support.
- In addition, OCR disseminated information about how individuals can prevent and should respond to H1N1, through its listserv of over 2,500 members; completed a resource document that identifies the best web-based emergency planning tips and tools targeting persons with disabilities, which was distributed to all members of the ICC Health Subcommittee; provided guidance under Section 504 of the *Rehabilitation Act* to the Region X Office of the Administration for Children and Families on issues related to sharing of information about people with disabilities by state offices developing emergency response plans, including appropriate use of voluntary registries; provided training on consideration of the special needs populations in emergency preparedness for all OCR staff nationwide in September 2009; and distributed numerous resources including the ASPR At-Risk Individuals Fact Sheet, HHS/American Red Cross Initial Intake and Assessment Tool, HHS/FEMA Evacuation Assessment Tool, DHS Special Needs Population Planning Guide, and an H1N1 Notice to consumers that includes a Spanish language link for use in regional outreach.
- HHS, through the efforts of ASPR, has continued to provide presentations and training on the Initial Intake and Assessment Tool, developed after Hurricane Katrina to assist with the identification and placement of individuals in shelters. This tool assists shelter staff with 1) identifying functional needs that, if addressed, will permit individuals to remain in a general population shelter or the most integrated shelter setting; and 2) ensuring proper and safe placement of individuals whose medical or functional needs may be beyond the scope and expertise of care offered in general population shelters. ASPR, in conjunction with the American Red Cross, has developed a web-based training on the Initial Intake and Assessment Tool. This training takes less than 15 minutes to view and can be found at <http://www.hhs.gov/aspr/opeo/abc/initialintakeassessment.html>; the actual two-page tool itself can be downloaded at the same site.
- On August 14, 2009, ASPR held a stakeholder listening session entitled "At-Risk Individuals in Pandemic Influenza and Other Scenarios." The listening session brought together more than 35

experts and practitioners representing a broad scope of at-risk individuals and nongovernmental organizations, including representation from disability organizations and health care providers, as well as Federal agencies involved in public health preparedness and planning, emergency response, and at-risk individuals. The listening session promoted participant engagement and dialogue about the challenges and solutions needed to effectively address the needs of at-risk individuals during pandemic influenza and other emergencies. The report can be found at [http://www.hhs.gov/aspr/opeo/documents/abc\\_listening\\_session\\_pdf.pdf](http://www.hhs.gov/aspr/opeo/documents/abc_listening_session_pdf.pdf).

- In December, ASPR sponsored a Web cast titled “Strategies to Combat the Psychological Impacts of a Pandemic” during which panelists discussed how to help healthcare workers and the general population better cope with the psychological impacts of the flu. The Webcast can be viewed at [http://flu.gov/video/features/h1n1flu\\_psychological\\_impacts.html](http://flu.gov/video/features/h1n1flu_psychological_impacts.html).
- OMH developed National Standards for Culturally and Linguistically Appropriate Services in Health Care Standards with the hope of improving access to care, quality of care, and health outcomes for all patients, including those with disabilities. To this end, OMH created the Cultural Competency Curriculum for Disaster Preparedness and Crisis Response.
- The HHS/ACF Administration on Developmental Disabilities (ADD), continued its partnership with the ACF Office of Human Services Emergency Preparedness and Response (OHSEPR) to provide disability-specific expertise and to support its Disaster Case Management program. This resulted in two ADD staff being deployed as members of the ESF-6 team to the Joint Field Office in Baton Rouge, LA in response to Hurricane Gustav. ADD staff provided coordination with the Developmental Disability Network partners and consultation for the Disaster Case Management project, and assisted in development and implementation of the Shelter Assessment protocol. This partnership continues to enhance and ensure thorough planning for people with disabilities in all aspects of human services response.
- ADD has worked closely with its developmental disabilities network grantees, state emergency management partners, and Federal partners including the National Council on Disability (NCD) and the President’s Committee for People with Intellectual Disabilities (PCPID), an advisory committee to the President of the United States and the Secretary of Health and Human Services, to connect people with disabilities and emergency responders. ADD maintains the website, [www.add-idea-em.org](http://www.add-idea-em.org), put up after the 2006 *Working Conference on Emergency Management and Individuals with Disabilities*. The website includes updated information such as FEMA announcements and declarations; links to other emergency preparedness sites; and research, after-action reports, and guides and tools for preparedness activities for all community members.
- ADD presented information on preparedness for families with children at the *World Congress and Expo on Disabilities* in Jacksonville, Florida in November 2009. ADD/ACF collaborated with OHSEPR, the National Commission on Children and Disasters, FEMA, and the Florida Developmental Disabilities Network to provide information on how to prepare for emergencies. Materials for the audience included a form to help families record key information on family members and personal needs, FEMA Children’s Activity books, and a special preparedness guide developed for Florida but adaptable to any location. The presentation is available at [http://www.acf.hhs.gov/programs/add/adddocs/Disaster\\_Preparedness.ppt](http://www.acf.hhs.gov/programs/add/adddocs/Disaster_Preparedness.ppt).
- In September 2009, ADD awarded FY 2009 grant funds to 12 projects to plan one-stop centers to allow individuals with developmental disabilities and families of persons with developmental disabilities to effectively prepare for and remain intact during transitions. The one-year projects will address a variety of emergency situations and develop means whereby families can participate in



training to learn how to develop and implement their own family emergency plan (including medication, mobility and communication devices, and various residential settings) during such transitions and be connected to the local emergency management agency. The projects will include partnerships with at least one local elected official, self-advocacy groups such as SABLE and People First, the State Developmental Disabilities Council, the State Protection and Advocacy System, and the University Center(s) on Developmental Disabilities in the State/territory, as well as others (including, but not limited to, disability-related service providers, family support groups, and faith-based organizations).

#### *CDC—Public Health Preparedness and Response Activities*

- By collaborating with CDC’s Office of Public Health Preparedness and Response’s Division of State and Local Readiness, the National Center on Birth Defects and Developmental Disabilities (NCBDDD) is working to fully include people with disabilities in its preparedness cooperative agreements.
- Through active involvement with the Emergency Operations Center (EOC) both in planning and response, NCBDDD participates as a member of the vulnerable populations desk when the EOC is activated.
- Working with other national disability organizations, NCBDDD developed and distributed information on 2009 H1N1 influenza for people with disabilities and their caregivers/personal attendants. In addition, NCBDDD played a critical role in linking the disability community to important public health services.
- NCBDDD staff participates in interagency and interdepartmental policy development activities such as co-chairing the working group on developing a Targeted Capability on Functional and Medical Support Shelters.

#### *CDC—Building State and Local Capacity*

NCBDDD’s Disability and Health program provides a total of \$200,000 to four states for integrating disability into relevant state and local disaster preparedness and emergency response planning and response activities.

- Arkansas: The Arkansas Disability and Health program works with the Washington County Department of Emergency Management to develop policy and procedures for enhancing emergency response services for persons with disabilities.
- Iowa: The Iowa Office on Disability and Health staff regularly attend the Iowa Disaster Resource Council-Special Needs Committee and the Iowa Department of Public Health, Center for Disaster Operations and Response Pan Flu committee to provide technical assistance and influence policies to incorporate people with disabilities into plans.
- Kansas: The Research and Training Center on Independent Living at the University of Kansas developed a county-based emergency preparedness coalition called “Together Prepared” that brings together all community-based organizations serving or run by persons with disabilities, along with public health officials in efforts to improve preparedness for populations with access and functional needs.
- Oregon: The Oregon Office on Disability and Health conducted an inventory of all Oregon County Emergency Management Plans to determine which plans include disability needs.

### *CDC—Additional Activities*

CDC's Emergency Risk Communication Branch, in collaboration with the National Center for Deaf Health Research at the University of Rochester, produced two ASL videos, one targeting the deaf adult community and one targeting deaf parents to provide guidance about influenza, including H1N1 influenza. Although many deaf and hard of hearing adults have good reading ability in English, a substantial proportion have limited reading ability. Therefore, many deaf adults need information in ASL to fully understand health messages. Because ASL is not directly parallel to spoken or written English, specific expertise is needed to adapt materials from written English to ASL and to produce quality videos that are appropriate for this audience. People who are deaf or hard of hearing need H1N1 information to safeguard their own health and, given the recent impact of H1N1 influenza on the pediatric population, parents who are deaf need information specific to their children about influenza prevention, symptoms, and treatment.

## **DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

Information for this report was provided by the HUD Office of Fair Housing and Equal Opportunity (FHEO), with support from the United States Access Board.

- FHEO has collaborated with community-based fair housing enforcement organizations and other fair housing professionals to develop a fair housing toolkit for emergency preparedness. The purpose of the toolkit is to ensure that emergency, transitional, and permanent housing opportunities provide accessible, equal opportunities to all. This includes identifying accessible housing that will accommodate larger families. The toolkit was widely distributed and assisted fair housing professionals in response to the recent floods in Tennessee, which displaced hundreds of people, many needing immediate accessible housing options. The *Disaster Toolkit* is available at: <http://www.hud.gov/offices/fheo/library/FHEO-DisasterToolkit.pdf>.
- HUD provided education, outreach, guidance, and technical assistance to persons with disabilities, architects, builders, designers, code inspectors, and others on accessible design and construction of multifamily housing through its discrimination hotline, publications, websites, and collaborations with private and government organizations.
- During FY 2008, HUD's Fair Housing Accessibility FIRST (Fair Housing Instruction, Resources, Support, and Technical Guidance) staff conducted classes in 15 cities for 889 attendees. The FIRST training featured one or more of the 11 training modules covering the *Fair Housing Act* Accessibility Guidelines and the technical requirements of designing and constructing accessible routes, public and common-use areas, kitchens, and bathrooms.
- HUD created and maintains the first National Housing Locator System (NHLS) for housing assistance in disaster areas. The NHLS complements HUD's housing and emergency disaster voucher programs by allowing HUD, State and Public Housing authorities, and other critical first responders to deliver housing assistance by rapidly locating rental housing and available government-owned single family homes for sale during a Presidential-declared or local disaster. It combines Federal housing resources with commercial apartment locators into one platform that allows housing agency personnel and emergency responders immediate access to available rental housing resources nationwide. Search criteria include accessibility, assisted and elderly accommodations, and acceptance of housing vouchers. The system is available to states and public housing authorities, and other first responders at: [http://portal.hud.gov/app\\_nhls](http://portal.hud.gov/app_nhls)
- HUD awarded \$96,000 to a West Virginia Center for Independent Living, to heighten the public's awareness of their fair housing rights and provide education and outreach to housing professionals

with an emphasis on disability issues. Specific activities will include conducting fair housing workshops; developing targeted education materials for housing advertisers and elected officials; conducting surveys to determine the number of accessible units and assess accessible features; working on cooperative programs to address compliance and universal design construction on state-funded housing projects; and partnering with organizations representing protected classes to provide workshops to the populations they serve. HUD continues to fund a collaboration between the Greater New Orleans Fair Housing Action Center and Human Development Center to provide fair housing services to persons with disabilities. This collaboration has resulted in agreements with multifamily housing developers to retrofit non-accessible developments and units for persons with disabilities in the New Orleans area.

## DEPARTMENT OF DEFENSE

Information for this report was provided by the DoD Office of Diversity Management and Equal Opportunity.

### *Department of the Navy*

Department of the Navy (DON) is organized into 22 major commands. Each major command was required to submit a response to the Federal ICC data call. Although a number of major commands have written policies on emergency preparedness that consider the needs of individuals with disabilities or rely on other major command policies, there are a number of major commands that do not have written policies or have developed ad hoc procedures for individuals with disabilities.

Several major commands rely on the Commander Navy Installations Command (CNIC) Instruction 3440.17, Navy Installation Emergency Management Program Manual. CNIC is responsible for all DON shore installations. The CNIC instruction specifically addresses the needs of individuals with disabilities in Appendix D, Tenant Command Emergency Action Plan Template. The instruction designates responsibilities to various individuals during emergency situations. For example, the Area or Wing Monitors supervise Stairwell Monitors, monitors for persons with disabilities and maintains a list of persons needing assistance. The responsibility of the Elevator Monitor include: being familiar with the provisions of the GSA Bulletins covering emergency plans for using elevators to evacuate persons with disabilities; assisting in the evacuation of persons with disabilities by elevator, if elevators have been approved for use; knowing the locations and telephone numbers of persons with disabilities to be assisted, types of disabilities, and the location of assistive devices; knowing which elevators may be used for evacuation of persons with disabilities; assisting persons with disabilities from their workplaces to the elevators, down and out of the building and if elevators cannot be used to assist the person to an area adjacent to the nearest safe stairway and get or await help. The Exit Monitor is also responsible for assisting in the evacuation of persons with disabilities. The Floor Monitor notifies the Command Center when a floor is completely clear. Commands may also designate Monitors for Persons with Disabilities. The instruction references guidance from the National Organization on Disability on shelter-in-place procedures for persons with disabilities and evacuations procedures for persons with disabilities.

The CNIC instruction assigns some responsibilities to individuals with disabilities and supervisors. Persons with disabilities are encouraged to discuss their needs with their supervisors. Supervisors are given the authority to assign assistants, arrange for dedicated evacuation chairs, arrange for visual alarms, etc. Several other commands have similar guidance for individuals with disabilities and supervisors of those employees.

In addition to relying on the CNIC Instruction many commands have taken other steps in addressing emergency preparedness for individuals with disabilities. A large number of commands have implemented the “buddy system” to ensure individuals with disabilities are provided with the necessary assistance during an emergency. A few commands are including emergency preparedness during supervisory training. Several commands have modified buildings by constructing ramps, widening of doors, and installing alarms and strobe lights. A number of commands have purchased assistive devices such as evacuation chairs and have staged them in stairwells. One command has approved the issuance of Blackberries for employees with hearing impairments.

With regard to the facilitation of cooperation among Federal, state, local and tribal governments and private organizations, the CNIC Instruction designates the highest ranking official at a facility or another designated person to identify and establish working relationships with Federal, state, and local agencies that might respond to emergencies at the facility.

Several Commands identified best practices. For example, one command holds quarterly meetings with the designated floor monitors to ensure personnel are aware of the requirements of personnel with disabilities. Another command has used telework to minimize the impact of prognosticated severe weather for employees, including employees with disabilities. Other best practices include conducting drills, and reviewing plans from other DON sites, local municipal areas and businesses.

Several DON major commands have addressed the concerns of individuals with disabilities in their emergency preparedness plans. This data call has accentuated the inconsistency of the level of attention to this area throughout the DON. Actions will be initiated to better address this issue in the future.

#### *Department of the Air Force*

During FY 2009, the Department of the Air Force hired a full-time Disability Program Manager. The Department of the Air Force is in the process of reviewing and developing applicable policy guidelines. As part of the review, key offices are being directed to ensure the civil rights, functional needs, and varied perspectives of individuals with disabilities are integrated into emergency plans and operations.

## **DEPARTMENT OF EDUCATION**

Information for this report was provided by the Department of Education (ED) Office of Special Education and Rehabilitative Services (OSERS).

#### *Office of Special Education and Rehabilitative Services (OSERS)*

OSERS is committed to improving results and outcomes for people with disabilities of all ages, and supports programs that serve millions of children, youth, and adults with disabilities. OSERS work in furthering Executive Order 13347 was advanced primarily by its National Institute on Disability and Rehabilitation Research (NIDRR).

To advance efforts in the field of emergency preparedness for people with disabilities, the NIDRR awarded a grant to a team of investigators from Louisiana State University (LSU), the Inclusion Research Institute Inclusive Preparedness Center (IRI/IPC), and West Virginia University (WVU). In the fall of 2010, the group will release its report, *Persons with Disabilities: An Assessment of Key Issues Facing Individuals and Households*, representing the findings from the first research phase of this project.

The goal of the overall project is to improve planning and preparedness activities by governmental and nongovernmental organizations that provide assistance to persons with disabilities and their households during emergency and disaster evacuations. This goal is accomplished through systematic assessment of the needs, behaviors, and attitudes of persons with disabilities and their households across conditions of hazard types, varied levels of hazard vulnerabilities, past experiences, and other relevant community conditions. The project has three core elements:

1. Research Component
  - a. Individual-level data collection with persons with disabilities and their households
  - b. Organization-level data collection with disability service providers, emergency management, and responders
2. Applications Component
  - a. Evidence-based best practices
  - b. Community and organizational assessment reporting
3. Training and Exercise Evaluation Component
  - a. Exercise development, testing, and evaluation reporting
  - b. Training materials development

The research findings are based on telephone and mail-in survey interviews with persons with disabilities and their household members in seven states known to have had mass scale evacuation in the recent past. The survey work was conducted beginning in the summer of 2008 and completed in December of that year.

NIDRR has also recently awarded a grant to National Public Radio to conduct the Captioned Braille Radio Initiative: “Providing Emergency Information for Individuals Who are Deaf-Blind.” This project supports research on the standardization of a Captioned Braille Digital Radio service model designed to serve consumers who are deaf-blind. Work began in October 2009.

#### *Office of Safe and Drug-Free Schools*

The Office of Safe and Drug-Free Schools (OSDFS) administers, coordinates, and recommends policy for improving the quality of programs and activities to promote the health and well-being of students in elementary schools, secondary schools, and institutions of higher education.

The OSDFS understands the importance of developing procedures and protocols surrounding emergency preparedness and individuals with disabilities or access or functional needs. It has developed a host of materials, including a newsletter, technical assistance responses, a Webinar, and an advanced training module for the Department’s Readiness and Emergency Management for Schools (REMS) grantees on the topic of emergency management considerations for individuals with access or functional needs or disabilities, to include evacuation and sheltering in place. In addition, both REMS grantees and the Department’s Emergency Management for Higher Education grantees are required as a condition of their grants to take access and functional needs into account when conducting their emergency management planning work. The materials and resources described below are available via the REMS Technical Assistance (TA) Center Web site (<http://rems.ed.gov>) or the National Clearinghouse for Educational Facilities (NCEF) Web site (<http://www.edfacilities.org>).

#### *Response to GAO Report*

In June 2007, the General Accounting Office (GAO) issued a report entitled *Emergency Management: Most School Districts Have Developed Emergency Management Plans, but Would Benefit from Additional Federal Guidance*.

During the reporting period, OSDFS undertook several responses to GAO's second Recommendation, relating to sheltering and evacuation of students with disabilities<sup>3</sup>:

- OSDFS reviewed emergency management plans developed by REMS grantees that address procedures for evacuating individuals with special needs or disabilities. (Since FY 2005, the Department has required all REMS grantees to develop a plan that takes into consideration the communication, transportation, and medical needs of individuals with disabilities within their school districts). In 2008, OSDFS and the REMS TA Center worked with grantees to identify successful procedures developed to ensure the safe and effective evacuation or sheltering of individuals with special needs or disabilities, and created a summary of such activities in summer 2008.
- OSDFS conducted a literature search on best practices for building design that incorporate ADA compliance requirements and effective evacuation procedures for students with special needs and disabilities. OSDFS requested that NCEF, a Department grantee, conduct a literature search and review to identify best practices in building design for accommodating the evacuation and sheltering needs of individuals with special needs or disabilities. The findings from the literature review were summarized and posted to NCEF's Web site [www.edfacilities.org](http://www.edfacilities.org); they are available at [http://www.ncef.org/pubs/evacuating\\_special\\_needs.pdf](http://www.ncef.org/pubs/evacuating_special_needs.pdf).

Since the responses to the 2007 GAO Report, OSDFS has also engaged in the following emergency preparedness work in relation to individuals with disabilities and special needs:

#### *2008 Webinar*

OSDFS conducted a Webinar on planning for students with disabilities and special needs in May 2008 that focused on actions to take before an emergency occurs, actions to take during and after an emergency, and a case study of one district's efforts to incorporate special needs populations into emergency response. This Webinar is now archived on the REMS TA Center Web site and is still available to the public at [http://rems.ed.gov/index.php?page=training\\_webinars\\_past](http://rems.ed.gov/index.php?page=training_webinars_past).

#### *2008 Advanced REMS Grantee Training Module*

In summer 2008, OSDFS presented a training module at the Fiscal Year 2007 REMS Grantee Final Meeting on Emergency Management Considerations for Students and Staff with Disabilities. This module focused on defining populations with special needs vs. individuals with disabilities; select demographics of persons with disabilities; types and ranges of disabilities; unique emergency management planning considerations for students and staff with disabilities; Federal actions pertaining to populations with disabilities and emergency management; how to better accommodate the needs of students and staff with disabilities in all four phases of emergency management (Prevention-Mitigation, Preparedness, Response, and Recovery); and outstanding issues to consider when planning for persons with disabilities, including an interactive activity and a discussion of a disability scenario. This training module is now archived on the REMS TA Center Web site and is available to the public at [http://rems.ed.gov/index.php?page=training\\_recent&type=REMS&section=FY07FGM\\_CH\\_IL\\_08](http://rems.ed.gov/index.php?page=training_recent&type=REMS&section=FY07FGM_CH_IL_08).

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<sup>3</sup> General Accounting Office, 07-609, Emergency Management: Most School Districts Have Developed Emergency Management Plans, But Would Benefit from Additional Federal Guidance (June 2007) ("To help school districts shelter or evacuate students with special needs and temporarily disabled students in an emergency, we recommend that the Secretary of Education, in collaboration with the Secretaries of the [Department of Homeland Security (DHS)] and Department of Health and Human Services (HHS), examine and identify successful procedures for sheltering and removing such students from school buildings and share these procedures with school districts."), available at <http://www.gao.gov/new.items/d07609.pdf>.

### *Additional Resources Web Page*

In addition, the REMS TA Center Web site hosts an “Additional Resources” Web page on its site (available at: [http://rems.ed.gov/index.php?page=resources\\_Additional](http://rems.ed.gov/index.php?page=resources_Additional)) that provides numerous links to information on integrating students with special needs and various other emergency management topics related to special needs populations at the elementary and higher education level, including but not limited to: an emergency preparedness toolkit for special needs populations; providing services to special needs populations during an H1N1 outbreak; fire safety for students with disabilities in higher education; an interactive map of disability and emergency preparedness resources; planning for special needs populations; stairwell use during an emergency; and working with special populations during a disaster.

### *Office for Civil Rights*

The ED Office for Civil Rights (OCR) has 12 Enforcement Offices throughout the country that investigate complaints of discrimination on several bases, including on the basis of disability. OCR Enforcement Offices have investigated and resolved complaints relating to the topic of emergency preparedness and individuals with disabilities, securing appropriate remedies to ensure nondiscrimination. Some examples are:

- A school district built a new two-story addition to a middle school, and a complainant alleged to OCR that there was no elevator access in the school and that the school’s evacuation procedures did not address people with disabilities. The school district signed a Resolution Agreement with OCR that resulted in the adoption and implementation of new district-wide evacuation procedures for individuals with disabilities; the district conducting drills that include people with disabilities, and the installation of an elevator at the school.
- A complainant alleged to OCR that a school district did not have emergency evacuation procedures or lock-down procedures for students with disabilities. OCR found that, on multiple occasions, a student with a mobility disability had been left in an unsafe area during emergency drills and one actual lock-down situation. Under a Resolution Agreement with OCR, the school district adopted policies and procedures for emergency evacuation and lock-down situations for individuals with disabilities.

### *Office of Management (OM)*

OM oversees development and implementation of an OEP that establishes the guidelines and procedures to be followed for immediate and orderly action to safeguard life and property during emergencies and, in particular, to safely evacuate the building or move to a shelter-in-place area in an organized manner. Each ED building establishes plans for emergency preparedness of individuals with disabilities. For example, OSERS is the “lead agency” in the ED Potomac Center Plaza building in Washington, DC, and, therefore, responsible for the implementation and testing of the OEP and for leading a multiagency Command Team. To assist the Command Team in the building in better understanding the needs of people with disabilities in such emergencies, a person with a disability was included on the Command Team. The OEP established a list of volunteers to account for people with disabilities on each floor and to help people with disabilities to a safe area of refuge until first responders arrive.

## **DEPARTMENT OF JUSTICE**

Information for this report was provided by the Department of Justice (DOJ) Civil Rights Division, Disability Rights Section.

### *Project Civic Access*

Under the Department of Justice’s Project Civic Access (PCA) initiative, the Civil Rights Division conducts complaint-based investigations and compliance reviews under the *Americans with Disabilities Act (ADA)* and

*Rehabilitation Act* to ensure equal, integrated access for individuals with disabilities to state and local government programs, services, activities, and facilities. Key areas of focus include emergency management programs, policies, and shelters; access to 9-1-1 emergency communication systems; effective communication for individuals who are deaf, are hard of hearing, are blind, or have low vision; training for law enforcement officers regarding effective communication with individuals who are deaf or hard of hearing; the requirement to construct and alter facilities so they are accessible to individuals with disabilities in accordance with accessibility standards adopted by the Department of Justice; and equal access for individuals with disabilities to web-based programs, information, and services.

In the context of emergency management, DOJ requires all emergency shelters to be accessible to people with disabilities, including individuals who use wheelchairs, and requires state and local governments to provide equal, integrated access for individuals with disabilities to all aspects of emergency management, including preparedness, notification, evacuation, sheltering, clean-up, recovery, and rebuilding. DOJ has provided comprehensive guidance regarding ADA requirements in emergency management and emergency shelters in Chapter 7 of the ADA Tool Kit for State and Local Governments, which is available on-line at <http://www.ada.gov/pcatoolkit/toolkitmain.htm>.

The Department of Justice has entered more than 60 Project Civic Access Settlement Agreements resolving complaint-based investigations and compliance reviews under the ADA and *Rehabilitation Act* where state and local Governments have agreed to ensure that their emergency management programs afford equal, integrated access to individuals with disabilities. Each agreement is tailored to the findings of the compliance review conducted by Department staff, which includes an on-site review of facilities. DOJ entered into Project Civic Access settlement agreements, which are posted on the Department's ADA Home Page, with the following local governments during the reporting period:

- City of Atlanta, Georgia [www.ada.gov/atlanta\\_pca/atlanta\\_sa.htm](http://www.ada.gov/atlanta_pca/atlanta_sa.htm)
- Chatauqua County, New York [www.ada.gov/chatauqua/chatauqua\\_sa.htm](http://www.ada.gov/chatauqua/chatauqua_sa.htm)
- City of Fargo, North Dakota [www.ada.gov/fargo\\_pca/fargo\\_sa.htm](http://www.ada.gov/fargo_pca/fargo_sa.htm)
- City of Gadsden, Alabama [www.ada.gov/gadsden\\_pca/gadsdensa.html](http://www.ada.gov/gadsden_pca/gadsdensa.html)
- Glynn County, Georgia [www.ada.gov/glynn\\_co\\_pca/glynnco\\_sa.htm](http://www.ada.gov/glynn_co_pca/glynnco_sa.htm)
- Gregg County, Texas [www.ada.gov/gregg\\_co/gregg\\_co\\_sa.htm](http://www.ada.gov/gregg_co/gregg_co_sa.htm)
- Humboldt County, California [www.ada.gov/humboldt\\_pca/humboldt.htm](http://www.ada.gov/humboldt_pca/humboldt.htm)
- LaPorte County, Indiana [www.ada.gov/laporte\\_pca/laportesa.htm](http://www.ada.gov/laporte_pca/laportesa.htm)
- Village of Midlothian, Illinois [www.ada.gov/midlothian/midlothian\\_sa.htm](http://www.ada.gov/midlothian/midlothian_sa.htm)
- City of Niagara Falls, New York [www.ada.gov/niagara/niagara\\_sa.htm](http://www.ada.gov/niagara/niagara_sa.htm)
- Pike County, Kentucky [www.ada.gov/pike\\_co\\_pca/pike\\_co\\_sa.htm](http://www.ada.gov/pike_co_pca/pike_co_sa.htm)
- City of Poplarville, Mississippi [www.ada.gov/poplarville\\_pca/poplarville\\_sa.htm](http://www.ada.gov/poplarville_pca/poplarville_sa.htm)
- City of Port St. Lucie, Florida [www.ada.gov/st\\_lucie/st\\_lucie\\_sa.htm](http://www.ada.gov/st_lucie/st_lucie_sa.htm)
- City of Santa Rosa, California [www.ada.gov/santa\\_rosa\\_pca/santa\\_rosa\\_sa.htm](http://www.ada.gov/santa_rosa_pca/santa_rosa_sa.htm)
- Town of Vian, Oklahoma [www.ada.gov/vian/viansa.htm](http://www.ada.gov/vian/viansa.htm)
- City of Wendell, Idaho [www.ada.gov/wendell\\_city/wendellsa.htm](http://www.ada.gov/wendell_city/wendellsa.htm)
- City of Wilmington, North Carolina [www.ada.gov/wilmington\\_pca/wilmington\\_sa.htm](http://www.ada.gov/wilmington_pca/wilmington_sa.htm).

#### *Ask the ADA Architect Program*

DOJ has retained an architectural consultant who is highly knowledgeable in the accessibility requirements of the ADA, the *Rehabilitation Act*, the *Fair Housing Act*, and other Federal disability rights laws to provide free training and technical assistance to architects, engineers, contractors, and state and local officials



regarding compliance with Federal accessibility requirements in the rebuilding and rehabilitation of facilities located in the City of New Orleans, Louisiana, and Harrison County, Mississippi that were damaged by Hurricane Katrina. Services provided by the consultant have included accessibility reviews of plans for new facilities and renovations to damaged facilities, on-site surveys of facilities to identify barriers to access and modifications required by the ADA; and live training sessions for architects, engineers, contractors, and building inspectors regarding the requirements of the ADA and other Federal accessibility laws. Architects, engineers, business owners, and state and local officials involved in rebuilding or rehabilitating facilities located in New Orleans, Louisiana, or Harrison County, Mississippi that were damaged by Hurricane Katrina can contact the Department's consultant to obtain free technical assistance on compliance with the ADA and other Federal accessibility laws by emailing [KatrinaADAHelp@aol.com](mailto:KatrinaADAHelp@aol.com).

#### *Technical Assistance*

DOJ staff have conducted significant outreach to and training for emergency managers, including presentations in Florida, Michigan, the District of Columbia, and Virginia, have responded to numerous public inquiries on emergency management questions involving the interpretation of the ADA and other Federal disability rights laws, and have conducted a training for the trainers at FEMA's Emergency Management Institute on obligations under Federal disability rights laws, including Section 504 of the *Rehabilitation Act* and the ADA. In addition, staff have coordinated and provided technical assistance to various Federal agencies and work groups seeking to produce guidance and tools for emergency managers to ensure compliance with disability rights laws. These include participation in work groups on the development of guidance on:

- The provision of functional needs support services (disability-related assistance, consumable medical supplies, durable medical equipment, and personal assistance services) to individuals with disabilities in integrated, mass-care shelters;
- The National Disaster Housing Task Force and its various sub-groups;
- The National Disaster Response Framework; and
- Mass care shelter needs assessment and support.

#### *Complaint investigations*

DOJ staff has investigated ADA complaints alleging denial of access to individuals with disabilities in emergency management programs and shelters. Complaints alleging ADA violations in emergency management programs or emergency shelters can be filed via e-mail [ADA.complaint@usdoj.gov](mailto:ADA.complaint@usdoj.gov) or by sending the complaint to U.S. Department of Justice, Civil Rights Division, Disability Rights Section—NYA, 950 Pennsylvania Avenue, NW, Washington, DC 20530.

## **DEPARTMENT OF LABOR**

Information for this report was provided by the Department of Labor (DOL) Office of Disability Employment Policy (ODEP).

#### *Emergency Preparedness in the Workplace Subcommittee*

The Office of Disability Employment Policy participates on the ICC's Emergency Preparedness in the Workplace Subcommittee, which was established to address emergency preparedness, response, and recovery issues related to individuals with disabilities in both government and private sector workplaces. The subcommittee promotes strategies to ensure that workplace emergency preparedness plans fully integrate the unique perspectives and needs of individuals with disabilities. It serves as a forum for

collaboration and the exchange of ideas regarding a wide range of disability-related workplace preparedness considerations and concerns.

In 2005, the subcommittee released *Preparing the Workplace for Everyone: A Framework of Guidelines for Federal Agencies*, <http://www.dol.gov/odep/pubs/ep/preparing.htm>. The framework was developed as a tool for Federal emergency planners and workplace managers to re-evaluate their emergency plans and ensure that they include provisions that specifically address the needs of employees with disabilities. To date, over 8,000 copies of the documents have been distributed. This framework continues to be updated with lessons learned from new developments in emergency preparedness.

## DEPARTMENT OF STATE

Information for this report was provided by State's Office of Emergency Management (OEM).

State's OEM was established in 2003 to consolidate the Department's domestic emergency preparedness functions into a single entity and to serve as the conduit between the Department and domestic national security entities. OEM is responsible for developing the Department's domestic emergency plans, policies, procedures, and capabilities to respond to and recover from any domestic security threat or other emergency (e.g., natural disasters, terrorism, or pandemics). These emergencies may range from small, localized events to a nationwide catastrophe.

OEM publishes a quarterly Department Notice requesting that any employee with access or functional needs (whether short term or permanent) use the DS-4126 form to self-identify. These confidential forms are placed in a database for use during an emergency as well as to log the distribution and training of Stryker Evacuation Chairs issued for employees with mobility issues. The Stryker Chair is essential for the evacuation of individuals with disabilities or injured persons from multilevel facilities in emergency situations, and special needs evacuation/Stryker Chair use is observed and reviewed following evacuation drills. Additionally, OEM attends quarterly meetings with the Disability Action Group, a State Department run focus group that meets to discuss ways the Department can better serve employees with disabilities.

OEM also maintains the ePrepare website, the Department's domestic emergency management intranet site that contains a broad range of preparedness and emergency response information. "Special Needs" is a specific area within ePrepare that contains the following preparedness tools:

- Emergency Preparedness Employee Self-Identification Form
- A link to the Stryker Chair website
- A link to the United States Access Board which is one of the Federal agencies that OEM looks to for guidance in preparation.
- Additional links to the Emergency Preparedness Initiative, the National Council on Disability, and DOL's Office of Disability Employment Policy.

The Bureau of Human Resources, Office of Employee Relations, Disability/Reasonable Accommodation Division, assists employees with disabilities to obtain assistive technology, including mobility devices. Upon self-identification and request, Disability Resource Analysts will partner with employees with disabilities, supervisors and the OEM to assist with both essential work and evacuation accommodation equipment and assistance.

## *Named Agencies on the ICC*

### **GENERAL SERVICES ADMINISTRATION**

Information for this report was provided by the General Services Administration (GSA) Public Building Service.

The Public Buildings Service accomplished the following activities during the reporting period related to GSA's responsibilities regarding people with disabilities in GSA controlled facilities:

- Coordinated with the GSA Office of Civil Rights to develop a training presentation entitled "Emergency Management for All."
- All announcements and communications for GSA Public Buildings Service sponsored events list a contact and telephone number for individuals requiring accommodation so they may fully participate.
- Met with emergency management professionals from the National Capital Region (NCR) to learn of their plans and experiences relating to special needs emergency management and incorporate their experiences.
- The GSA NCR Security Division schedules monthly training for Wardens and Monitors. This training is intended for all Monitors and Wardens to provide them with the necessary tools to assist all people in the building, including persons with disabilities, access or functional needs, visitors, and children. Thus far in 2010, 21 floor warden training sessions have been conducted which included this information.
- Adult, Child, and Infant CPR training is conducted monthly and 16 training sessions have been conducted.
- Adult AED (Automated External Defibrillator) training is conducted monthly.
- Evacuation training has been completed and new training is conducted on an as needed basis.
- Participated in 508 Compliance Training at NCR (compliance for persons with disabilities).
- At the GSA Expo, PBS reminded the Regional Emergency Coordinators from across the country of their requirement and responsibility to ensure that they include people with disabilities and special needs in their emergency management and continuity of operations plans.

### **OFFICE OF PERSONNEL MANAGEMENT**

Information for this report was provided by the Office of Personnel Management (OPM) Emergency Actions Group (EAG).

OPM's Emergency Actions Group (EAG) ensures the day to day Continuity of Operations and Occupant Emergency Programs by using a comprehensive system of preparedness, prevention, protection, response, and recovery for personnel, contractors, visitors, and assets, including those with access or functional needs and/or disabilities worldwide.

From August 2008 through December 2009, the Office of Personnel Management began a coordinated outreach to all occupants with disabilities. During this period, the following achievements occurred at OPM offices around the country:

- Disability Employment initiative. The Office of Personnel Management in conjunction with the Department of Labor and Department of Veterans Affairs engaged in a year-long effort culminating in the signing of Executive Order 13548, *Increasing Federal Employment of Individuals with Disabilities* (July 26, 2010), which orders the increased hiring of people with disabilities (including returning Iraq and Afghanistan War veterans with disabilities) by the Federal Government. This effort, while not directly linked to emergency preparedness, increases the numbers and visibility of people with disabilities, as well as increases the scope and breadth of accommodations needed for our agency with respect to emergency preparedness and response. It necessitated a re-evaluation of emergency preparedness program for all OPM employees, to ensure that individual disabilities are addressed.
- Conducted risk assessments at OPM facilities around the country to ensure that each facility had accessible egress routes and a viable Occupant Emergency Plan that addressed the emergency needs of all occupants at the facility; and to ensure appropriate training was conducted to familiarize occupants with emergency procedures.
- Developed disability-specific emergency procedures for people with disabilities for the Headquarters' Occupant Emergency Plan. These procedures are posted on the OPM intranet for easy access by occupants with disabilities and others. Provide a monthly e-mail to all employees reminding them of occupant emergency procedures to include, at a minimum, specifics for personnel with disabilities.
- Encouraged office supervisors to develop procedures for people with disabilities within their offices, to include the identification of evacuation or shelter-in-place buddies and accessible egress routes for persons with disabilities.
- Provided wheelchairs, scooters, and folding chairs to enable people with mobility impairments with safe egress and movement through the building or seating for people with disabilities or special needs to await further assistance. Trained Emergency Team members on proper use of these devices and encouraged emergency personnel to interact with people with mobility impairments to learn how to assist them during emergencies. Purchased new, ADA-compliant "Area for Evacuation Assistance" signs and placed signs in conspicuous, lighted locations. Identified five areas on each floor, where occupants with disabilities could temporarily shelter until additional evacuation assistance could be provided.
- Continued to provide blackberries with text messaging capabilities and pagers to employees and contractors who are deaf or hearing impaired. In addition, individuals were provided with TTY devices and video relay services. In all buildings OPM occupies, there are visual signals to alert these individuals that an emergency exists and to either shelter-in-place or evacuate.
- Conducted annual Automated External Defibrillator and Cardio-Pulmonary Resuscitation training for OPM employees and Emergency Team members. The Emergency Team comprises 70+ volunteers from OPM Headquarters and OPM's contract workforce who provide for the security and safety of all OPM occupants on each floor of the Theodore Roosevelt Building. Similar Emergency Teams exist throughout the country and receive similar training from the Red Cross or AHA-certified trainers.

- In 2008 and 2009, in conjunction with National Preparedness Month activities, conducted education programs for occupants regarding disability-specific emergency procedures.
- In September of 2009, conducted a Town Hall at OPM Headquarters to identify local area emergency evacuation procedures including accommodations to be provided for people with disabilities. This Town Hall initiated a joint Catastrophic Planning effort by OPM and FEMA's Office of National Capital Region Coordination (with other Federal agencies) that will culminate with a coordinated, area evacuation exercise to be conducted in FY 2011 or 2012. Included in this effort, OPM will try to identify evacuation routes and procedures for people with disabilities, including alternate modes of transportation.

#### *Improved Practices*

OPM liaised regularly with other agencies including the Department of Labor, Department of Agriculture, and General Services Administration to develop improvements to its emergency preparedness program for people with disabilities. OPM adopted improvements in the areas of accommodations for individual disabilities, identifying alternate means of evacuation of people with disabilities, and training.

#### *Future Actions*

In 2010, with the arrival of a new Deputy Director (a wheelchair-user and a longtime advocate for people with disabilities), OPM established an agency-wide Disabilities Affinity Group, composed of senior leadership and persons with disabilities. This group meets regularly to address the specific emergency preparedness needs of OPM employees, contractors, and guests with disabilities and to issue recommendations for specific accommodations (including purchase of additional equipment for persons with disabilities), protective actions for Federal employees with disabilities, and other issues of importance.

## *Other Invited Members of the ICC*

### **U.S. ACCESS BOARD**

The United States Access Board is an independent Federal agency devoted to accessibility for people with disabilities.

#### *Advisory Committee on Emergency Transportable Housing*

During the reporting period, the Access Board's Advisory Committee on Emergency Transportable Housing and Access Board staff participated in the following efforts:

- In 2008, the Access Board's Advisory Committee on Emergency Transportable Housing completed its deliberations, and in October 2008, completed its report, *Recommendations for Accessible Emergency Transportable Housing*. On November 18, 2008, the committee submitted its report to the Board. In March 2009, the text and preamble of the Notice of Proposed Rulemaking on Accessible Emergency Transportable Housing were completed and approved by the Board.
- There were significant accessibility issues in the emergency transportable housing that was made available in response to Hurricanes Katrina and Rita. In 2007, the Board organized this committee to develop recommendations on access to emergency transportable housing provided in response to natural disasters and emergencies.
- The committee included representatives from disability groups, industry and code groups, and government agencies. It reviewed the Board's ADA and Architectural Barriers Act Accessibility Guidelines and assessed the impact of site constraints and other limitations on units, particularly

those located on private property. These housing units have a smaller footprint than other types of housing because they are designed and manufactured for transport over roadways. The committee examined design factors that pose challenges to accessibility, including size and space limitations. It identified relevant provisions in the Board's facility guidelines that should be revised for specific application to emergency transportable housing. The committee's report provides recommendations on how potential conflicts can be mediated and how access to units can be improved. The report details suggested revisions to the Board's guidelines tailored to these types of units.

- The committee adopted the submitted recommendations by consensus, passing along specific revisions to the guidelines for the Board's consideration. The committee's report defines the type of units covered and offers guidance on the proportion that should be accessible. The committee also addressed ramp access to units and recommended that certain ramp specifications be modified to facilitate compliance where site constraints exist. The report's recommendations on floor surfaces, kitchen elements and spaces, bedroom clearances and light controls, and bathing facilities are intended to improve unit accessibility. The report also addresses operable parts, door pulls and thresholds, smoke alarm systems, slide-outs, and weather alert systems.

#### *National Disaster Housing Task Force*

Access Board Staff participated in this interagency Task Force, which is sponsored by FEMA and brings together Federal employees from 13 agencies to focus national attention on disaster housing, and works to improve sheltering, interim housing, and permanent housing efforts.

#### *National Commission on Children and Disasters*

Access Board Staff participated in the Subcommittee on Evacuation, Transportation, and Housing of this Federal advisory committee authorized by the provisions of the *Kids in Disasters Well-being, Safety, and Health Act of 2007* (P.L. 110-161) and the *Consolidated Security, Disaster Assistance, and Continuing Appropriations Act of 2009* (P.L. 110-329). This Subcommittee recommended minimum standards for the care of children during evacuation, transportation, and housing at all phases of a disaster situation. The Subcommittee sought ways to encourage greater responsibility and accountability for the development and maintenance of standards that ensure the safety and accessibility for children, regardless of whether the services are provided by government or non-governmental organizations. To achieve this goal, the Subcommittee investigated international and domestic approaches to identify best practices and address existing gaps. The Subcommittee facilitated collaboration of subject matter experts and stakeholders to address the identified issues by integrating the needs of children, and recommended the following:

- For housing: "prioritizing families with children for disaster housing assistance and expedited transition into permanent housing, especially families with children who have disabilities or other special health, mental, or educational needs;" and
- For evacuation, family reunification as a critical element of disaster-related evacuations because of the following factor: months after Hurricane Katrina struck, over 5,000 children were reported as missing to the National Center for Missing and Exploited Children. In recognition of the challenges of family reunification, the Subcommittee recommended developing a "standardized, interoperable, national evacuee tracking and family reunification system that ensures the safety and well-being of children."

#### *Alternative Housing Pilot Program*

Access Board Staff provided technical assistance and site visits for FEMA for replacement housing developed under this four-year pilot program that identifies and evaluates better ways to house disaster victims, ensuring accessibility for individuals with disabilities. This program resulted from a \$400 million

congressional appropriation in 2006 and is identified as a key program in FEMA's National Disaster Housing Strategy. Designed as a grant program to address housing needs, 5 of the 29 AHPP projects submitted were awarded to 4 states: Alabama/ City of Bayou La Batre; Louisiana/ Louisiana Recovery Authority; Mississippi/Mississippi Emergency Management Agency, and Texas/Texas Housing and Community Development Agency. Each project and managing agency explores a different solution to locally acceptable transitional and permanent disaster housing. All projects must ensure that individuals continuing to receive housing assistance from the 2005 hurricane season are given first priority for occupancy. The AHPP program increased the range of Federal disaster housing options; each project demonstrated a significant number of units that differ from standard FEMA solutions for accessible housing. At the conclusion of the program, AHPP initiatives yielded alternatives for consideration by FEMA's Joint Housing Solutions Group and Congress.

## **EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

The Equal Employment Opportunity Commission (EEOC) enforces and implements laws prohibiting employment discrimination, including the ADA. During 2008 and 2009, EEOC coordinated extensively with Federal agencies, particularly DOL and HHS, on publications addressing how to prepare for, and respond to an outbreak of pandemic influenza. Additionally, in response to the H1N1 influenza outbreak in 2009, EEOC issued a technical assistance publication entitled *Pandemic Preparedness in the Workplace and the Americans with Disabilities Act*, [http://www.eeoc.gov/facts/pandemic\\_flu.html](http://www.eeoc.gov/facts/pandemic_flu.html). The document answers the most frequently asked questions EEOC received from the public, including:

- Whether an ADA-covered employer may ask an employee, before an influenza pandemic occurs, to disclose if he or she has a compromised immune system or chronic health condition that the Centers for Disease Control says could make him or her more susceptible to complications of influenza;
- The extent to which employers may make medical inquiries or require medical examinations of employees who exhibit symptoms of influenza;
- Whether employers may ask employees who exhibit influenza symptoms during a pandemic to leave the workplace;
- Whether employers must provide reasonable accommodations to employees with disabilities who are working at home during a pandemic; and
- Whether employers may require employees returning to work after a pandemic to submit a doctor's note indicating their ability to return to work.

## **V. Best Practices Showcase: 2009 National Conference on Community Preparedness**

Early in 2009, ICC members recognized that a number of Federal agencies were poised to release and disseminate key guidance resources related to emergency preparedness and individuals with disabilities and decided it would be beneficial to create a national level event to showcase these important new resources. As a result, a track focused on individuals with disabilities was created within the 2009 National Conference on Community Preparedness. This Best Practices Showcase Section provides a summary of the presentations made and links to the resources showcased by ICC member agencies during the event.

This conference, was hosted by FEMA's Community Preparedness Division on August 9-13, 2009, in Arlington, Virginia, and brought together approximately 600 state and local elected officials, emergency

management professionals, police and fire services, public health and emergency medical services, non-governmental organizations, private business and industry, advocacy groups, and members of the public. Attendees shared best practices on collaborative emergency planning, discussed preparedness outreach and education for targeted populations, learned innovative approaches to funding, heard updates on DHS/FEMA initiatives, and obtained updates on findings from citizen preparedness research, among other things.

The conference featured over 100 presentations and 160 speakers providing the latest updates and best practices on community preparedness from across the Nation. FEMA Administrator Craig Fugate welcomed participants and provided opening remarks emphasizing the need to engage the public as a resource when dealing with disaster and recovery operations. Deputy Secretary of Homeland Security Jane Holl Lute and FEMA Deputy Administrator for the National Preparedness Directorate Tim Manning also addressed the conference. The program and presentations from the conference are located at <http://www.citizencorps.gov/news/nccp/index.shtm>.

*DHS Office for Civil Rights and Civil Liberties Delivers Plenary Message*

CRCL staff presented “Planning for the Entire Community: A Function-based Approach,” which was based on the principles contained in the 2008 CPG-301 and outlined how emergency managers and community-based organizations can effectively plan to meet the needs of the entire community. The speakers addressed the benefits of involving members and representatives of populations with access and functional needs in all levels of emergency management and encouraged attendees to reach out within their own communities and engage these populations. CPG-301 may be found on FEMA’s website at <http://www.fema.gov/news/newsrelease.fema?id=45435>.

*Interagency Coordinating Council Agencies Address Functional Needs in Community Preparedness During Panel Presentation*

ICC representatives from the FCC, DOT, HHS, and DOL provided overviews of their respective work in the area of emergency management and individuals with disabilities and highlighted the applicability of this work to the local community level. Panelists also provided resources to enhance the inclusion of individuals with disabilities in all phases of emergency management:

- *Federal Communications Commission.* The FCC presenter urged attendees to follow FCC recent regulatory and enforcement actions related to individuals with disabilities and emergency communications. For information about FCC programs to promote access to telecommunications services for people with disabilities, visit the FCC’s Disability Rights Office Web site located at <http://www.fcc.gov/cgb/dro>. In addition, the presenter called attention to resources explaining what happens to our communications systems during an emergency and how best to use our communications systems during a crisis or disaster. The FCC Consumer Facts: Emergency Communications resources are located at <http://www.fcc.gov/cgb/consumerfacts/emergencies.html>.
- *Department of Transportation.* FHWA staff described the roll-out of its Evacuation Primer Series, focusing on the guidance related to individuals with disabilities and other access and functional needs populations. The primer is a resource for Federal, state, local, tribal, non-governmental organizations, and individuals for planning purposes. It may be found on the FHWA webpage at <http://ops.fhwa.dot.gov/publications/fhwahop09022/index.htm>.
- *Department of Health and Human Services.* The presenter explained that, with growing concerns about racial and ethnic disparities in health and the need for health care systems to accommodate increasingly diverse patient populations, cultural competency has become more and more a matter



of national concern and attention. For the latest resources and tools to promote cultural competency in health care, see *HHS Office of Minority Health: Cultural Competency Curriculum for Disaster Preparedness and Crisis Response (CCC-DPCR)*, <https://www.thinkculturalhealth.org/>. The presenter reported that the University of Minnesota's Center for Infectious Disease Research and Policy, Promising Practices Website, has more than 280 tools, promising practices, and strategies to enhance public health response to an influenza pandemic, all available at <http://www.cidrappractices.org/practices/article.do?page=home>. Finally, for an extensive list of websites on Special Populations, Emergency and Disaster Preparedness, see NIH National Library of Medicine: Outreach and Resources on Special Populations and Emergency and Disaster Preparedness, <http://sis.nlm.nih.gov/outreach/specialpopulationsanddisasters.html>.

- *Department of Labor.* The presenter called attention to recent updates to the Federal guidance entitled *Preparing the Workplace for Everyone*, <http://www.dol.gov/odep/pubs/ep/preparing.htm>. The document can serve as a launching point for Federal agencies as they re-evaluate and strengthen their Occupant Emergency Plans (OEPs), required for all Federal agencies by the GSA. This framework of guidelines reflects the effective practices of nearly 20 Federal agencies gathered from direct input, existing reports and articles, and actual emergency plans.

#### *National Council on Disability Releases Emergency Management Recommendations*

NCD released its latest report on emergency management and people with disabilities at a conference workshop on August 12. In this report, NCD offers information and advice to assist all levels of government in its work to establish evidence-based policies, programs and practices across the lifecycle of disasters. This report provides examples of effective community efforts with respect to people with disabilities, and evaluates many emergency preparedness, disaster relief, and homeland security program efforts deployed by both public and private sectors. The report is located on the NCD website, at [http://www.ncd.gov/newsroom/publications/2009/NCD\\_EmergencyManagement\\_HTML/EffectiveEmergencyManagement.html](http://www.ncd.gov/newsroom/publications/2009/NCD_EmergencyManagement_HTML/EffectiveEmergencyManagement.html).

#### *Department of Justice Updates ADA Guidance*

Throughout the conference, DOJ called attention to updates being made to its emergency management guidance within the ADA State and Local Government Best Practices Tool Kit. The Tool Kits were designed to teach state and local government officials how to identify and fix problems that prevent people with disabilities from gaining equal access to state and local government programs, services, and activities. It will also teach state and local officials how to conduct accessibility surveys of their buildings and facilities to identify and remove architectural barriers to access. DOJ encourages emergency planners to ensure that emergency management plans integrate the legal requirements of Title II of the *Americans with Disabilities Act* and Section 504 of the *Rehabilitation Act* by analyzing the plan against Chapter 7 of the ADA Tool Kit (<http://www.ada.gov/pcatoolkit/toolkitmain.htm>).

## VI. Recommendations

During 2009, a working group composed of several ICC members developed the recommendations below for the Federal Government in FY 2010 and beyond. These recommendations can assist agencies across the Administration to remove barriers to the full inclusion and equality for people with disabilities in emergency preparedness.

The following recommendations were implemented in FY 2010:

1. FEMA's Emergency Support Function 14 (ESF-14) personnel, who support all aspects of long-term community recovery, should establish consistent partnerships between recovery coordination and disability coordination personnel in order to strengthen the connection between the recovery process and disability expertise and improve continuity during transitions from response to recovery. Persons or teams in each role must have both authority and subject matter expertise to provide guidance and technical assistance throughout the recovery process.
  - FEMA has taken steps to hire a disability subject matter expert for each of its regional offices, and they came onboard beginning in September 2010.
2. HUD should incorporate into its National Housing Locator System data on accessibility of available rental units. HUD should also consider expediting new housing vouchers in disaster areas for people with disabilities, including pre-identifying locations of accessible temporary and permanent housing, to support recovery from any future disaster.
  - Search criteria for HUD's National Housing Locator System now include accessibility, as well as assisted and elderly accommodations.

As of the end of FY 2010, the remaining recommendations address steps that remain to be taken towards the full and equal inclusion of individuals with disabilities in emergency preparedness, response, and recovery:

3. Federal agencies such as HHS, DHS, DOT, and DOL that fund advocacy organizations that support individuals with disabilities or access or functional needs should incorporate grant terms to allow for significant augmentation of organizational capacity during disaster response and recovery. NGO advocacy and case management services that rely on local government support are significantly impacted by frequent post-disaster decisions to divert funding to broader infrastructure, housing, and economic priorities. Affected organizations often in turn seek funding from affiliates outside of the region, creating a rippling impact on service availability to many others not directly affected by the disaster.
4. The Individual Assistance program of the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (Stafford Act), as amended should be changed to take account of the needs of people with disabilities in several ways. First, reimbursement for accessibility features should be excludible from the statutory per-household cap placed on individual assistance funds. For example, if a porch with a ramp is destroyed, the porch replacement could come out of capped FEMA reimbursement funds but *ramp* replacement would not be counted towards the cap. In addition, assistive devices and durable medical equipment, which qualify for individual assistance, should also be excluded from the cap.

5. FEMA should develop and provide “disability, access and functional needs training” for teams of recovery professionals who could deploy as necessary to provide subject matter expertise during recovery. These teams should be closely linked to both recovery coordination and disability coordination activities.
6. To facilitate ADA compliance, DOJ should plan to provide annual targeted architectural accessibility expertise to state and local governments and public accommodation owners who reconstruct their facilities following a disaster. This assistance could be part of the Civil Rights Division’s Project Civic Access, as it was in the aftermath of Hurricane Katrina.
7. Federal agencies involved in disaster recovery should consider adopting a uniform and comprehensive standard for measuring progress during recovery, particularly regarding data on population displacement and return. Aspects of long-term community recovery related to accessibility should be closely tracked resulting in a complete picture of whether or not displaced residents with disabilities are able to return and have full and equal access to their community.
8. The National Voluntary Organizations Active in Disaster (NVOAD), which supports FEMA’s response and recovery activities through a formalized collaboration among voluntary agencies, should strengthen partnerships with organizations that support individuals with disabilities, thus strengthening their services. FEMA should further this goal by conducting education and training for NVOAD national and state members.
9. DOT should conduct public awareness campaigns to promote opportunities for accessing existing funding for community recovery purposes. Increased use of the New Freedom Program, 49 U.S.C. § 5317, combined with the resources available under the Federal Transit Administration’s Elderly Individuals and Individuals with Disabilities Program, 49 U.S.C. § 5310, and the Nonurbanized Area Formula Program, 49 U.S.C. § 5311, would augment assistance to funding transportation for individuals with disabilities and other functional and access needs.

## VII. APPENDICES:

### Appendix A: Executive Order 13347 (July 22, 2004)

#### *Individuals With Disabilities In Emergency Preparedness*

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to strengthen emergency preparedness with respect to individuals with disabilities, it is hereby ordered as follows:

**Section 1. Policy.** To ensure that the Federal Government appropriately supports safety and security for individuals with disabilities in situations involving disasters, including earthquakes, tornadoes, fires, floods, hurricanes, and acts of terrorism, it shall be the policy of the United States that executive departments and agencies of the Federal Government (agencies):

- (a) consider, in their emergency preparedness planning, the unique needs of agency employees with disabilities and individuals with disabilities whom the agency serves;
- (b) encourage, including through the provision of technical assistance, as appropriate, consideration of the unique needs of employees and individuals with disabilities served by State, local, and tribal governments and private organizations and individuals in emergency preparedness planning; and
- (c) facilitate cooperation among Federal, State, local, and tribal governments and private organizations and individuals in the implementation of emergency preparedness plans as they relate to individuals with disabilities.

**Sec. 2. Establishment of Council.** (a) There is hereby established, within the Department of Homeland Security for administrative purposes, the Interagency Coordinating Council on Emergency Preparedness and Individuals with Disabilities (the “Council”). The Council shall consist exclusively of the following members or their designees:

- (i) the heads of executive departments, the Administrator of the Environmental Protection Agency, the Administrator of General Services, the Director of the Office of Personnel Management, and the Commissioner of Social Security; and
- (ii) any other agency head as the Secretary of Homeland Security may, with the concurrence of the agency head, designate.

(b) The Secretary of Homeland Security shall chair the Council, convene and preside at its meetings, determine its agenda, direct its work, and, as appropriate to particular subject matters, establish and direct subgroups of the Council, which shall consist exclusively of Council members.

(c) A member of the Council may designate, to perform the Council functions of the member, an employee of the member’s department or agency who is either an officer of the United States appointed by the President, or a full-time employee serving in a position with pay equal to or greater than the minimum rate payable for GS-15 of the General Schedule.

**Sec. 3. Functions of Council.** (a) The Council shall:

- (i) coordinate implementation by agencies of the policy set forth in section 1 of this order;

- (ii) whenever the Council obtains in the performance of its functions information or advice from any individual who is not a full-time or permanent part-time Federal employee, obtain such information and advice only in a manner that seeks individual advice and does not involve collective judgment or consensus advice or deliberation; and
- (iii) at the request of any agency head (or the agency head's designee under section 2(c) of this order) who is a member of the Council, unless the Secretary of Homeland Security declines the request, promptly review and provide advice, for the purpose of furthering the policy set forth in section 1, on a proposed action by that agency.

(b) The Council shall submit to the President each year beginning 1 year after the date of this order, through the Assistant to the President for Homeland Security, a report that describes:

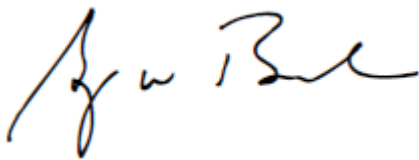
- (i) the achievements of the Council in implementing the policy set forth in section 1;
- (ii) the best practices among Federal, State, local, and tribal governments and private organizations and individuals for emergency preparedness planning with respect to individuals with disabilities; and
- (iii) recommendations of the Council for advancing the policy set forth in section 1.

**Sec. 4. General.** (a) To the extent permitted by law:

- (i) agencies shall assist and provide information to the Council for the performance of its functions under this order; and
- (ii) the Department of Homeland Security shall provide funding and administrative support for the Council.

(b) Nothing in this order shall be construed to impair or otherwise affect the functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

(c) This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.



THE WHITE HOUSE

July 22, 2004.

## Appendix B: Acronym List

ABC	At-Risk, Behavioral Health, and Community Resilience, Department of Health and Human Services
ACF	Administration for Children and Families, Department of Health and Human Services
ADA	<i>Americans with Disabilities Act</i>
ADD	Administration on Developmental Disabilities, Department of Health and Human Services
ASL	American Sign Language
ASPR	Assistant Secretary for Preparedness and Response, Department of Health and Human Services
ATCT	Air Traffic Control Tower
CDC	Centers for Disease Control and Prevention, Department of Health and Human Services
CNIC	Commander Navy Installations Command, Department of Defense
CPG	Comprehensive Preparedness Guide
CRCL	Office for Civil Rights and Civil Liberties, Department of Homeland Security
ED	Department of Education
DHS	Department of Homeland Security
DOL	Department of Labor
DOT	Department of Transportation
EAG	Emergency Actions Group, Office of Personnel Management
EAS	Emergency Alert System
EOC	Emergency Operations Center
EOP	Executive Office of the President
ESF	Emergency Support Function
FAA	Federal Aviation Administration, Department of Transportation
FCC	Federal Communications Commission
FEMA	Federal Emergency Management Agency, Department of Homeland Security
FHEO	Fair Housing and Equal Opportunity, Department of Housing and Urban Development
FHWA	Federal Highway Administration, Department of Transportation
HHS	Department of Health and Human Services
HUD	Department of Housing and Urban Development
ICC	Interagency Coordinating Council on Emergency Preparedness and Individuals with Disabilities
IDEA	<i>Individuals with Disabilities Education Act</i>
JAN	Job Accommodation Network
NCBDDD	National Center on Birth Defects and Developmental Disabilities, Department of Health and Human Services
NCD	National Council on Disability
NCEF	National Clearinghouse for Education Facilities
NCR	National Capital Region
NDRF	National Disaster Recovery Framework
NGO	Nongovernment Organization
NHSS	National Health Security Strategy
NIDRR	National Institute on Disability and Rehabilitation Research, Department of Education
NVOAD	National Volunteer Organizations Active in Disaster
NWS	National Weather Service, National Oceanic and Atmospheric Administration

OCR	Office for Civil Rights, Department of Education
OD	Office on Disability, Department of Health and Human Services
OEM	Office of Emergency Management, Department of State
OEP	Occupant Emergency Plan
OHSEPR	Office of Human Services Emergency Preparedness and Response, Department of Health and Human Services
OM	Office of Management, Department of Education
OMH	Office of Minority Health, Department of Health and Human Services
OPM	Office of Personnel Management
OSDFS	Office of Safe and Drug-Free Schools, Department of Education
OSERS	Office of Special Education and Rehabilitative Services, Department of Education
PAHPA	<i>Pandemic and All-Hazards Preparedness Act</i>
PKEMRA	<i>Post Katrina Emergency Management Reform Act</i>
PSAP	Public Safety Answering Point
PSHSB	Public Safety and Homeland Security Bureau, Federal Communications Commission
REMS	Readiness and Emergency Management for Schools
TA	Technical Assistance
TRS	Telecommunications Relay Service
UWR	United We Ride
VPD	Video Programming Distributor
VRS	Video Relay Service

Interagency Coordinating Council on  
Emergency Preparedness and Individuals with Disabilities



2009 Annual Report to the President