



National Council on Disability

Public Consultation

May 31, 2007

Homeland Security, Emergency Preparedness, Disaster Relief and Recovery

NCD is using a public consultation process to identify local best practices in the areas of homeland security, emergency preparedness, and disaster relief and recovery. The expectation is that the local communities can offer workable solutions and advice to help the Federal Government (and its state and private partners) establish policies, disseminate information, and support best practices for those most immediately affected by natural and man-made disasters. This public consultation is specifically designed to identify proven examples of community efforts that successfully address programs and practices which successfully take into account the needs of people with disabilities in the areas of homeland security, emergency preparation, and disaster relief and recovery.

Why are we using a public consultation process? Running a consultation is not simply about more open-government. We want to make our national policies more effective by listening and taking onboard the views of the public and interested groups. Listening to the public has a number of specific benefits for us; it allows us to tap the widest source of information possible and thus improves the quality of the information it receives, and the advice it provides to Federal Government leaders; it alerts us to any concerns and issues and data not picked up through existing evidence or research; and, it helps to us to monitor existing policy and determine whether changes are potentially needed.

How can you participate in our public consultation process? Below we will briefly outline the background, key issues, relevant research and best-practices themes around the topic of interest - i.e., homeland security, emergency preparedness, and disaster relief and recovery. If you have been affected by a disaster or emergency, and are interested in participating in this public consultation, you may want to respond or react to any of the "best practice themes." If you do want to react or respond, please follow these basic guidelines:

1. Be brief - Use one short sentence to explain each point you want to make, this will help us understand your opinion. You can always add more detail afterwards if necessary.

2. Focus on what is really important to you -Put the theme(s) you care most about first. If you want to make more detailed comments, put them in an appendix to your response or in a separate document.
3. Provide evidence - Your comments will be more convincing if they're supported by evidence or information. If you're responding by regular mail or email, send in copies of supporting documents rather than information about where to find them.
4. Send your response as soon as possible - The earlier you send in your views, the longer we have to consider them. This is particularly important if you are providing new information or evidence.
5. Say who you are - Say whether you're commenting as a private citizen, representing other citizens, or on behalf of an organization.
6. Let us know if you want your response kept confidential - NCD may publish your views as part of the results of the consultation. If you do not want them to do this, state clearly in your response.
7. If possible, please react or respond by email. You can insert your comment(s) or reaction(s) directly on this document beginning on page five (5). If you are not able to respond by email, please share your written comments with us in a format that you choose, but please identify the "Best Practice Theme" at the beginning of your response.

Background to NCD's Homeland Security Public Consultation

NCD's first evaluation findings were issued in April 2005 in the report, *Saving Lives: Including People with Disabilities in Emergency Planning*.

In 2003 NCD committed itself to evaluating government's developing role and work in the areas of homeland security, emergency preparation and disaster relief. This commitment occurred, in large measure, as a result of the man-made homeland security terrorist event of September 11, 2001, and the creation of a new Executive Branch agency - i.e., the U.S. Department of Homeland Security. NCD's first evaluation findings were issued in April 2005 in the report, *Saving Lives: Including People with Disabilities in Emergency Planning*.

As the letter of transmittal accompanying the NCD Saving Lives report to the President states: "All too often in emergency situations the legitimate concerns of people with disabilities are overlooked or swept aside. In areas ranging from the accessibility of emergency information to the evacuation plans for high-rise buildings, great urgency surrounds the need for responding to these people's concerns in all planning, preparedness, response, recovery, and mitigation activities."

Saving Lives was eerily prophetic. At a Congressional Briefing on November 10, 2005, according to Representative Jim Ramstad, Co-Chair of the Congressional Bipartisan Disability Caucus, “Certainly, the disaster in the Gulf Coast region exposed the enormous gaps in the emergency planning preparedness and management for people with disabilities. ...In a truly remarkable show of foresight, the National Council on Disability (NCD) released a report last April outlining steps that the federal government should take to include people with disabilities in emergency preparedness, disaster relief, and homeland security.”

Saving Lives provided examples of emergency preparation and disaster relief efforts that work. It provided an overview of steps the Federal Government must take to include people with disabilities in America’s emergency preparedness, disaster relief, and homeland security programs. These steps involve access to technology, physical plants, programs, and communications, procurement and emergency programs and services.

Subsequent events have also contributed to NCD’s ongoing interest and concern, including: the recent energy blackouts in the U.S. Northeast and Midwest, the Asian tsunami of December 26, 2004, and the recent hurricane disasters of 2005 in the Gulf Coast. Also of note, in April 2004, the California SILC delivered a report to Gov. Schwarzenegger detailing the treatment of people with disabilities during the 2003 firestorms. That report indicated that many of CA’s 19.6% of persons with disabilities were unable to evacuate themselves because of poor notification methods. In March 2005, newspapers in Virginia and Maryland reported on concerns raised by parents and students about public school systems’ use of strategies to evacuate or not evacuate students during fire emergency situations. A March 2005 Fire Chief article describes a survey of 30 cities/counties where natural or man-made disasters occurred between 1999 and 2004. The survey revealed that emergency managers still don’t have a good handle on where persons with disabilities are, and how do they find ways to rescue.

All of these natural and man-made disasters underscore the need to maintain a critical focus on improving the quality of our nation’s homeland security, emergency preparedness and disaster relief systems and efforts, at all levels, and for all people.

Key Issues

Based on NCD’s own research over the past 3 years in the area of homeland security, as well as Congressional and Executive Branch investigations, a number of key issues are identified as critical and related to people with disabilities. The key issue are as follows.

People with disabilities frequently encounter barriers to physical plants, communications, and programs in shelters and recovery centers and in other facilities or devices used in connection with disaster operations such as first aid stations, mass feeding areas, portable payphone stations, portable toilets, and temporary housing.

Many of these barriers are not new. Information and lessons learned are not shared across agency lines, and thus experience does not enlighten the development of new practices.

Many accessibility lessons learned during previous disasters are not incorporated in subsequent planning, preparedness, response, and recovery activities.

People with disabilities are too often left out of preparedness and planning activities. These activities include analyzing and documenting the possibility of an emergency or disaster and the potential consequences or impacts on life and/or property.

Disaster preparedness and response systems are usually designed for people without disabilities, for whom escape or rescue involves walking, running, driving, seeing, hearing, and quickly responding to instructions and evacuation announcements.

Access to emergency public warnings, as well as preparedness and mitigation information and materials, does not adequately include people who cannot depend on sight and hearing to receive their information.

The strengths and skills of community based organizations (CBOs) serving people with disabilities are not well integrated into the emergency service plans and strategies of local government. Emergency managers need to strengthen their relationships with these organizations by recruiting, encouraging, and providing funding and incentives to CBOs so that they can participate and assist in disaster preparedness and relief.

How Have We Responded, As A Nation, to These Key Issues?

Over the past several years, there has been much work that government at all levels - as well as private sector entities - has undertaken: such as attempting to strengthen the nation's emergency preparedness system, emergency communications infrastructure (e.g., the emergency alert system and all-hazard warnings), and public safety communications networks, to name just a few examples.

Not surprisingly, over the past three years, federal policymakers have used NCD's research and input and lessons learned to design promising solutions. In addition, and as a result of Congressional hearings and Executive Branch evaluations of the America's response to Katrina and Rita, a specific set of legislated federal policy and organizational changes that will affect Americans with disabilities have been made.

For example, a number of critical changes were enumerated in the Homeland Security Appropriations bill (H.R. 5441) signed by President Bush on October 4, 2006. Some of the more notable changes targeted to Americans with disabilities are that the Administrator of FEMA:

1. Will appoint a Disability Coordinator who will assess the coordination of emergency management policies and practices;

2. Will interact with stakeholders regarding emergency planning requirements and relief efforts in case of disaster;
3. Will revise and update guidelines for government disaster emergency preparedness;
4. Will carry out and will test or evaluate, a national training program to implement the national preparedness goal, National Incident Management System, and National Response Plan:
5. Will assess the Nation's prevention capabilities and overall preparedness, including operational readiness;
6. Will identify and share best practices, after action reports to participants, and conduct long-term trend analysis;
7. Will coordinate and maintain a National Disaster Housing Strategy;
8. Will develop accessibility guidelines for communications and programs in, shelters, and recovery centers;
9. Will set up evacuations standards and requirements, and help all levels of government in the planning of evacuation facilities that house people with disabilities.

A few critical changes were also recently introduced as a result of the Pets Evacuation and Transportation Standards Act of 2006 (PETS Act). The PETS Act requires FEMA to ensure that state and local emergency preparedness operational and evacuation plans take into account the needs of individuals with household pets and service animals before, during, and after a major disaster or emergency.

Best Practice Themes

The following themes can be used as guidance in your reaction and response to this call for best practices information.

1. How people with disabilities were provided with information about the severity of the emergency caused by the disaster or emergency, how to prepare for it, and how to evacuate.

2. Individual assistance (such as personal attendants, sign language interpreters, readers, and service animals) that was made available to people with disabilities during and after the emergency.

3. Assistive devices (such as wheelchairs, walkers, canes, crutches, speech enabled or Braille note takers, pagers, closed captioning, TTYs, hearing aids, and batteries) that people with disabilities were able to keep with them during or after the disaster or emergency; assistive devices people were not able to keep; and, assistive devices that were replaced.

4. Whether accessible temporary housing or shelter was offered to people with disabilities.

5. Whether accessible transportation was provided to people with disabilities when evacuating during the disaster or emergency, receiving food and water, and reaching temporary shelters or housing. Whether people who use assistive devices were able to keep them during such transport.

6. Medical and mental health treatment, such as emergency care, counseling or medication, that were offered to people with disabilities. The types of accessibility problems that arose.

7. Schools that offered accommodations to students with disabilities affected or dislocated as a result of the disaster or emergency.

8. Types of temporary or permanent employment opportunities that were offered to people with disabilities.

9. Government services (such as Social Security, Medicare, Medicaid, subsidized housing, food vouchers, or any other government assistance) that were, and continue to be, made available to people with disabilities.

10. The immediate, short-term, and long-term aid provided by private, civic, faith-based, advocacy organizations or other groups to people with disabilities.

Please send your information to NCD in one of three ways: email (ncd@ncd.gov), U.S. mail (National Council on Disability, ATTN: Homeland Security Committee, 1331 F Street NW, Suite 850, Washington, DC 20004) or fax (202-272-2022) by July 16, 2007. Please indicate whether you would like to make your response anonymous.

NCD believes the results of this public consultation will contribute to America's understanding of, and commitment to, building a critical infrastructure that incorporates access to emergency programs and services and includes physical, program, communication, and technological access for people with disabilities.

Thank you very much.