



Individuals with Disabilities in Emergency Preparedness

Executive Order 13347

Progress Report

July 2005 – September 2006

Interagency Coordinating Council on Emergency Preparedness
and Individuals with Disabilities

ACKNOWLEDGEMENTS

This report is but one of several outcomes from the collaborative work of the Interagency Coordinating Council on Emergency Preparedness and Individuals with Disabilities (the “Interagency Coordinating Council,” “Council” or “ICC”).

Pursuant to Executive Order 13347, *Individuals with Disabilities in Emergency Preparedness*, the Interagency Coordinating Council is comprised of senior leadership from Federal departments and agencies within the executive branch. These leaders have enthusiastically applied their time, resources, and knowledge formulating creative solutions to the problems relating to emergency management and individuals with disabilities. Their ongoing commitment to ensuring that emergency mitigation, preparedness, response and recovery plans encompass the needs of people with disabilities is highly laudable.

The Interagency Coordinating Council is fortunate to be assisted by a multitude of partners and stakeholder organizations at the Federal, State, territorial, local and tribal levels whose expertise provided valuable insight to the ICC and greatly enhanced its work. Unfortunately, there are too many of these entities to thank individually.

The Interagency Coordinating Council however extends its sincere gratitude to the Subcommittee Chairs: Department of Education – Office of Special Education and Rehabilitative Services, National Institute on Disability Rehabilitation Research; Federal Communications Commission Disability Rights Office; Department of Homeland Security – Office for Civil Rights and Civil Liberties; Department of Justice – Civil Rights Division; Department of Labor – Office of Disability Employment Policy; Department of Health and Human Services – Office on Disability; Department of Transportation; as well as all the departments and agencies that assisted the Subcommittees in their work on this critical aspect of our nation’s preparedness effort.

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Executive Order 13347, Individuals with Disabilities in Emergency Preparedness

I. BACKGROUND

Recognizing that individuals with disabilities should be as safe and secure in their communities and work environments as individuals without disabilities, President George W. Bush issued Executive Order 13347, *Individuals with Disabilities in Emergency Preparedness* in July 2004. This Executive Order, a copy of which is provided as Appendix A, sets forth the role of the Federal Government in effectively tackling these issues in a coordinated fashion. To ensure this, the President created the Interagency Coordinating Council, directing multiple Federal departments and agencies to work together to ensure that emergency preparedness plans are as comprehensive as possible with regard to the issues presented by individuals with disabilities. The Executive Order designated the Secretary of Homeland Security as the Chair of the ICC, and he has delegated that role to the DHS Officer for Civil Rights and Civil Liberties. Members of the Council include heads of executive departments, the Administrator of the Environmental Protection Agency (EPA), the Administrator of the General Services Administration (GSA), the Director of the Office of Personnel Management (OPM), and the Commissioner of the Social Security Administration (SSA). Other department and agency heads have been invited to participate as members of the Council at the request of the DHS Secretary and with the concurrence of the Council.

In addition to the agency head or designated representative who sits on the Council, each department or agency has also designated a senior employee to serve as its daily point of contact on matters relating to this Executive Order and the Council. The designated representatives of the Council met on a quarterly basis, while the agency points of contact met as often as needed.

During the period covered by this report, the work of the Council was carried out by eight Subcommittees, each chaired by a department or agency sitting on the Council. The primary objectives of the eight Subcommittees are as follows:

A. Emergency Communications

Chair: Federal Communications Commission – Disability Rights Office, Consumer & Government Affairs Bureau

This Subcommittee develops policies and programs relevant to the emergency communication needs of individuals with disabilities before, during and after an emergency.

B. Emergency Preparedness in the Workplace

Chair: Department of Labor – Office of Disability Employment Policy

This Subcommittee focuses on the development, implementation and maintenance of strategies to ensure that workplace emergency preparedness plans fully integrate the unique perspectives and needs of individuals with disabilities within the governmental and private sector workplaces.

C. Emergency Transportation

Chair: Department of Transportation – Office of Civil Rights

This Subcommittee develops policies and programs to address the transportation needs of individuals with disabilities during and after an emergency.

D. Health

Chair: Department of Health and Human Services – Office on Disability

This Subcommittee identifies and documents promising, evidence-based health practices for emergency preparedness for individuals with disabilities across the lifespan of an emergency. The Subcommittee also addresses health issues across the disaster cycle: preparedness, response, recovery, and mitigation.

E. Private Sector Coordination

Chair: Department of Homeland Security – Office of Civil Rights and Civil Liberties

This Subcommittee encourages collaboration and exchange of expertise and input among leaders of the various first responder disciplines, emergency management personnel, volunteer and nonprofit organizations, and disability consumer organizations on issues related to the safety and security of individuals with disabilities in situations involving natural or man-made disasters and emergencies.

F. Research

Chair: Department of Education – Office of Special Education and Rehabilitative Services, National Institute on Disability Rehabilitation Research

This Subcommittee assesses, coordinates and promotes Federal research related to emergency preparedness for individuals with disabilities.

G. State, Local and Tribal Government Coordination

Chair: Department of Homeland Security – Office for Civil Rights and Civil Liberties

This Subcommittee encourages consideration of the needs of individuals with disabilities served by State, local and tribal governments, private organizations and individuals in emergency preparedness planning. The Subcommittee also facilitates cooperation in the implementation of emergency preparedness plans as they relate to individuals with disabilities.

H. Technical Assistance and Outreach

Chair: Department of Justice – Civil Rights Division

This Subcommittee develops outreach and technical assistance materials addressing the needs of individuals with disabilities before, during and after an emergency.

The eight Subcommittees meet and communicate regularly to share information and to develop and refine strategies to further their objectives and key deliverables. The Subcommittees and the Council are supported by a team of professional and administrative staff within the Department of Homeland Security Office for Civil Rights and Civil Liberties.

Purpose of the Report

Pursuant to Executive Order 13347, the Council is required to submit an annual report to the President which describes the following:

- a) Achievements of the Council in implementing the policy set forth in Section 1 to:
 - i) Consider during emergency planning the unique needs of agency employees with disabilities and individuals with disabilities whom the agency serves;
 - ii) Encourage consideration of the unique needs of employees and individuals with disabilities served by State, local, and tribal governments, private organizations and individuals in emergency preparedness planning; including the provision of technical assistance, as appropriate;
 - iii) Facilitate cooperation among Federal, State, territorial, local, and tribal governments, private organizations and individuals in the implementation of emergency preparedness plans related to individuals with disabilities.
- b) Best practices among Federal, State, territorial, local, and tribal governments, private organizations and individuals for emergency preparedness planning with respect to individuals with disabilities; and,
- c) Recommendations of the Council for advancing the policy set forth in Section 1.

As a result of the devastating impact Hurricane Katrina had on individuals with disabilities, including , much of this report focuses on hurricane related activity of the ICC. The Council intends for this report to summarize these activities and provide recommendations for suggested changes to the Nation's emergency management system that will result in improvements to emergency services and activities related to people with disabilities.

II. INTRODUCTION

Hurricane Katrina was one of the worst natural disasters in our nation's history and has caused unimaginable devastation and heartbreak throughout the Gulf Coast Region. However, the magnitude of Hurricane Katrina does not excuse our inadequate preparedness and response, but rather it must serve as a catalyst for far-reaching reform and transformation. President George W. Bush, September 8, 2005, The Federal Response to Hurricane Katrina: Lessons Learned.

Hurricane Katrina propelled an already active Council, under the leadership of the Department of Homeland Security's Office for Civil Rights and Civil Liberties, to redouble its commitment to ensure that our Nation is prepared to respond more effectively to people with disabilities in their times of greatest need. The Council's review of the experiences of people with disabilities, the elderly, and their families before, during and after Hurricane Katrina revealed:

- Inadequate mechanisms, plans, and coordination with regards to identifying concentrated populations entities (e.g., group homes, nursing homes, assistive living facilities, and cluster care blocks of home based care clients or naturally occurring retirement communities) and other individuals who would need assistance with evacuating, transporting, and sheltering, including those requiring accessible transportation and/or need ongoing medical support.
- There was no understanding or affirmative recognition of the need to keep people with disabilities and their caregiver(s), family members, mobility devices, other durable medical products, and/or service animals or other assistance animals together during evacuation and sheltering. Consequently, families were broken up or evacuated to different locations, caregivers were separated from their clients, service animals, assistance animals, and/or durable medical products were left behind, all of which unnecessarily stripped these individuals of their means of self-sufficiency.
- Insufficient mechanisms, plans, and coordination with regards to surge in capacity to respond to an increase in the number of individuals needing medical support and to those who are dependent on accessible transportation.
- Emergency information that was being provided over television in affected regions was not consistently made accessible to individuals who are deaf, hard of hearing, blind, or deaf-blind via appropriate audio and visual means (i.e., captioning, voice description).
- Pharmacies initially refused to honor out-of-state Medicaid cards thus precluding evacuees with medical needs from purchasing their medication.
- Inadequate stock of essential durable medical equipment (mobility aids such as wheelchairs, crutches and walkers; hearing aids; and, hearing assistive technologies such as Teletypewriters (TTYs) for the deaf and hard of hearing). Other specialized products such as sterile catheters and cushions for wheelchairs were also unavailable. Lack of back-up generators was also a major issue especially for hospitals that did not evacuate but continued to operate throughout and after the hurricane. Notably, the Web site that was set up to

manage donations often did not include these specialized equipment items and products among the donation categories.

- Service animals were not allowed into shelters because of “No Pets” policies and the mistaken assumption that service animals are pets.
- No sign language interpreters were available in shelters (need for interpreter for evacuees who are deaf to access: mental health services, intake process, understand shelter announcements that included housekeeping rules, curfew, paperwork instructions, etc.). There were also no TTYs in a majority of the shelters, thus severely restricting the ability of individuals who are deaf or hard of hearing to make necessary telephone calls.
- Lack of physical access to shelter facilities or to areas in the facilities such as restroom and shower areas.
- Disability service providers were not allowed in most shelters to provide needed services and care. Similarly, the valuable skills and knowledge of disability SMEs offering to assist in the response and recovery process were underutilized because they were regarded as lacking the emergency manager or first responder credentials.
- Elderly individuals and individuals with serious medical conditions were forced to wait in long lines in order to receive assistance.

The Council is in consensus that the current response and recovery system must continue to improve so that the tragedies experienced by members of the disability community, including seniors during and after Hurricane Katrina will not be repeated.

III. ICC ACTIVITIES AND ACCOMPLISHMENTS JULY 2005 – SEPTEMBER 2006

Emergency Communications Subcommittee

Subcommittee Objectives

The Federal Communications Commission (FCC) chairs the Emergency Communications Subcommittee for the Interagency Coordinating Council. This Subcommittee is charged with ensuring that emergency communications are both accessible and effective for persons with disabilities. Emergency communications consist of three components, and each must operate effectively in order to achieve a successful response:

1. The processing, delivery and dispatch of 9-1-1 telephone calls by Public Safety Answering Points (PSAP);
2. The Emergency Alert System (EAS); and,
3. The radio and/or broadcast or cable television station news and updates.

Accomplishments

In Response to 2005 Hurricanes

In 2005-2006, the Nation faced unprecedented disasters including wildfires, hurricanes, tornadoes and other events. These catastrophes necessitated emergency communications regarding the nature of the approaching disaster and what preparations would be necessary to preserve life and property.

Hurricane Katrina knocked out more than three million customer telephone lines in Louisiana, Mississippi, and Alabama. Both the switching centers that route calls and the lines used to connect customers to the network sustained enormous damage. Wireless networks also felt the Katrina's effects, when the storm put more than a thousand wireless cell sites out of service. During this disaster, telephone calls simply could not get through, and, as a result, millions of people – both with and without disabilities – were affected.

Of the 41 broadcast radio stations located in New Orleans and the surrounding area, only two AM and two FM stations remained on the air in the wake of the hurricane. Broadcasters made significant efforts to get their stations on-the-air, even at reduced power, to provide survivors with important information. Wireline telephone carriers and commercial and public safety wireless providers worked around the clock to overcome pervasive power outages. Satellite service providers helped to bridge some of the gaps left by the outages by providing satellite telephones and video links to law enforcement officials, medical personnel, emergency relief workers, and news outlets.

On August 30, 2005, the FCC established an internal Task Force to coordinate hurricane response efforts. This Task Force had three major goals: (1) to provide regulatory relief to impacted industries so they could restore service quickly; (2) to conduct industry outreach and to coordinate those outreach efforts with other Federal Agencies; and, (3) to provide consumers and evacuees with information and assistance. Hundreds of FCC employees were directly involved in Hurricane relief

efforts, and the FCC stayed open on weekends in order to respond to requests by consumers, providers of communications services and other Federal agencies.

The FCC immediately provided the regulatory relief needed to facilitate the resumption of communications services and by authorizing the use of temporary communications services by disaster relief personnel and evacuees in shelters. Before Katrina struck, the FCC notified all communications providers that it would expedite requests for special temporary authority (STA) in order to aid them in re-establishing operations in areas impacted by Hurricane Katrina. The FCC granted over 50 STA requests and nearly 100 requests for temporary frequency assignments. It also took action on a number of requests to temporarily waive its rules. In general, STAs were granted within 24 hours, and most were approved within four hours of the request.

While the FCC focused its efforts on regulatory relief and coordination efforts with other Federal agencies, it also recognized that consumers in the Gulf Coast and evacuees to other areas needed information and assistance. Because of this, the FCC manned its toll-free consumer line to help citizens access critical information about telecommunications and broadcast services in the affected area. In addition, the FCC established a special webpage to provide valuable information on all of the FCC's actions to consumers, industries and other agencies. The FCC issued a Public Notice reminding video program distributors of the need to make emergency information regarding Hurricane Katrina evacuation and relief effort accessible to persons with hearing and vision disabilities.¹ This Public Notice was released amid complaints that televised emergency information was not accessible to individuals who are blind, deaf, or hard of hearing. The FCC also received complaints that the emergency information that was provided visually was blocked either by other information on the screen or by closed captioning.

The FCC extended assistance to victims of Hurricane Katrina through targeted Universal Service Fund (USF) support.² Specifically, the FCC granted a petition filed by Louisiana and Mississippi requesting that the FCC extend the filing window for E-rate Funding Year (FY) 2006 until September 30, 2006, and waived the "two-in-five" rule³ for FY 2006 for affected schools and libraries in Louisiana, Mississippi, and Alabama.⁴ In addition, the FCC granted, in part, petitions filed by the Louisiana Public Service Commission and T-Mobile USA, Inc. (T-Mobile), to extend the temporary Federal Lifeline Katrina support by three months so that eligible telecommunications carriers (ETCs) could continue to make available wireless service to victims of Hurricane Katrina until June 1, 2006.⁵

¹ See Public Notice at http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-05-2438A1.doc.

² *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Order, 20 FCC Rcd 16883 (2005) (*Hurricane Katrina Order*).

³ Under the Commission's rules, eligible entities may receive commitments for discounts on Priority Two services (internal connections) no more than twice every five funding years (the "two-in-five" rule). See 47 C.F.R. § 54.506(c). For the purpose of determining eligibility, the five-year period may begin in any funding year in which the school or library receives discounted internal connections services other than basic maintenance services.

⁴ Request for Further Waiver of FCC Rules to Extend Relief Provided in FCC 05-178 to Directly Affected Schools and Libraries in Louisiana and Mississippi, CC Docket No. 96-45 (filed Nov. 28, 2005) (E-rate Petition).

⁵ Letter from Foster Campbell, Commissioner, Louisiana Public Service Commission, to Kevin Martin, Chairman, Federal Communications Commission, CC Docket 96-45 (dated Feb. 22, 2006) (Louisiana Petition); Request to Extend the Temporary Universal Service Wireless Lifeline Program, CC Docket 96-45 (filed Feb. 24, 2006) (T-Mobile Petition).

In support of the ICC, the FCC provided a senior disability expert to the Department of Homeland Security's Office of Civil Rights and Civil Liberties. This FCC detailee was deployed to the Joint Field Office in Austin, Texas to assist in the response and recovery efforts for persons with disabilities.

FCC Actions

During November 2-3, 2005, representatives of the FCC participated in the *Accessible Emergency Notification and Communication: State of the Science Conference*, at Gallaudet University. Gregory Hlibok, FCC attorney advisor, provided an overview of 9-1-1 and Enhanced 9-1-1 calling for persons with disabilities.

On January 9, 2006, the FCC established the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks ("Hurricane Katrina Independent Panel") pursuant to the Federal Advisory Committee Act, as amended.⁶ The mission of the Hurricane Katrina Independent Panel is to review the impact of Hurricane Katrina on the telecommunications and media infrastructure in the areas affected by the hurricane. The Independent Panel made recommendations to the FCC regarding ways to improve disaster preparedness, network reliability, and communication among first responders such as police, fire fighters, and emergency medical personnel.

On March 6 and 7, 2006, the Hurricane Katrina Independent Panel held field hearings in Jackson, Mississippi. At that hearing, several representatives of persons with disabilities reported on the hurricane's impact on persons with disabilities, and deficiencies in accessible emergency communications over television and radio.

On February 22, 2006, the Commission's Enforcement Bureau adopted a Consent Decree entered into between the Enforcement Bureau and NBC *Telemundo* License Co. (NBC).⁷ The Station will implement (within 30 days of the Effective Date) and maintain the following Compliance Plan, which will be overseen by the Station's News Director:

- (a) The Station either will commence captioning or contact its captioning service promptly before or contemporaneously with any broadcast coverage of a pending or imminent emergency that endangers the Station's principal coverage area and will make its best reasonable efforts to ensure that coverage of the emergency is captioned as soon as possible;
- (b) The Station will maintain visible postings on television sets in the Station's newsroom that remind employees to contact the Station's captioning service during emergency events and include the phone number for that service;

⁶ See the Charter at <http://www.fcc.gov/eb/hkip/HKIPCharter.pdf>.

⁷ The Consent Decree terminated an investigation initiated by the Enforcement Bureau regarding whether NBC violated section 713 of the Communications Act of 1934, as amended and section 79.2(b)(1)(i) of the Commission's rules by failing to make accessible to persons with hearing disabilities emergency information that it provided aurally in its programming for WRC-TV (the "Station") during a thunderstorm/tornado watch in the Washington, D.C. Metropolitan area on May 25, 2004. *In the Matter of NBC Telemundo License Co., Licensee of WRC-TV, Washington D.C.*, Order, EB-04-TC-101, (Feb. 22, 2006)

(c) The Station will maintain a labeled speed-dial button on telephones in the Station's newsroom with a direct connection to the Station's captioning service;

(d) As circumstances warrant, the Station will provide special weather text graphics to hearing impaired viewers with shelter-at-home tips during coverage of tornado, severe thunderstorm, flash flooding or other weather emergencies;

(e) The Station will adopt an emergency visual presentation policy requiring that all emergency information broadcast outside a regularly scheduled Station newscast be accompanied by captioning if emergency information is conveyed via the Station's audio. When circumstances warrant, such information will also include a clear text graphic or text crawl (e.g., weather-related emergencies, security evacuation details). Emergency information will include any information relating to an imminent or ongoing emergency affecting the Washington, D.C. television market and that is intended to protect life, health, or property;

(f) The Station will distribute, at least every six months, the Station's emergency visual presentation policy to all employees; and,

(g) The Station will incorporate their emergency visual presentation policy into its annual news employee training session.

This Consent Decree is noteworthy because it is the first of its kind that resolved a complaint under section 79.2 of the Commission's rules and provides clear "best practices" to television stations on how it can ensure that accessible emergency information is provided for persons with hearing disabilities.

On March 17, 2006, the FCC adopted a plan to establish a Public Safety and Homeland Security Bureau. This bureau will provide a more efficient, effective and responsive organizational structure to address public safety, homeland security, national security, emergency management, emergency preparedness, disaster management and related matters. The new bureau will be responsible for important aspects of public safety communications to persons with disabilities, such as accessibility to 9-1-1 and Enhanced 9-1-1 and Public Safety Answering Points (PSAPs), alerts and warnings through the Emergency Alert System (EAS), and communications infrastructure protection. In remarks accompanying the adoption of the plan for the new bureau, Chairman Kevin Martin said: "One of the [FCC's] strategic goals is to ensure that public safety, health, defense, and emergency personnel, as well as all consumers in need, have reliable communication during emergencies and crises. The [FCC] must work to strengthen and ensure the nation's critical communication infrastructure's continued reliability, interoperability, redundancy, and rapid restoration."

On May 9, 2006, the FCC released a Declaratory Ruling that a Video Relay Service (VRS) provider may not receive compensation from the Interstate Telecommunications Relay Services (TRS) Fund if it blocks calls to competing VRS providers. The FCC concluded that the practice of restricting the use of VRS to a particular provider is inconsistent with the TRS regime as intended by Congress, and raises serious public safety concerns. The FCC further concluded that all VRS consumers must be able to place a VRS call through any of the VRS providers' service, and all VRS providers must

be able to receive calls from, and make calls to, any VRS consumer. As American Sign Language users increasingly rely on VRS as their preferred means of using TRS to access the telephone system, the FCC found that it was in the public interest that all VRS consumers be able to place and receive calls through any VRS providers' service in the event of emergency.

The FCC has included in its Continuity of Operations Plan (COOP), Consumer & Governmental Affairs Bureau (CGB) Emergency Response Group (ERG), a Senior Counsel for Disabilities Matters. The CGB ERG Plan is designed to maintain FCC operations during major events causing significant damage to U.S. assets, or in which FCC headquarters become inaccessible or uninhabitable and the FCC has activated its Continuity of Operations (COOP) Plan. The Senior Counsel for Disabilities Matters will keep abreast of developments affecting the disability community and assist in the establishment and implementation of policies and procedures to maintain or restore access to telecommunications services for people with disabilities.

Conclusion

The FCC is committed to ensuring accessible emergency communications for persons with disabilities by participating in the ongoing and ad hoc efforts of the communications industry and disability advocates to improve the outcomes for persons with disabilities in times of emergencies. The FCC is responsible for shepherding Title IV of the Americans with Disabilities Act (ADA), which ensures that Telecommunications Relay Services (TRS) provide facilitated telephone transmission services for persons with hearing and speech disabilities. Closed captioning, while not originating from the ADA, has been motivated by many of the same concerns. Access to emergency information that is aired on television is of critical importance to persons with hearing and visual disabilities. FCC rules require that emergency information that is provided aurally must be made accessible to persons with hearing disabilities and that emergency information provided visually must be made accessible to persons with visual disabilities. Enforcement of and technical assistance for these requirements by the FCC ensures that all Americans have access to emergency information.

Emergency Preparedness in the Workplace Subcommittee

Subcommittee Objectives

The Emergency Preparedness in the Workplace Subcommittee (Workplace Subcommittee) was established by the ICC to address emergency preparedness, response and recovery issues in regards to individuals with disabilities within the governmental and the private sector workplaces. Building upon the progress made during its first year, the Workplace Subcommittee continues to serve as a forum for collaboration, dialogue and exchange on the full range of disability-related workplace preparedness considerations and concerns. The following Federal departments and agencies have participated in the Workplace Subcommittee's work:

Department of Labor, Office of Disability Employment Policy (Chair)	
Access Board	Department of State
Department of Homeland Security	Department of Transportation
Department of Agriculture	Department of Treasury
Department of Commerce	Environmental Protection Agency
Department of Defense	Equal Employment Opportunity Commission
Department of Education	Federal Communications Commission
Department of Energy	General Services Administration
Department of Health and Human Services	Office of Personnel Management
Department of Interior	Social Security Administration
Department of Justice	

Accomplishments

In July 2005, the Workplace Subcommittee released *Preparing the Workplace for Everyone: A Framework of Guidelines for Federal Agencies* (Framework of Guidelines). The Framework of Guidelines was designed as a tool for Federal emergency planners, managers and employees. Based on the effective practices and lessons learned of more than 20 Federal agencies, it serves as a launching point for re-evaluating emergency plans and to assist Federal Government agencies in the development, implementation and maintenance of emergency plans that are fully inclusive of employees with disabilities.

The Framework of Guidelines presents each planning topic with a brief introduction, key considerations and illustrative examples from Federal agencies, along with critical questions that highlight the primary principles. Topics address critical areas such as:

- *First-Responder Responsibilities and Employee Right to Self-Determination:* Issues include alerting first responders of employee needs, communicating with emergency response personnel during an emergency, understanding first responders' considerations and priorities and reconciling these with the employee's wishes.

- *Employer Responsibilities and Employee Right to Self-Determination:* The Workplace Subcommittee analyzed data indicating that many employers have questions about issues concerning the evacuation of employees with disabilities. Examples include the extent to which an employer is responsible for ensuring the safety of employees, or the best means for balancing the right to self-determination of several employees with the safety of all employees.
- *Legal Considerations Related to Emergency Preparedness Planning and Job Applicants/Employees with Disabilities:* Issues include an employer's legal responsibility to have an emergency preparedness plan in place for all employees, including those with disabilities, as well as the degree to which emergency preparedness may be a factor in hiring, retaining, or promoting job applicants/employees with disabilities.

Recognizing that emergency management benefits from continuous feedback and lessons learned, the Framework of Guidelines will be a living document.

Since July 2005, the Workplace Subcommittee concentrated on disseminating and presenting the Framework of Guidelines to key Federal officials at the National, regional and field office levels. In addition, the Workplace Subcommittee conducted outreach to Federal officials and managers encouraging the incorporation of accommodation requirements and concerns of employees and visitors with disabilities in the development of emergency plans. Additional activities included ensuring that the Framework of Guidelines reached the broadest possible audience and has the greatest informative impact. These goals were accomplished through the following means:

- Creation and posting of HTML and PDF versions of *Preparing the Workplace for Everyone: A Framework of Guidelines for Federal Agencies* at <http://www.dol.gov/odep/programs/emergency.htm>;
- Printing and distributing 3,000 copies of the Framework of Guidelines to multiple Federal, State, territorial, local and private sector audiences;
- Dissemination and presentation of the Framework of Guidelines to key Federal officials nationwide including: Federal building managers at the National, regional, and field levels through the General Services Administration (GSA); human resource and disability program managers through the Office of Personnel Management (OPM); Federal safety and health officials through the Department of Labor's (DOL) Occupational Safety and Health Administration (OSHA) and OSHA Training Institute Education Centers; and other key Federal department and agency personnel and ICC department and agency leaders; and,
- Dissemination and presentation of the Framework of Guidelines to officials from the State, local, and private sectors. This engagement assisted in ascertaining their unique concerns and insights on workplace preparedness and assuring that the principles contained in the Framework of Guidelines are communicated in business-friendly terms. Activities included targeted dissemination of the Framework to State and local emergency managers and equal employment opportunity organizations.

In addition to the activities listed above, individual subcommittee members actively responded to workplace and workforce issues resulting from Hurricanes Katrina and Rita. The following are several noteworthy accomplishments:

- The DOL's Office of Disability Employment Policy and Employment and Training Administration, through ETA's Disability Program Navigator initiative, worked with State and local agencies to ensure that the immediate assistance needs of people with disabilities were addressed by helping to stabilize access to both housing and transportation as well as reconnecting individuals to employment.
- The DOL's Occupational Safety and Health Administration also provided technical assistance to professional hearing conservation groups working within the areas affected by Katrina and Rita that were providing replacement batteries and hearing aids to individuals who are deaf and/or hard of hearing.
- A member of the Workplace Subcommittee led a recovery/continuity of operations center for the National Finance Center in Smyrna, Georgia. The two-week deployment focused on the needs of United States Department of Agriculture employees, including those with disabilities, and the extraordinary recovery issues faced by the evacuees, including medical, financial, family communications, and transportation concerns.

The impact of the Gulf Coast Hurricanes of 2005 prompted the Nation to re-examine its approach to emergency preparedness, both in general and with regard to people with disabilities. Through the resulting activities around the country and by the ICC, the Subcommittee recognized the need to enhance its approach to workplace preparedness to include all types and aspects of emergencies—from preparedness plans to response and recovery efforts.

While continuing to broaden dissemination and communication efforts related to the Framework of Guidelines, the Workplace Subcommittee will also expand its focus to encompass aspects of response and recovery from an emergency or a disaster. The Subcommittee is leading the Council's efforts to identify strategies that employers and employees with disabilities can use to keep connected to their work during a time of disaster and displacement from the workplace. This study encompasses immediate communication, coordination, and continuity mechanisms as well as long-term recovery strategies.

Conclusion

The events of 2005 have served as a reminder that emergency preparedness is an evolving field. The same principle applies to preparedness in the workplace. Moving forward, the Workplace Subcommittee will continue to re-evaluate its activities and approach to issues that may arise. The Subcommittee will continue to proactively move the Framework of Guidelines into the hands of those who can benefit most from it and seek creative and innovative ways of ensuring that workplace preparedness, response, and recovery plans incorporate the needs of people with disabilities.

Emergency Transportation Subcommittee

Subcommittee Objectives

The ICC Emergency Transportation Subcommittee, which is chaired by the U.S. Department of Transportation (DOT) Director of Civil Rights, evaluates the status of emergency preparedness as it relates to people with disabilities and transportation systems. In November 2005, during the cabinet-level meeting of the Federal Interagency Coordinating Council on Access and Mobility (CCAM), former DOT Secretary Mineta directed the formulation of a collaborative partnership between the CCAM, which is also chaired by DOT, and the ICC Emergency Transportation Subcommittee. Through this partnership, the Subcommittee has expanded its objectives. In coordination with the CCAM, the Subcommittee is evaluating existing transportation regulations and their relationship to the needs of individuals with disabilities, older adults, and persons with low incomes before, during, and after an emergency. In addition, the Subcommittee researches, evaluates, and provides examples of useful practices and systems for planning and implementing emergency preparedness transportation policies and programs for these groups, as well as, their family members, employers, and service providers.

Since the ICC's existence, the Emergency Transportation Subcommittee has focused on incorporating its goals and objectives into the overall work of the DOT on emergency preparedness matters.

Accomplishments

In July 2005, the Emergency Transportation Subcommittee launched a Web site on emergency transportation preparedness for people with disabilities. The Web site, <http://www.emergencyprep.dot.gov>, contains useful emergency transportation information and resources for individuals with disabilities, their families, caregivers, and transportation service providers. Resources cover a range of topics including, providing accessible transportation services during and after a disaster or an emergency; safe and accessible evacuation from transit systems, and community transportation assistance programs.

In the days and weeks following Hurricane Katrina, the Subcommittee learned that the lack of accessible transportation prevented the evacuation of individuals with disabilities, and also prevented these individuals from receiving timely and essential services. In early September 2005, a representative from the Departmental Office of Civil Rights (DOCR) began working with the DHS Office for Civil Rights and Civil Liberties and other Federal agencies on responding to the needs of individuals with disabilities, older adults, and persons with lower incomes that were impacted by Hurricane Katrina.

In September 2005, the DOCR Director and Disability Policy Advisor traveled to Houston, Texas to meet with recovery and transit agency leaders to discuss the needs of persons with disabilities who were impacted by Hurricane Katrina. They toured the George Brown Convention Center in downtown Houston, where approximately 1,100 victims were living, receiving medical and counseling support and being processed to long term care facilities and housing. The most critical transition needs identified during the visit included accessible housing and public transportation. In

the Houston area a significant number of the victims housed in temporary shelters encountered difficulty accessing needed transportation services for the purpose of receiving social services, financial support and securing long-term housing.

Another issue identified during the visit to Houston was that the majority of individuals with disabilities who were evacuated needed to be relocated to cities with strong mass-transit systems. Also, an increase in the disability population in cities which receive evacuees has the potential to strain existing resources such as Para transit programs. Plans need to be developed to help these systems address the additional strain.

Under, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users of 2005 (SAFETEA-LU) and the DOT Fiscal Year 2006 appropriations bill, the Secretaries of Transportation and Homeland Security, in coordination with the Gulf Coast States and contiguous States, jointly reviewed and assessed Federal and State evacuation plans. The assessment included the costs associated with plan implementation for catastrophic events impacting the Gulf Coast Region. The Secretaries reported their findings and recommendations to Congress.⁸

In keeping with the Emergency Transportation Subcommittee's goal to incorporate its objectives into the overall work of the Department, the DOCR actively participated in the Department's review of Gulf Coast communities' catastrophic evacuation plans. The DOCR Director served on the management team that oversaw DOT's work on the plan assessments and the Disability Policy Advisor was a member of the evaluation team that handled the day-to-day work on this project. The primary purpose of their participation was to ensure that the needs of people with disabilities are considered throughout the review. As a result of their involvement, evaluation criteria for the plan review incorporated disability specific considerations. Report findings and recommendations were submitted to Congress as well as the President. The report contains substantial information on the unique needs of individuals with disabilities during an evacuation. There are several recommendations on how Federal, State, territorial, and local governments can better address the needs of this segment of the population during a catastrophic evacuation.

The report includes an examination of plans as they relate to people with disabilities. The findings indicate that the plans to include these individuals are under-developed and much work still needs to be done. Hospitals, nursing homes, and other institutions generally are responsible for developing their own evacuation plans and deciding when to evacuate their residents. One challenge is whether the risks of not evacuating outweigh the risks of moving seriously ill individuals. Individuals with disabilities who do not live in institutions pose other challenges. Locating where these individuals

⁸ The Department of Transportation Report to Congress is available at www.fhwa.dot.gov/reports/hurricanevacuation. This DOT study of evacuation plans for the Gulf Coast region has been closely coordinated with a DHS study of emergency operations plans in States, territories, and 75 major urban areas called for by President George W. Bush, the Homeland Security Council report, *The Federal Response to Hurricane Katrina: Lessons Learned*, and Conference Report (H.Rept. 109-241) to the Department of Homeland Security Fiscal Year 2006 Appropriations Act (P.L. 109-90). The study focuses more attention on the evacuation component of emergency operations planning, and is limited to the Gulf Coast region.

live often is difficult, despite attempts by local agencies to maintain lists of persons with various disabilities. Privacy interests and some individuals' reluctance to identify themselves as needing assistance are cited as considerations that must be addressed in establishing a comprehensive registry. Also, providing services for people who use wheelchairs, those who rely on medical equipment, those with hearing or visual impairments, the elderly, and other groups in the course of a mass evacuation presents particular obstacles. According to the report, provisions to meet transportation and sheltering requirements of these various "special needs" groups must be improved upon in most evacuation plans.

The report also includes recommendations to improve most evacuation plans as they relate to people with disabilities. Suggestions outlined in the report include:

- Developing regional mass evacuation plans with representatives of various special needs populations as well as other groups involved in the planning process;
- Transportation agencies and operators should be more directly involved in key aspects of evacuation planning and implementation--failure to include these agencies often results in inefficiencies and delays in transporting people with disabilities; and,
- State and local agencies should work with the disability community to develop systems whereby those requiring accessible transportation or sheltering services during evacuations can identify such needs to emergency managers and operators of transportation and sheltering services prior to an evacuation.

DOT is now in the process of developing plans to assist the Gulf Coast communities with implementing the recommendations that have been identified in its report to Congress.

In April 2006, the National Consortium on Human Service Transportation hosted a focus group meeting on behalf of the Emergency Transportation Subcommittee to outline the key transportation issues for people with disabilities, older adults, and individuals with low incomes. The focus group also identified effective strategies for conducting future evacuation activities. The outcome will include a strategy paper and a checklist for use by communities. Subsequent to this focus group, the National Consortium produced, "Strategies in Emergency Preparedness for Transportation-Dependent Populations" and "Transportation and Emergency Preparedness Checklist." These documents highlight essential strategies for providing safe and efficient transportation for persons requiring mobility assistance in the event of an emergency.

In August, 2006, the Federal Transit Administration published its "Disaster Response and Recovery Resource for Transit Agencies." This resource provides best practices and links to specific resources for transit agencies concerning emergency preparedness, disaster response and disaster recovery. Section 4.6 provides guidance on providing emergency services to people with special needs.

Future Goals

During the ICC's third year, the Emergency Transportation Subcommittee Plans to continue its efforts to incorporate its goals and objectives into the overall work of the Department of Transportation. The Departmental Office of Civil Rights (DOCR) Disability Policy Advisor (DPA) will serve on the Emergency Transportation Service Contract Development Team. This team will

articulate the needs, language, and process for this large, dynamic, and complex contract that is intended to support the Emergency Support Function (ESF) 1 of the National Response Plan⁹. The purpose of the DPA's participation on this team is to ensure that the needs of individual with disabilities, older adults, and people with low incomes are adequately considered and addressed in the provision of the contract that is developed.

The Emergency Transportation Subcommittee will continue to enhance and update its emergency transportation preparedness Web site, including adding resources and information that will be useful to members of the disability community throughout the 2006 hurricane season.

Conclusion

The Emergency Transportation Subcommittee is dedicated to fully integrating and mainstreaming the needs of people with disabilities, older adults and people with low incomes into all aspects of the Department of Transportation's emergency preparedness activities.

⁹ At the release of this report, the National Response Plan has been revised and published as the National Response Framework (NRF). The NRF is available at <http://www.fema.gov/emergency/nrf>.

ICC Health Subcommittee

Subcommittee Objectives

The ICC Health Subcommittee (comprised of the Department of Health and Human Services (HHS) agency representatives) identifies and documents promising (and where available evidence-based) emergency preparedness health practices for individuals with disabilities across the lifespan. The Subcommittee works in collaboration with other ICC Subcommittees; emergency managers; and aging and disability service, advocacy, and care networks proposes and as appropriate identifies solutions to address emergency preparedness health challenges.

Accomplishments

The Health Subcommittee has worked closely with the HHS Office of the Assistant Secretary for Preparedness and Response (ASPR) (formerly the Office of the Assistant Secretary for Public Health Emergency Preparedness (OPHEP)) and the HHS Secretary's Transformation Action Team in response to *The Federal Response to Hurricane Katrina: Lessons Learned*. In addition the Subcommittee is developing a "Toolkit/Guidebook for State and Local Emergency Preparedness Managers" regarding emergency preparedness and response needs of the elderly and persons with disabilities.

The Health Subcommittee, in partnership with the ICC, worked to ensure a coordinated response and recovery for evacuees with disabilities during the 2005 Hurricane Season. The Subcommittee provided daily case management support to evacuees with disabilities, disability service providers and advocacy organizations in the affected areas. The following are examples:

- Arranged for the delivery of medications, food and other needed supports to residents trapped in the upper floors of a high rise apartment;
- Coordinated the delivery of replacement wheelchairs, walkers and other durable medical assistance supports for persons with mobility disorders and coordinated the delivery of necessary supplies between the Federal and State responsible entities and private vendors;
- Coordinated communication between families who had a missing relative, the Protection and Advocacy Organizations and the Federal entities responsible for locating missing persons;
- Arranged for the deployment of Public Health Commission Teams with the Surgeon General to attend to evacuees who were devoid of any attending staff; and,
- Arranged for disability-based organizations to provide volunteers to screen and direct the overload of emergency-based telephone calls that the Protection and Advocacy Organizations were unable to handle.

The Health Subcommittee also coordinated the following federal government, private disability-based non profit organizations actions:

- The Centers for Medicare and Medicaid Services (CMS) inclusion of persons with disabilities in all Medicaid waivers and Medicaid reimbursement of health services when persons with disabilities were evacuated to another state;

- The Centers for Disease Control and Prevention (CDC) providing disability-based Census data on the number of persons with disabilities across the lifespan in institutions and the community within the hurricane areas;
- Constituent advocacy organizations coordination in providing donations and professional guidance to meet all life needs of persons with disabilities; and,
- Initiated dialogues with the American Red Cross (ARC) to understand that persons with disabilities can be independent and should be included in the ARC general population shelters. In support of this activity two resulting actions occurred:
 - Protection and Advocacy organizations became part of their shelter operations to provide case management services to evacuees with disabilities; and,
 - Agreement reached between the HHS and the ARC on use of guidelines to support the appropriate shelter placement of persons with disabilities and special medical conditions during all emergency response phases, particularly during the most acute evacuation phase.

The National Response Plan (NRP) is the Federal guideline established by the Department of Homeland Security (DHS) to direct an intergovernmental response during a disaster to maintain safety and smooth functioning of the Nation. The NRP consists of “emergency support functions (ESFs)” that are the responsibilities of the designated Federal agency. HHS is primarily responsible for maintaining and restoring the public and medical health system infrastructure. HHS also supports other Federal agencies and the ARC in their efforts. For example, HHS worked with FEMA and the ARC in carrying out human services response.

The Health Subcommittee addressed the importance of ensuring that disability-related issues became specific response actions within the HHS emergency operations plans and assigned emergency support functions. This work came at a time of National review and revision of the NRP as recommended in the White House report: The Federal Response to Hurricane Katrina: Lessons Learned.

The attention and commitment to including persons with disabilities in all emergency operations plans occurred through a two-step education process:

1. ASPR staff and invited community agencies provided the Subcommittee with technical assistance to understand the HHS responsibilities and tasks as outlined in the NRP and the supporting ESFs.
2. The Subcommittee provided technical assistance to the ASPR staff to clarify the needs and challenges of persons with disabilities in a time of emergency.

From this collaboration came an acceptance on the part of the HHS Office of Preparedness and Emergency Operations staff that the challenges of persons with disabilities must be and is now incorporated into the HHS Emergency Response exemplified by:

- Submission of a draft Concept of Operations to guide ASPR efforts regarding special needs populations (including persons with disabilities) to include a subject matter specialist on

disabilities as a member of the core on-the-ground assessment team and the Incident Management Team reviewing all requests for support and mission assignments;

- Inclusion of the Office on Disability as an important member of the ASPR planning and operations processes;
- Inclusion of the Office on Disability in all ASPR emergency preparedness exercises and in the development of all “Play Book” documents; and,
- Inclusion of the Office on Disability as a full partner on the HHS Secretary’s Transformation Action Team especially in the planning areas of “mission fulfillment” and “human services” to include persons with disabilities.

In addition, the Health Subcommittee members developed a draft *Guidebook for State and Local Emergency Preparedness Managers*. This Guidebook is intended as a tool for local emergency planners that will assist them in meeting the needs of persons with disabilities and to educate them about the importance of including these populations in state and local emergency preparedness plans. Concurrent with the Guidebook development, consultation has been provided to the State of Louisiana as part of the HHS Mission Assignment to ensure adequate disability-based evacuation plans for the hurricane season.

In June 2006, the Health Subcommittee/HHS cosponsored with DHS a National conference of state emergency planners and others responsible for oversight of services to the elderly and persons with disabilities. This conference through presentations and dialogue with the aging network and the disability community provided hands-on experience and learning about how best to integrate aging and disability matters in state and local emergency preparedness plans. To ensure completion of the Guidebook, the conference participants were asked to review and respond to the draft content material.

The Health Subcommittee also reviewed and provided comments on the HHS Centers for Disease Control (CDC) draft *Public Health Workbook to Define, Locate and Reach Special, Vulnerable, and At-Risk Populations in an Emergency*. When this Workbook is published it will provide comprehensive information to emergency responders, persons with disabilities and the public on the importance of communication and joint planning to ensure a comprehensive plan and response:

- The HHS Substance Abuse and Mental Health Services Administration (SAMHSA) sponsored convened a National summit in May 2006, as a follow-up to previously held trainings to involve States, territories, and the District of Columbia in a planning process which helped States/territories assess the progress made on disaster behavioral health plans and address existing barriers and needs. Participants interacted in a peer-to-peer environment to review lessons from Hurricanes Katrina, Rita, and Wilma;
- Identify opportunities for consolidation of the ongoing response to behavioral health issues resulting from the 2005 hurricanes; and,
- Strategize all-hazards preparedness efforts for future disasters.

Future Goals

- Publish and disseminate the Guidebook for State and Local Emergency Preparedness Managers.
- Develop a comprehensive web based training module on the emergency preparedness needs and support for persons with disabilities through all emergency phases.
- Provide emergency disability-based training to all commissioned corps members of HHS and civilian employees of ASPR, as well as ARC response teams.
- Continue and increase the Subcommittee's involvement in ASPR Division offices' emergency preparedness plans and response.

Conclusion

The 2005 Hurricane Season solidified the importance of including the health needs of persons with disabilities in all emergency response plans and operations. The Nation is aware of the horrific impact of the hurricanes on all Gulf States residents particularly those persons with disabilities and chronic medical conditions. The increased commitment of Federal, State, territorial, and local emergency planners to planning for persons with disabilities demonstrates improvement over past planning strategies.

It is important to identify persons with special needs for seamless evacuation and management; i.e. medications, assistive technology, durable medical equipment, and peers for caregivers – all of which will allow evacuees to shelter in place versus institutionalization.

Private Sector Coordination Subcommittee

Subcommittee Objectives

The Private Sector Coordination Subcommittee fosters collaboration and exchange of information among leaders of volunteer and nonprofit organizations, disability consumer organizations, first responder disciplines and emergency management personnel. The Subcommittee, chaired by the DHS CRCL, focuses on issues related to the safety and security of individuals with disabilities in all aspects of emergency planning.

A key player in the Private Sector Subcommittee is the National Citizen Corps Council. A partnership was established, in 2004, between the National Citizen Corps Council and the ICC to facilitate collaboration between the Federal government and disability advocacy groups. Representatives from this Subcommittee work to identify ways and means to raise the level of awareness of their constituents regarding emergency preparedness and to provide the ICC, on an as needed basis, disability subject matter expertise.

The National Citizen Corps Council brings together national leaders from various first responder disciplines, emergency management, volunteer and non profit organizations, government and the private sector to foster collaboration and support for State, tribal, and local Citizen Corps Councils.

Accomplishments

As a result of the lessons learned from the 2005 hurricane season, new opportunities are now available for Federal agencies, departments and private sector entities to involve and assist people with disabilities in disaster and emergency preparedness, mitigation, response, and recovery. Historically, many private and nonprofit organizations that offer community disaster education and/or provide assistance following an emergency demonstrated a lack of representation and consideration concerning persons with disabilities. However, the unprecedented devastation of the hurricanes led to an elevated recognition of the need for partnerships among non-government and advocacy organizations, people with disabilities, emergency planners and government agencies to effectively respond to disasters and preserve health and life.

Below are examples of hurricane related collaboration between disability organizations and the ICC:

- The ICC initiated conference calls with disability service providers from the Gulf Coast region to identify problematic issues encountered immediately following Hurricane Katrina's landfall. With ongoing conference calls from around the nation the ICC worked to resolve those issues. Challenges were often overwhelming; however, collaborative efforts between Federal departments and agencies enabled the identification of critical needs and effective solutions. As a result lives were saved. Of equal importance, people with disabilities were provided a platform within the Federal government where they could voice their concerns and have those concerns addressed.
- The ICC facilitated a dialogue between the Disability Protection and Advocacy programs in the four most hurricane-affected Gulf States (Alabama, Louisiana, Mississippi and Texas)

with wireless data device providers. This dialogue resulted in a donation of 100 Blackberries and six months free data (email) service to individuals who work with people who have disabilities to enhance their ability by providing immediate post-disaster and on-going service to evacuees and other hurricane-impacted persons with severe disabilities.

National Citizen Corps Council Subcommittee Activity:

- At the National Preparedness Month kick off event sponsored by DHS and the ARC in Washington, DC, ICC representatives provided demonstrations on how to assemble an emergency preparedness kit for evacuation purposes and staffed a booth with National Citizen Corps Subcommittee members.

National Preparedness Month is a nationwide coordinated effort to encourage Americans to take steps to be better prepared for emergencies in their homes, businesses and schools. During the month of September, a wide variety of public and private sector organizations highlight the importance of emergency preparedness, by hosting events and sponsoring activities that disseminate emergency preparedness messages to and encourage action from their customers, members, employees, stakeholders and communities across the Nation.

- At the invitation of Tim Lovell, Executive Director of the Tulsa Project Impact Citizen Corps Council, a team from the Private Sector Coordination Subcommittee was invited to participate in meetings with Tulsa, Oklahoma city leaders, emergency planners, advocacy groups and community volunteers to learn about local preparedness initiatives and, to share ideas and developments that advance the goal of preparing people with disabilities for disaster events. During the visit, the team toured Fort Gruber, a Hurricane Rita shelter, to observe how people with disabilities were cared for while in residence. In addition, the team conducted demonstrations on building a “go-kit” for students who were deaf or hard-of-hearing at two high schools. The kits are backpacks filled with basic necessities for rapid evacuation or a shelter in place situation.
- Organizational representatives from the National Citizen Corps Council Subcommittee submitted a letter to the DHS, Office of Grants and Training, encouraging the insertion of disability criteria among the requirements for the FY2006 DHS Homeland Security Grant Program. This inclusive language would ensure the inclusion of disability populations in State and local government emergency management planning.
- The annual meeting of the National Citizen Corps Council, chaired by the former DHS Assistant Secretary of the Office of Grants and Training, Tracy Henke, was held in Washington, DC. This event brought together leaders from DHS and National Citizen Corps partner organizations representing emergency responder disciplines, community and volunteer services, persons with disabilities, State, local governments, the private sector, and partners from other Federal agencies. President Bush, DHS Secretary Michael Chertoff and then-Under Secretary of Preparedness George Foresman, offered insights on critical issues and priorities for community preparedness. Private Sector Subcommittee representatives contributed to a panel discussion emphasizing the importance of involving individuals with

disabilities as volunteers and provided subject matter expertise in cross-functional working groups.

Collaboration with Non-Government Organizations:

- Throughout the past year, representatives from the ARC routinely met with ICC members to discuss difficulties confronting people with disabilities in shelter environments. ICC representatives shared experiences faced by individuals with disabilities and advocacy groups when dealing with or entering shelters. With the guidance provided by the ICC and other stakeholders, ARC revised shelter operational guidelines and developed training to improve the skill level of their volunteers and staff to appropriately serve people with disabilities.
- CRCL along with several ICC and National Citizen Corps Council Subcommittee representatives participated in the ARC's working summit, "*Engaging and Serving People with Disabilities*." Summit participants discussed how to expand upon and strengthen existing collaborative response and how to plan for future disaster relief efforts while incorporating people with disabilities. Participants proposed short-term action items to complete for disaster response and recovery for the 2006 hurricane season and continuing into the future. This meeting marked a starting point for the partnerships and collaborative effort necessary to fulfill this commitment.
- ICC representatives joined in discussion with several major veterans' service organizations, including the Blinded Veterans of America, Veterans of Foreign Wars, Paralyzed Veterans of America and Disabled American Veterans to discuss emergency preparedness, training and planning at the local and State levels. Representatives from the Department of Veterans Affairs (VA) reported on their successful efforts in assisting veterans in the Gulf region during the hurricane crises in Alabama, Louisiana, Mississippi and Texas. The group reached consensus to develop plans to guide and provide technical assistance to transfer the VA's knowledge and information to other disability service and advocacy organizations.
- A representative from the California Coalition of Organizations Serving Deaf and Hard of Hearing Consumers traveled to Washington, DC, to discuss with DHS, FCC, and DOJ representatives Enhanced 911 (E911) concerns regarding full access to the emergency notification system for individuals who are deaf and/or, hard of hearing or speech-impaired. These populations often utilize internet-based relay services such as Video Relay Service (VRS), captioned telephone services using Internet Protocol (IP), and IP Relay for telecommunications access through stationed pc-based equipment or wireless devices. Wireless E911 rules seek to improve the effectiveness and reliability of wireless 911 service by providing dispatchers with additional information on wireless 911 calls. Currently, internet-based services are not adequately equipped to access the E911 system. Because of FCC's and DOJ's longstanding regulatory and enforcement ties to this issue, DHS is working closely with them in identifying potential next steps.
- At the invitation of the ARC, ICC members participated in a meeting cosponsored by National Volunteer Organizations Active in Disaster (NVOAD) and ARC that brought together volunteer organizations representing a variety of "special needs" groups (i.e.,

language, minority, disability, etc.) to understand how they can effectively work together during a disaster response. A by-product of the conference was the development of a working group to tackle specific issues identified during conference breakout sessions and to affect NVOAD's policy and procedures.

- Representatives from the Private Sector Coordination Subcommittee attended the NVOAD Convention. Subcommittee representatives participated in both Policy and Mass Care Committee meetings, while the National Organization on Disability, a member of the National Citizen Corps Council Subcommittee, offered disability expertise in a panel presentation to raise the awareness of issues related to disability and senior populations during and following a disaster. In addition, initial contact was made with several VOAD member organizations for further discussion on disability related disaster issues and potential partnerships. Representatives from CRCL and the Salvation Army USA engaged in discussion regarding possible collaboration to revise the Salvation Army's Volunteer Disaster Training Course. Based on their Hurricane Katrina response, the organization is exploring ways to strengthen volunteer and staff training by incorporating information about serving individuals with disabilities and seniors who require assistance with preparing for a disaster event.

Community Education and Outreach Presentations and Conferences:

Representatives from the Subcommittee participated in the following conferences:

- National Preparedness Month Kick Off, Washington, DC;
- Accessible Emergency Notification and Communication: State of the Science Conference, Gallaudet University, Washington, DC;
- American Association of Retired People (AARP): Promising Practices for Protecting Older Persons in Disasters, Washington, DC;
- National Hurricane Conference, Orlando, FL;
- Restoration 2006 Conference, New Orleans, LA; and,
- National Citizen Corps National Conference, Washington, DC.

Future Goals

Building upon its accomplishments during this past year, the ICC intends to develop and maintain collaborative partnerships with nongovernmental and private sector stakeholders during 2006-07. This will take two primary forms:

1. In collaboration with the National Citizen Corps Subcommittee, CRCL will continue to develop and maintain strategic partnerships with representatives of the disability community.
2. CRCL will proactively collaborate with the ARC, Salvation Army, and other Volunteer Organizations Active in Disasters to aid in: 1) increasing awareness and building capacity, 2) maximizing resources, and 3) developing consistency of approach in outreach to individuals with disabilities and other special needs populations.

Conclusion

The catastrophic events of the 2005 hurricane season highlighted the need for strong partnerships, cooperation and collaboration among disability organizations, VOADS and various government entities. These partnerships will result in a more inclusive local emergency preparedness planning and all-encompassing citizen education. It is evident that segments of the private sector have resources and expertise not traditionally enlisted during a disaster or emergency. Maintaining the current momentum and tapping into new collaborative opportunities will improve the emergency management environment.

Research Subcommittee

Subcommittee Objectives

People with disabilities are at particular risk during emergency and disaster situations. Typical ways of supporting individuals with disabilities (e.g., wheelchair users descending buildings in elevators; people with vision impairments following a specific route home through the city; people who are deaf communicating via sign language interpreters) often get disrupted during times of crisis and infrastructure damage.

Research is needed to demonstrate disability-related interventions, technologies, standards, methods, and procedures that are safe, effective, and compatible with overall emergency management efforts. Answers are needed to address a multitude of questions, such as how to communicate with, evacuate, shelter, transport, and provide health and mental health services to people with physical, mental, and sensory impairments over the course of a disaster. Research efforts should focus on ways to incorporate disability considerations into standard operations rather than on methods that segregate people with disabilities from the general population during times of disaster. Finally, research is needed across the life cycle of disaster and emergency situations, covering the whole spectrum of emergency management (i.e., preparedness, mitigation, response and recovery).

The Research Subcommittee is chaired by the National Institute on Disability and Rehabilitation Research (NIDRR) in the Office of Special Education and Rehabilitative Services (OSERS) at the U.S. Department of Education. Former Assistant Secretary of OSERS, John H. Hager, was the Department of Education's principal ICC representative during the time period covered by the information included in this section. The Research Subcommittee operates as a Task Force under the Interagency Committee on Disability Research (ICDR), Subcommittee on the New Freedom Initiative. The Chair of the ICDR during this time period was Mr. Steven James Tingus, who was also the Director of NIDRR.

The mission of the Research Subcommittee is to assess, coordinate, and promote federally-funded research on emergency management as it relates to people with disabilities. Primary objectives of the Research Subcommittee include: 1) assessing the state-of-the-art in emergency management research as it relates to people with disabilities; 2) identifying research gaps; 3) soliciting public input; 4) disseminating materials; and, 5) coordinating and promoting federal funding efforts.

Accomplishments

The Research Subcommittee has spearheaded Federal initiatives in each area within its mission: assessment; coordination; and, promotion of Federal research. This section outlines progress within each of these areas.

Assessing the State-of-the-Art in Disability-Related Emergency Management Research

The Research Subcommittee conducted multiple projects aimed at gaining a comprehensive understanding of the state-of-the-art in research on emergency management issues related to people with disabilities. This included: developing a research bibliography; compiling relevant conference

recommendations; surveying Federal agencies to determine what Federal research projects currently are being funded; and, soliciting public input. All of these activities are ongoing in nature and are being used to develop a comprehensive Federal research agenda in emergency management and disability. The Research Subcommittee is working to disseminate results from these projects in order to enhance coordination among Federal funding agencies and stimulate further research.

Bibliography

The Research Subcommittee developed a bibliography of research articles specific to emergency management related to people with disabilities.

Conference Recommendations:

The Research Subcommittee is engaged in ongoing efforts to compile, synthesize, and disseminate research recommendations from major conferences on emergency management issues relevant to people with disabilities. Relevant conferences have included, but are not limited to:

- Pediatric Preparedness for Disasters and Terrorism: A National Consensus Conference, Columbia University, National Center for Disaster Preparedness, February 2003.¹⁰
- Emergency Preparedness for People With Disabilities: An Interagency Seminar of Exchange for Federal Managers, U.S. Department of Labor, December 2003.¹¹
- Workshop on Building Occupant Movement During Fire Emergencies, National Institute on Standards and Technology (NIST), June 2004.¹²
- Conference on Emergency Preparedness for People With Disabilities, National Organization on Disability (NOD), September 2004.¹³
- Emergency Evacuation of People With Physical Disabilities from Buildings, Interagency Committee on Disability Research (ICDR), Subcommittee on Technology, October 2004.¹⁴
- Accessible Notification and Communication: State of the Science Conference, Gallaudet University, November 2005.¹⁵
- Considerations in Emergency Preparedness: A Two Track Conference, Columbia University, National Center for Disaster Preparedness, December, 2005.¹⁶

¹⁰ The pediatric preparedness conference included a focus on children's mental health and children with special health care needs. Information is available at: <http://www.ncdp.mailman.columbia.edu/index.html> and www.pediatricpreparedness.org.

¹¹ The Department of Labor summary report and other information is available at: <http://www.dol.gov/odep/programs/emergency.htm>.

¹² Information about the NIST conference is available at: <http://fire.nist.gov/bfrlpubs/fire05/art023.html>.

¹³ Information about the NOD conference is available at: <http://www.nod.org/epiconference2004/index.html>.

¹⁴ The ICDR *Emergency Evacuation of People with Physical Disabilities From Buildings: 2004 Conference Proceedings*, including research recommendations, are available on the ICDR Web site at <http://www.icdr.us/>.

¹⁵ Gallaudet conference materials are available at <http://tap.gallaudet.edu/emergencyconf.htm>. Research recommendations are forthcoming at that location.

¹⁶ Columbia University's research recommendations are forthcoming.

Current Federal Research

In collaboration with DHS, the Research Subcommittee developed and administered a survey to Federal agencies that examines current Federally-funded research focusing specifically on the intersection of emergency management and issues affecting people with disabilities. Ten federally-funded projects emerged from this survey and other efforts to identify relevant Federal research projects. These projects were funded by four Federal agencies: the Department of Education, the Department of Commerce, the Centers for Disease Control, and the National Council on Disability. The projects include:

- Access Alerts: Making Emergency Information Accessible to People With Disabilities.¹⁷
- Access to Locally Televised On-Screen Information: Auditory Messaging and Captions During Emergency Broadcasts.¹⁸
- Assessing the Impact of Hurricane Katrina on Persons With Disabilities.¹⁹
- Bottom-Up Modeling of Mass Pedestrian Flows: Implications for the Effective Egress of Individuals With Disabilities.²⁰
- Making In-Flight Communications and Entertainment Accessible.^{21*}
- Nobody Left Behind: Disaster Preparedness for Persons With Mobility Impairments.²²
- Project Safe EV-AC: Safe Evacuation and Accommodation of People With Disabilities.²³
- Saving Lives: Including People With Disabilities in Emergency Planning.²⁴
- Rehabilitation Engineering Research Center on Telecommunications Access^{25*}
- Rehabilitation Engineering Research Center for Wireless Technologies^{26*}

¹⁷ Funding Source: U.S. Department of Commerce. Grantee: WGBH National Center for Accessible Media. Total Funding: \$550,000.

¹⁸ Funding Source: U.S. Department of Education, National Institute on Disability and Rehabilitation Research. Grantee: WGBH National Center for Accessible Media. Total Funding: \$450,000.

¹⁹ Funding Source: U.S. Department of Education, National Institute on Disability and Rehabilitation Research. Grantee: Research and Training Center on Independent Living at the University of Kansas. Total Funding: \$162,500.

²⁰ Funding Source: U.S. Department of Education, National Institute on Disability and Rehabilitation Research. Grantee: Utah State University Center for Persons with Disabilities. Total Funding: \$450,000.

²¹ Funding Source: U.S. Department of Education, National Institute on Disability and Rehabilitation Research. Grantee: WGBH National Center for Accessible Media. Total Funding: \$450,000. *Note: This project does not focus on emergency issues, but the general focus on accessible in-flight communications would assist communications in the event of an emergency.

²² Funding Source: Center for Disease Control and Prevention through the Association of Teachers of Preventative Medicine. Grantee: Research and Training Center on Independent Living at the University of Kansas. Total Funding: \$622,408.

²³ Funding Source: U.S. Department of Education, National Institute on Disability and Rehabilitation Research. Grantee: West Virginia University. Total Funding: \$450,000.

²⁴ Funding Source: National Council on Disability. Grantee: June Kailes. Total Funding: \$25,000.

²⁵ Funding Source: U.S. Department of Education, National Institute on Disability and Rehabilitation Research. Grantee: University of Wisconsin/Madison. Total Funding: \$4,324,988. * Note: This project does not focus exclusively on emergency issues, but does include a focus on accessible emergency alerts and communications.

²⁶ Funding Source: U.S. Department of Education, National Institute on Disability and Rehabilitation Research. Grantee: Georgia Institute of Technology. Total Funding: \$4,749,994. Note: This project does not focus exclusively on emergency issues, but does include a focus on wireless emergency communications.

Public Input

The Research Subcommittee has sought, and will continue to seek, public input on research needs. In May 2006, the ICDR conducted a public comment meeting in which it invited and received input on the Federal research agenda in disability and rehabilitation research, including emergency preparedness and disability. Among the comments received were suggestions from representatives of Columbia University's National Center for Disaster Preparedness on areas for future research based in part on recommendations from the December 2005 Columbia Consensus Conference, *Considerations in Emergency Preparedness*. The comments will be incorporated into the ICDR and the ICC's synthesis of research needs. In addition, the ICDR Web site has an ongoing public comment section specifically requesting input on emergency preparedness research needs (<http://www.icdr.us/>). Information about both of these opportunities for public input is publicized through the ICDR and through the newsletter of the ICC. The Research Subcommittee will review and analyze all public input, and incorporate findings into efforts to coordinate and promote Federal research in emergency preparedness and disability.

Coordinating and Promoting Federal Research

Interagency Coordination

The Research Subcommittee has conducted extensive discussions with multiple Federal agencies regarding research needs in emergency management and disability, and has worked with these agencies to define specific areas in need of funding. Some examples of the multitude of questions still needing resolution include but are not limited to:

- What methods, technologies, and standards are appropriate for communicating with people with hearing, vision, cognitive, and other impairments during emergency preparedness, response and recovery efforts?
- What are the most effective interventions and methods for emergency preparedness, response, and recovery with respect to people with mental disabilities?
- What methods, technologies, and standards are appropriate for evacuating people with disabilities from buildings, transportation systems, and cities?
- What technologies, standards, and interventions are effective for emergency preparedness, response, and recovery when applied to infants and children with disabilities and/or chronic health care needs?

Promotion of Federal Research

NIDRR has provided strong leadership across Federal agencies to promote federal funding in emergency management and disability. Based in part on the findings of the Research Subcommittee, NIDRR has announced two proposed priorities for Fiscal Year 2007 that focus on research needs related to the intersection of emergency management issues and people with disabilities.

In addition, NIDRR, for the first time, has included emergency preparedness and disability in its Long-Range Plan for Fiscal Years 2005–2009. The Plan, which presents a five-year research agenda, now incorporates emergency preparedness in the discussion of the national policy context

for NIDRR research. The Plan is available at <http://www.ed.gov/legislation/FedRegister/other/2006-1/021506d.html>.

Future Goals

The Research Subcommittee continues its efforts in a multitude of areas, including but not limited to:

- Soliciting public input from the disability community and other public and private stakeholders to gain a comprehensive understanding of critical research needs;
- Developing a comprehensive federal research agenda in the area of emergency management and people with disabilities; and,
- Coordinating and promoting federal funding efforts.

Conclusion

The ICC Research Subcommittee survey of federal research projects found that across the whole federal government there appear to be only ten federal research projects focusing on emergency management and disability. In addition, the Research Subcommittee literature review revealed a dearth of published literature in emergency management and disability, and research recommendations from conferences also reveal numerous questions needing resolution. Until empirical research provides answers to these questions, our Nation will be left with good intentions and efforts that may or may not be effective.

Research necessary to providing answers is, for the most part, at the earliest stages of development. The Research Subcommittee intends to help bridge this gap by soliciting input on research needs, developing a comprehensive Federal research agenda, and coordinating and promoting Federal funding efforts. Commitments from other agencies to fund research will be an important step in closing the gap.

Finally, the incorporation of disability-related research into ongoing research on emergency management will be an important means of ensuring that people with disabilities, and disability considerations, are fully integrated into emergency preparedness, mitigation, response, and recovery efforts.

State, Local and Tribal Government Coordination Subcommittee

Subcommittee Objectives

The ICC State, Local and Tribal Government Coordination (SLTGC) Subcommittee works to ensure the inclusion of individuals with disabilities into emergency and disaster planning at the State, local and tribal governmental levels by promoting planning and accountability for constituencies with disabilities. The SLTGC serves in this capacity as a guidance and resource entity that respects the authority, discretion, responsibility and flexibility of State, local and tribal authorities.

Accomplishments

The devastation caused during the 2005 hurricane season initiated a series of plan, policy, protocol and procedural improvements at all levels of government. Moreover, the impact of the disaster on disability populations and the elderly necessitates vigorous review and revision to State, local and tribal governments' planning, policy, protocol, and procedures.

Following Hurricane Katrina's landfall, day-to-day involvement of STLGC Subcommittee members spanned critical areas including, accessible housing, timely and efficient handling of special needs/disability case management issues, and nursing home/institutionalization issues. Directed by Secretary Chertoff, CRCL sent representatives to the Joint Field Offices (JFO) in Baton Rouge, Louisiana, and Austin, Texas, to resolve issues related to people with disabilities. They worked closely with local government and non-government entities to identify people with disabilities needing assistance and worked to ensure that they received appropriate support. CRCL continues to remain involved in the Gulf Coast rebuilding efforts, emphasizing the importance of universal design concepts²⁷ and compliance with the Americans with Disabilities Act (ADA)²⁸

In the first year of the Council, the SLTGC Subcommittee worked in coordination with the DHS Offices of Domestic Preparedness and State and Local Government Coordination and Preparedness to develop disability criteria language for incorporation into grant guidance to State, territorial, tribal and local entities; provide input to State Preparedness Officers on the inclusion of issues relevant to individuals with disabilities; and, integrate individuals with disabilities and relevant issues into the planning and execution of emergency exercises.

Now in its second year, the Subcommittee continues in its efforts to further integrate disability emergency considerations with key DHS offices, directorates and component agencies. Specific activities include reviewing the DHS JFO Standard Operating Procedures (SOPs) to incorporate disability-specific guidelines and procedures not originally included in the SOPs. As a result of the Subcommittee's recommendations, JFO SOPs now direct DHS CRCL to assign liaison staff to the JFO to provide guidance and policy advice on issues related to people with disabilities. Language

²⁷ Universal Design is the creation of products and environments meant to be usable by all people, to the greatest extent possible, without the need for adaptation or specialization. Available at <http://www.lowes.com/lowes/lkn?action=howTo&p=CommLib/UnivDesDef.html>

²⁸ Americans with Disabilities Act gives civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, State and local government services, and telecommunications. More information about the ADA can be found at <http://www.usdoj.gov/crt/ada/>.

also was added to emphasize the inclusion of accessible communication and transportation in the planning process.

To address national preparedness, the President issued Homeland Security Presidential Directive 8: *National Preparedness* (HSPD-8) which calls for a ***National Preparedness Goal*** establishing measurable priorities, targets, and a common approach to developing needed capabilities. This Goal employs a Capabilities-Based Planning approach designed to answer the questions “how prepared are we?”, “how prepared do we need to be?”, and “how do we prioritize efforts to close the gap?” A main component of the Capabilities-Based Planning approach includes the use of the Target Capabilities List (TCL)²⁹, which provides guidance on the specific capabilities that Federal, State, territorial, local, and tribal entities are expected to develop and maintain to effectively respond to a disaster or emergency. The 2005 hurricane season resulted in the review of these Capabilities. Representatives from SLTGC and the National Citizen Corps Subcommittee along with representatives from Volunteer Organizations Active in Disaster (VOAD) and other non-government organizations provided recommendations to rework the content of the Mass Care (Sheltering, Feeding and Related Services) capability. One priority of this group was to clearly delineate between people with disabilities who function in a general population shelter and those who need assistance available only in medical shelters. The team also emphasized language that ensured the admission of service animals into general population shelters.

President Bush tasked DHS to conduct a review, in cooperation with local counterparts, of emergency plans in every State, territory and major city in America to determine the Nation’s ability to respond to catastrophic events. Secretary Chertoff further ordered that the review include a rigorous examination of how these communities plan to prepare, inform, evacuate and care for people with disabilities. The DHS Preparedness Directorate issued Information Bulletin 197³⁰ to all State Homeland Security Directors, State administrative agency heads, State administrative agency points of contacts, and urban area points of contact requiring them to conduct self-assessments using guidelines from the Bulletin as a prerequisite for receipt of Fiscal Year 2006 DHS Homeland Security Grant funds. SLTGC provided input and advice into the review process, including a meeting with the Preparedness Directorate’s Office of Grants and Training (G&T)—the office overseeing the review process. Among the self-assessment questions were:

- What actions are being taken to fully address requirements for populations with special needs, particularly persons with disabilities?
- What actions are being taken to ensure prompt evacuation of patients (ambulatory and non-ambulatory) from health care or other facilities?

The self-assessment phase was followed by on-site Peer Review visits to validate results and recommend corrective action plans. SLTGC Subcommittee developed a Disability Overview that was incorporated into training for the Peer Review Teams.

In an effort to ensure the most comprehensive review of Nationwide emergency plans, DHS CRCL formed a review team of 11 disability SMEs from Federal departments and agencies, non-

²⁹ The Target Capabilities List can be found at http://www.ojp.usdoj.gov/odp/docs/Target_Capabilities_List_041405.pdf

³⁰ The Preparedness Directorate Information Bulletin 197 is available at: <http://www.ojp.usdoj.gov/odp/docs/info197.pdf> or contact disability.preparedness@dhs.gov to request a MS WORD version of this Bulletin.

governmental organizations; disability consumer, service and advocacy organizations; and the private sector. The scope of the analysis was demographically based from U.S. Census data and focused on select State and Urban Area Homeland Security Strategies, designated areas in the EOPs and appropriate supporting documents. The CRCL SME team reviewed a sample of ten States and ten urban areas based on diverse risks, demographic profiles and geography. The team focused their review to disability-related issues in the following key areas:

- Demographics and legal considerations;
- Evacuation and transportation;
- Communication/public information;
- Sheltering and health services; and,
- Exercises and training.

To facilitate consistency and efficiency of capturing key data, the reviews were conducted using an assessment tool developed by CRCL designed to obtain a clear assessment of disability-related planning and readiness levels and how well these issues are integrated into the planning process. The assessment tool incorporated specific scaling criteria (Sufficient, Partially Sufficient, or Not Sufficient) for each of the areas assessed. Findings were reviewed and summarized into a report submitted to then-DHS Preparedness Directorate, Office for Policy, Initiatives and Analysis for inclusion into their final report to the White House and Congress.³¹

The data extracted from this rigorous review of all Nationwide emergency plans revealed major fragmentation, inconsistencies, and critical gaps throughout the plans. Few plans demonstrate in-depth planning and proactive thinking in preparing to meet the needs of people with disabilities before, during and after emergencies. Most plans delegate critical responsibilities to third parties or other governmental entities without adequate coordination or assurance of resources. However, more than half of the State and urban area emergency planners recognized the deficiency in their plans and indicated a significant need for technical assistance to effectively include “special needs” populations in their planning process.

Exercising emergency operations plans is critical to ensure the readiness of any jurisdiction. Many Federal, State, territorial, and local government agencies have initiated rigorous training schedules to practice plans and reveal gaps in community preparedness prior to the occurrence of an actual disaster or emergency. The ICC is committed to ensuring that people with disabilities are an integral part of exercise development, planning, and play.

- HHS extended an invitation to CRCL to provide input related to disability issues for the Intra DHS Pandemic Tabletop Exercise scenario development and to participate in the exercise. This senior-level strategic planning exercise tested interagency interoperability and helped identify potential gaps in national preparedness for potential avian influenza pandemic.

³¹ Nationwide Plan Review Report can be found at http://www.dhs.gov/interweb/assetlibrary/Prep_NationwidePlanReview.pdf For an HTML format, http://64.233.187.104/search?q=cache:EkKUydtLhJkJ:www.dhs.gov/interweb/assetlibrary/Prep_NationwidePlanReview.pdf+Nationwide+Plan+review+Phase+2+report+june+2006&hl=en&gl=us&ct=clnk&cd=1

- The SLTGC Subcommittee participated in the development of the TOPOFF 3 Full Scale Exercise After-Action Report submitted to Secretary Chertoff. The Report included a Remediation Action Plan identifying matters the exercise did not sufficiently address and recommendations to correct those shortfalls. SLTGC Subcommittee’s primary concern was that the exercise did not sufficiently address the needs of people with disabilities in exercise planning, play, delivery or in the accommodation of observers with disabilities. The Subcommittee made specific recommendations to have these issues remedied during TOPOFF 4 by:
 - Identifying individuals with disabilities, advocacy groups, and emergency preparedness experts to assist in planning and provide actors for realistic play;
 - Inclusion of a community of individuals with disabilities in exercise scenario and play (i.e. specifying that a school for the deaf or a nursing home is in the area affected in the scenario); and,
 - Working with the Section 508 coordinator and CRCL to ensure maximum accessibility and accommodation for observers and players in TOPOFF 4 and intermediate exercises.

A priority for TOPOFF 4 is to test the capability of the responders to handle the needs of people with disabilities. To help achieve that goal, SLTGC is working closely with G&T to ensure the involvement of appropriate disability subject matter expertise in the exercise scenario development. The culmination of the TOPOFF 4 exercise cycle will be a large-scale exercise to take place in Arizona, Oregon, and Guam in 2007, and will address short, medium and long-term disaster recovery issues.

- The DHS Preparedness Directorate, G&T, in coordination with FEMA, initiated the FEMA Regional Hurricane Preparedness Exercises, which included five regional tabletop exercises encompassing all of the Gulf Coast and Eastern Seaboard States and Territories. Participation included appropriate Federal, State, territorial, tribal and local government representatives, in addition to non-governmental organizations and private sector partners.

Consistent with the Secretary’s commitment to examine how communities plan to prepare, inform, evacuate and care for people with disabilities, G&T requested CRCL’s disability subject matter expertise in the exercise development, as well as participation in the exercises.³² Throughout the exercise, dialog was initiated on inclusion of and appropriate preparation for people with disabilities. At the end of each exercise, CRCL submitted written recommendations to close gaps and improve preparedness at Federal and State levels.

³² For more information, the Office of Grants and Training Information Bulletin No. 203 is available at: <http://www.ojp.usdoj.gov/odp//docs/info203.pdf> or in html format at <http://72.14.203.104/search?q=cache:8F-M8s5ReV0J:www.ojp.usdoj.gov/odp//docs/info203.pdf+Hurricane+Preparedness+Exercises+2006+DHS&hl=en&gl=us&ct=clnk&cd=3>.

Conference Participation

- Conference on Emergency Management and Individuals with Disabilities and the Elderly Co-hosted by DHS and HHS in June 2006 - State emergency management officials met with key disability and aging experts to integrate disability specific issues into their jurisdiction's emergency management framework. This strengthened State and regional capability to assist individuals with disabilities and the elderly during a disaster or emergency and provided participants an opportunity to develop action steps on disability issues that can be immediately incorporate into their current emergency planning activities.
- 28th National Hurricane Conference, Orlando, FL - Conference brought together State, local and Federal emergency management professionals to examine hurricane impact and effective preparedness. SLTGC Subcommittee conducted a session on *Who's Looking Out for Special Needs?* which examined the impact of 2005 hurricane season on individuals with disabilities and the elderly.
- National Emergency Management Association Mid-Year Conference, Washington, DC- This conference offered an opportunity for State emergency managers to come together to discuss the many challenges that face us today, share solutions, grow professionally and network with peers. SLTGC representatives participated in the conference and committee meetings to provide various disability community perspectives during discussion periods.
- 2006 Gulf Coast Restoration Conference, New Orleans, LA- Participants focused on long-term and sustainable community and economic recovery in the aftermath of a disaster. The conference was designed to help government, private sector and community leaders by providing case studies, resources, networking opportunities and more.

Future Goals

During 2006-07, CRCL will lead the implementation of the Nationwide Plan Review disability-specific initial conclusions based on findings of the CRCL Disability Subject Matter Expert Reviewers. This will entail conducting the following two major initiatives:

1. Work in coordination with the DHS Office of Grants and Training to develop a nationwide emergency management planning guide special needs populations.
2. Work collaboratively with DHS Offices and other federal partners to ensure that disability considerations are thoroughly incorporated within the revision of the National Response Plan and the National Incident Management Systems. This will include developing a consistent definition of the term 'special needs' as used in the emergency and disaster contexts.

Conclusion

The incorporation of information on issues specific to people with disabilities into State and local, and tribal government disaster policies and procedures is a critical step toward firmly integrating

disability emergency preparedness and response into the fabric and culture of emergency services. Currently there is an increased momentum at all levels of government to improve policy, plans and procedures to as they relate to individuals with disabilities before, during and following emergencies and disaster. The SLTGC Subcommittee is encouraged by this primed environment and seeks to tap into emerging opportunities plus proactively engage State, local and tribal governmental entities that are most familiar with the local emergency management needs.

Technical Assistance and Outreach Chair: Department of Justice – Civil Rights Division

Subcommittee Objectives

In the first year of the ICC, the Technical Assistance and Outreach (TA&O) Subcommittee identified its overall goal to compile and develop outreach and technical assistance materials to assist the disability community before, during, and after an emergency. The compilation of such resources will meet the Subcommittees' objective to equip people with disabilities, service and care providers of people with disabilities, and the emergency management community with information necessary to assist people with disabilities facing an emergency or disaster. Since its existence, the TA&O has continued on the path to meet this objective through collaboration among Federal and non-governmental organizations and to provide the infrastructure necessary to adequately support the exchange of disability preparedness information.

Accomplishments

Establishing the Disability Preparedness Resource Center Web site was an important initial step in providing disability preparedness resource information for all Council target audiences. As the site entered into its second year of existence, the TA&O continued in its efforts to provide a well maintained and timely Web site by regularly surveying the emergency management landscape for pertinent disability preparedness and response-focused information and resources. This process is an ongoing one, and reinforces the evolving and dynamic nature of this site.

The Disability Preparedness Resource Center Web site encompasses the following three main subject areas:

- **Personal Preparedness Planning**
Provides access to information and guidance in developing a personal plan of action if faced with an emergency or disaster.
- **Emergency Managers, Responders, Service & Care Providers**
Provides access resources for emergency managers, responders and service and care providers regarding their role in ensuring the safety and security of people with disabilities.
- **Get Involved in Your Community**
Provides information regarding how one can get involved in the community and offers guidance regarding community outreach and focusing on how to involve key players in disability preparedness efforts at the community level.

An important step in promoting effective practices in emergency preparedness for people with disabilities is centralizing existing information and resources to provide various stakeholders a more comprehensive look at these policies, practices, and procedures. The importance of ensuring this Web site is organized in a manner that is best suited for the end user is paramount. In an effort to ensure the site's information is organized in an effective manner, the TA&O reexamined and redesigned the site in March 2006, to include cutting edge Web site navigational capabilities making the site far more user friendly. In addition, the TA&O designated a new URL

(www.disabilitypreparedness.gov) to enhance the site's visibility and prominence within the World Wide Web thus making the site easier to find through commonly used search engines.

The newly redesigned Disability Preparedness Resource Center Web site continues to provide practical information on how people with and without disabilities, family members of and service providers to people with disabilities, and emergency planners and first responders can prepare for an emergency or disaster.

In the post-Katrina environment of emergency management, it is apparent now more than ever that having key information readily available for immediate access is crucial. In the event of another incident of national significance such as Hurricanes Katrina and Rita, the TA&O developed a 'Disaster-Specific Staging Area' for the homepage of the Disability Preparedness Resource Center Web site that will be made available immediately available in the event of a large scale emergency or disaster. Because all disasters are inherently unique in nature and impact at the local level, the TA&O will take into account the relative needs of the affected region and the specific needs resulting from the disaster to develop the content for the 'Disaster-Specific Staging Area.' This content can include but is not limited to a listing of disability advocacy and service organizations working in the affected area, where to find and/or donate durable medical goods, and where to volunteer.

Future Goals

The Technical Assistance and Outreach Subcommittee future projects and goals include:

- **Update Disability Preparedness Resource Center Web site.** It is expected that the Disability Preparedness Resource Center will assist in identifying gaps in available resources and promote initiatives that will lead to new developments to bridge such gaps. In order to accumulate such data, the TA&O will continue to maintain the online Resource Center as a living document by refining and expanding its content as relevant materials and effective practices are identified. In addition, the TA&O will conduct audience specific 'virtual' focus groups to evaluate the effectiveness of the site and evaluate the overall impact the site has on emergency preparedness for people with disabilities. It is the goal of the TA&O to foster a continuously evolving Web site that is considered the leading source of disability preparedness information in the Nation.

Conclusion

As emergency preparedness for individuals with disabilities becomes a routine component of the disability community, the emergency management community and the American public at large, the TA&O recognizes that preparedness methodologies will evolve and information that was not previously available (or not previously in existence) will materialize. With this as a driving force behind the TA&O, this ICC Subcommittee will continue to be vigilant in its charge to consolidate worthwhile, life saving technical assistance material, further integrating members of the disability community into all aspects of emergency management.

IV. RECOMMENDATIONS

In response to Hurricane Katrina, the ICC undertook operational roles that had not previously been contemplated. An ICC Incident Management Team (IMT) was created a few days after Hurricane Katrina's landfall. The IMT met on a daily basis for several weeks via telephone and in person with individuals with disabilities, their families, service providers, and advocates. The ICC IMT functioned as a conduit for complaints, handled requests for assistance, directed disability-related non-governmental and private sector offers of assistance to the appropriate locations and entities, and worked closely with other government agencies to formulate responses to imminent challenges faced by individuals with disabilities and their families in the affected regions. On September 23, 2005, Secretary Chertoff signed a memorandum directing that CRCL place a disability SME at the Joint Field Offices (JFO) in Baton Rouge, Louisiana and Austin, Texas. The two ICC representatives were immediately deployed to these JFOs.

CRCL on behalf of the Council reviewed the experiences of people with disabilities during and following Hurricanes Katrina and Rita, as well as After Action Reports issued by government agencies and organizations of, by, and for persons with disabilities following 9/11, the California wildfires, and Hurricane Andrew. The review resulted in a number of recommendations include but were not limited to:

- Revise the National Response Plan and the National Incident Management System to integrate disability and special needs issues and incorporate provisions for SMEs on disability and other special needs issues to be an integral part of the incident response structure.
- Revise the FEMA Application/Registration for Disaster Assistance form to include a question that assesses the loss of support items and services by individuals with disabilities as a result of a disaster.
- Revise specifications for manufactured housing to comply with nondiscrimination and accessibility principles in accordance with the Fair Housing Act, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and/or the Architectural Barriers Act.
- Upgrade the FEMA disaster hotline and Web site to ensure accessibility.
- Devote targeted grant funds to meeting the preparedness needs of the people with disabilities.
- Establish guidance and waiver mechanisms that will allow pharmacies to honor out-of-state Medicaid and Medicare cards of individuals displaced by disasters.
- Develop a program to offer proactive accessible design advice in the Gulf Coast region rebuilding process.
- Put systems in place to ensure the availability of timely accessible transportation to evacuate people with disabilities prior to, during, and after an emergency.

- Address nursing home issues made visible by Hurricane Katrina (e.g., the need for evacuation planning and the need to track older individuals and people with disabilities who are placed in nursing homes as a result of emergency or disaster incidents so that they can be identified and relocated into the community or other appropriate settings) through collaborative work between ICC partners and the nursing home industry.
- Review State, urban area, and local emergency operation plans to ensure that the needs of people with disabilities are thoroughly integrated.

The barriers and issues confronted by seniors and people with disabilities, and individuals with other special needs before, during, and after Hurricanes Katrina and Rita revealed many of the same shortcomings documented after previous large scale emergencies and disasters – Hurricane Andrew, Loma Prieta and Northridge earthquakes, September 11th terrorist attacks, the 2003 California Wildfires, to name a few. This revelation reinforces the need for actual incorporation of these lessons documented and recommendations into the systems, policies, programs governing planning, preparedness, response, and recovery activities. At the time this report is being published, there has been substantial progress made in addressing the numerous issues brought to light by Hurricanes Katrina and Rita. The 2006 – 07 ICC Annual report to the President will describe this progress in detail.

V. CONCLUSION

Since the inception of the Council, the emergency preparedness landscape has shifted dramatically. The catastrophic scope of Hurricanes Katrina and Rita and their impact on seniors and people with disabilities further amplified the problems that represent the core issues to be addressed by the Council and made them all more evident. The Council will continue its work in the upcoming year to promote and lead coordination-based solutions that will significantly enhance the integration of people with disabilities into all phases of disaster and emergency management.

Section VI. APPENDIX

Text of Executive Order 13347

Federal Register/Vol. 69, No. 142/Monday, July 26, 2004/Presidential Documents

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

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