

118TH CONGRESS
1ST SESSION

S. 1049

To ensure that older adults and individuals with disabilities are prepared for disasters, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 29, 2023

Mr. CASEY (for himself, Mrs. GILLIBRAND, Ms. WARREN, Ms. DUCKWORTH, Mr. BLUMENTHAL, Mr. MARKEY, Mr. WYDEN, Mr. SANDERS, Mr. WELCH, and Ms. SMITH) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To ensure that older adults and individuals with disabilities are prepared for disasters, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Real Emergency Ac-
5 cess for Aging and Disability Inclusion for Disasters Act”
6 or the “REAADI for Disasters Act”.

7 **SEC. 2. FINDINGS AND SENSE OF CONGRESS.**

8 (a) FINDINGS.—Congress makes the following find-
9 ings:

1 (1) In the United States, according to the Cen-
2 ters for Disease Control and Prevention, there are
3 more than 61,000,000 adults who are individuals
4 with disabilities and, according to the Bureau of the
5 Census, there are more than 54,000,000 adults age
6 65 or older.

7 (2) There have been more than 145 hurricanes,
8 resulting in over 2,000 deaths, in the United States
9 since 2000.

10 (3) The National Oceanic and Atmospheric Ad-
11 ministration estimates that—

12 (A) the cumulative damage from weather-
13 and climate-related disasters in 2022 cost the
14 United States over \$165,000,000,000; and

15 (B) 18 of the disasters in 2022 cost over
16 \$1,000,000,000 each.

17 (4) Individuals with disabilities and older adults
18 have been found to die at higher rates, compared to
19 the general population, during disasters.

20 (5) According to the Federal Emergency Man-
21 agement Agency, in 2022—

22 (A) the United States experienced 90 de-
23 clared disasters affecting more than 54,000,000
24 people; and

1 (B) more than 16,000,000 of those people
2 were adults who were individuals with disabili-
3 ties.

4 (6) Failure to provide accessibility for, or plan
5 for accommodating, individuals with physical or sen-
6 sory disabilities, chronic illness, or mental disabilities
7 decreases the ability of those individuals to evacuate
8 prior to or during a disaster.

9 (7) Households of individuals with disabilities
10 are more likely to need assistance and are less likely
11 to be able to evacuate in advance of disasters.

12 (8) Less than a third of individuals with intel-
13 lectual disabilities and individuals needing personal
14 care attendants have planned with their personal
15 care providers what to do in a disaster.

16 (9) Evacuation information, including orders, is
17 not uniformly communicated in ways and via media
18 that are accessible to individuals with disabilities, in-
19 cluding being communicated in ways that lack use of
20 American Sign Language, captions, and plain lan-
21 guage on websites, instructional materials, and tele-
22 vision and radio announcements.

23 (10) Displaced individuals with disabilities
24 served in general population shelters have better ac-
25 cess to information and material resources than indi-

1 individuals with disabilities in specially designed shel-
2 ters.

3 (11) Despite better access to information and
4 resources, personnel in general population shelters
5 often do not have the resources or training to ad-
6 dress the needs of individuals with disabilities and
7 older adults.

8 (12) Public shelters often do not have dis-
9 ability-related accommodations, often forcing individ-
10 uals with disabilities and older adults to be seg-
11 regated, sometimes apart from their families and
12 natural supports during disasters.

13 (13) Households with individuals with disabil-
14 ities sustain more costly property damage from dis-
15 asters than households without individuals with dis-
16 abilities.

17 (14) Historically, disaster-related recommenda-
18 tions for individuals with disabilities and older
19 adults have been typically aimed at caregivers and
20 service providers, not individuals with disabilities
21 and older adults themselves.

22 (15) Thousands of individuals with disabilities
23 have been denied their civil rights because they do
24 not receive accessible notice during disasters—

1 (A) of spoken instructions via phone or
2 video; or

3 (B) of instructions regarding evacuations,
4 sheltering, and other procedures during disas-
5 ters.

6 (16) Disaster shelters and services do not rou-
7 tinely have American Sign Language interpreters
8 nor procedures written or presented in plain lan-
9 guage.

10 (17) Individuals with disabilities and older
11 adults are more at risk for loss of life, loss of inde-
12 pendence, or violation of civil rights than the general
13 population during times of disasters, response, and
14 recovery.

15 (b) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that—

17 (1) individuals with disabilities and older adults
18 should be supported during times of disasters, and
19 during disaster preparedness, response, recovery,
20 and mitigation in order to—

21 (A) ensure maintenance of and access to
22 services and supports; and

23 (B) enable those individuals and adults to
24 return to their communities in a timely manner
25 as compared with the general population;

1 (2) during the recovery and mitigation phases
2 of disaster response, all buildings and services
3 should be designed, and constructed or recon-
4 structed, according to principles of universal design
5 and to the standards established by the Architec-
6 tural and Transportation Barriers Compliance
7 Board in order to ensure access for individuals with
8 disabilities, older adults, and all individuals;

9 (3) individuals with disabilities and older adults
10 should have access to shelters and other services
11 during disasters in the same locations and settings
12 as the general population;

13 (4) individuals with disabilities and older adults
14 should receive information about preparation for, re-
15 sponse to, recovery from, and mitigation of disasters
16 in formats accessible to them, including in American
17 Sign Language, Braille, and plain language, as well
18 as captioned video messages;

19 (5) individuals with disabilities and older adults
20 must be included as key speakers, essential stake-
21 holders, and decisionmakers in the preparation (in-
22 cluding planning), response, recovery, and mitigation
23 phases of disasters;

24 (6) local, State (including territorial), Tribal,
25 and Federal disaster planning must include robust

1 representation of individuals with disabilities and
2 older adults; and

3 (7) individuals with disabilities and older adults
4 must be included in the evaluation of governmental,
5 VOAD, and other nongovernmental preparation (in-
6 cluding planning), response, recovery, and mitigation
7 of disasters.

8 **SEC. 3. PURPOSES.**

9 The purposes of this Act are to—

10 (1) improve the inclusion of individuals with
11 disabilities and older adults in the preparation for,
12 response to, recovery from, and mitigation of disas-
13 ters;

14 (2) ensure that individuals with disabilities and
15 older adults with disabilities are free from discrimi-
16 nation on the basis of disability or age in programs
17 and activities, are protected during and included in
18 all phases of disaster preparation, response, recov-
19 ery, and mitigation;

20 (3) ensure compliance with the Americans with
21 Disabilities Act of 1990, the Rehabilitation Act of
22 1973, and other disability laws during preparation
23 for, response to, recovery from, and mitigation of
24 disasters;

1 (4) improve coordination among the commu-
2 nities of individuals with disabilities and older
3 adults, including multiply marginalized BIPOC and
4 LGBTQ+ communities, government agencies, cen-
5 ters for independent living, VOADs, and other non-
6 governmental organizations, including organizations
7 that represent and are comprised of covered individ-
8 uals; in preparing (including planning) for, respond-
9 ing to, recovery from, and mitigation of disasters;

10 (5) improve outcomes for all individuals, includ-
11 ing individuals with disabilities and older adults, who
12 are affected by disasters, and increase community
13 resilience in responding to disasters; and

14 (6) enact into Federal law standards of care
15 and standards for protection of civil rights, for older
16 adults and people with disabilities, to be applied for
17 disasters and public health emergencies.

18 **SEC. 4. DEFINITIONS.**

19 In this Act:

20 (1) **ACCESS AND FUNCTIONAL NEEDS.**—The
21 term “access and functional needs”, used with re-
22 spect to an individual, means an individual with
23 needs such as—

24 (A) an individual with a disability;

25 (B) an older adult;

1 (C) an individual with limited English pro-
2 ficiency;

3 (D) an individual with limited access to
4 transportation that would enable the individual
5 to prepare for, respond to, recover from, and
6 mitigate a disaster; or

7 (E) an individual with limited access to the
8 financial resources that would enable the indi-
9 vidual to prepare for, respond to, recover from,
10 and mitigate a disaster.

11 (2) ALL HAZARDS APPROACH.—The term “all
12 hazards approach” means planning for natural,
13 technological, or human-caused incidents that war-
14 rant action to—

15 (A) protect life, property, the environment,
16 or the public health or safety; and

17 (B) minimize disruptions of school activi-
18 ties.

19 (3) CIVIL RIGHTS.—The term “civil rights”,
20 used with respect to an individual, means the exist-
21 ing (as of the date of enactment of this Act) legal
22 rights of an individual to be free from discrimination
23 on the basis of disability or age in programs and ac-
24 tivities.

1 (4) COVERED INDIVIDUAL.—The term “covered
2 individual” means an individual with a disability, an
3 older adult, and an individual with access and func-
4 tional needs.

5 (5) DISABILITY INCLUSIVE EMERGENCY MAN-
6 AGEMENT EXPERIENCE.—The term “disability inclu-
7 sive emergency management experience”, used with
8 respect to an individual or entity—

9 (A) means an individual or entity that
10 has—

11 (i) demonstrated disability leadership
12 experience, including working with non-
13 governmental entities; and

14 (ii) subject matter expertise in leading
15 disability inclusive preparedness, response,
16 recovery, and mitigation initiatives that
17 focus on meeting the civil rights of covered
18 individuals who are affected by disasters,
19 to be free from discrimination on the basis
20 of disability or age in programs and activi-
21 ties; and

22 (B) includes an individual or entity that
23 has demonstrated favorable outcomes that
24 measure the effective communication access,
25 physical access, program access, health, safety,

1 and independence of individuals affected by dis-
2 asters and their communities.

3 (6) DISASTER.—The term “disaster” means an
4 emergency or major disaster (as such terms are de-
5 fined under section 102 of the Robert T. Stafford
6 Disaster Relief and Emergency Assistance Act (42
7 U.S.C. 5122)) that results in severe property dam-
8 age, deaths, or multiple injuries.

9 (7) DISASTER SERVICES.—The term “disaster
10 services” means the process of responding to a dis-
11 aster and providing humanitarian aid to individuals
12 and communities who are affected by a disaster.

13 (8) DISPROPORTIONATELY AFFECTED.—The
14 term “disproportionately affected”, used with re-
15 spect to a group, means a group of individuals with
16 protected status, including individuals with disabil-
17 ities or older adults, who are excessively adversely
18 affected by disaster-related harms.

19 (9) INDIAN TRIBAL GOVERNMENT.—The term
20 “Indian Tribal government” has the meaning given
21 the term “Indian tribal government” in section 102
22 of the Robert T. Stafford Disaster Relief and Emer-
23 gency Assistance Act (42 U.S.C. 5122).

24 (10) INDIVIDUAL WITH A DISABILITY.—

1 (A) SINGLE.—The term “individual with a
2 disability” means an individual with a dis-
3 ability, as defined in section 3 of the Americans
4 with Disabilities Act of 1990 (42 U.S.C.
5 12102).

6 (B) PLURAL.—The term “individuals with
7 disabilities” means more than one individual
8 with a disability, as defined in subparagraph
9 (A).

10 (11) OLDER ADULT.—The term “older adult”
11 means a resident who is age 50 or older.

12 (12) PUBLIC HEALTH EMERGENCY.—The term
13 “public health emergency” means a public health
14 emergency declared under section 319 of the Public
15 Health Service Act (42 U.S.C. 247d).

16 (13) RESIDENT.—The term “resident”
17 means—

18 (A) in the case of an individual receiving
19 assistance through an Indian Tribal Govern-
20 ment or other Indian entity, a resident of an
21 area or member of a community governed by an
22 Indian Tribal Government; and

23 (B) in the case of an individual not de-
24 scribed in subparagraph (A), a resident of a
25 State that is not an Indian Tribal Government.

1 (14) SECRETARY.—The term “Secretary”
2 means the Secretary of Health and Human Services.

3 (15) STATE.—The term “State” means any of
4 the 50 States, an Indian Tribal Government, the
5 District of Columbia, the Commonwealth of Puerto
6 Rico, the United States Virgin Islands, Guam,
7 American Samoa, and the Commonwealth of the
8 Northern Mariana Islands.

9 (16) VISITABILITY STANDARDS.—The term
10 “visitability standards” means standards for Type C
11 (Visitable) Units under the Standards for Accessible
12 and Usable Buildings and Facilities (ICC A117.1–
13 2009), or any successor standards, of the American
14 National Standards Institute.

15 (17) VOAD.—The term “VOAD” means a non-
16 governmental organization assisting in disaster prep-
17 aration, recovery, response, or mitigation.

18 **SEC. 5. USE OF DISASTER RESPONSE FUNDS.**

19 Section 615 of the Robert T. Stafford Disaster Relief
20 and Emergency Assistance Act (42 U.S.C. 5196d) is
21 amended—

22 (1) by striking “Funds made available” and in-
23 serting the following:

24 “(a) DEFINITIONS.—In this section:

1 “(1) ACCESS AND FUNCTIONAL NEEDS.—The
2 term ‘access and functional needs’, used with respect
3 to an individual, means an individual with needs
4 such as—

5 “(A) an individual with a disability;

6 “(B) an older adult;

7 “(C) an individual with limited English
8 proficiency;

9 “(D) an individual with limited access to
10 transportation that would enable the individual
11 to prepare for, respond to, or recover from, and
12 mitigate an emergency or major disaster; or

13 “(E) an individual with limited access to
14 the financial resources that would enable the in-
15 dividual to prepare for, respond to, recover
16 from, or mitigate an emergency or major dis-
17 aster.

18 “(2) CENTER FOR INDEPENDENT LIVING.—The
19 term ‘center for independent living’ has the meaning
20 given that term in section 702 of the Rehabilitation
21 Act of 1973 (29 U.S.C. 796a).

22 “(3) COVERED RECIPIENT.—

23 “(A) IN GENERAL.—The term ‘covered re-
24 cipient’ means a direct or indirect recipient of

1 funds made available under this title for a cov-
2 ered use of funds.

3 “(B) EXCLUSION.—The term ‘covered re-
4 cipient’ does not include individuals or house-
5 holds.

6 “(4) COVERED USE OF FUNDS.—The term ‘cov-
7 ered use of funds’ means the use of funds for the
8 preparation for, response to, recovery from, or miti-
9 gation of hazards.

10 “(5) INDIVIDUAL WITH A DISABILITY.—

11 “(A) SINGLE.—The term ‘individual with a
12 disability’ means an individual with a disability,
13 as defined in section 3 of the Americans with
14 Disabilities Act of 1990 (42 U.S.C. 12102).

15 “(B) PLURAL.—The term ‘individuals with
16 disabilities’ means more than one individual
17 with a disability, as defined in subparagraph
18 (A).

19 “(6) OLDER ADULT.—The term ‘older adult’
20 means an individual who is age 50 or older.

21 “(7) VISITABILITY STANDARDS.—The term
22 ‘visitability standards’ means standards for Type C
23 (Visitable) Units under the Standards for Accessible
24 and Usable Buildings and Facilities (ICC A117.1–

1 2009), or any successor standards, of the American
2 National Standards Institutes.

3 “(b) USE OF FUNDS GENERALLY.—Funds made
4 available”; and

5 (2) by adding at the end the following:

6 “(c) ADVISORY COMMITTEES.—A covered recipient
7 shall ensure that an advisory committee that includes indi-
8 viduals with disabilities, older adults, and other individuals
9 with access and functional needs shall oversee the use of
10 funds made available under this title to the covered recipi-
11 ent.

12 “(d) COMPLIANCE WITH DISABILITY LAWS.—A cov-
13 ered recipient shall use funds made available under this
14 title in accordance with the Rehabilitation Act of 1973 (29
15 U.S.C. 701 et seq.) and the Americans with Disabilities
16 Act of 1990 (42 U.S.C. 12101 et seq.).

17 “(e) CENTERS FOR INDEPENDENT LIVING.—A cov-
18 ered recipient may contract with 1 or more centers for
19 independent living to—

20 “(1) prepare for hazards;

21 “(2) provide personal assistance services during
22 response and recovery periods;

23 “(3) identify accessible emergency shelters and
24 adapt emergency shelters to be accessible;

1 “(4) develop accessible media, including media
2 using American Sign Language; and

3 “(5) meet other needs for individuals with dis-
4 abilities, older adults, and individuals with access
5 and functional needs.

6 “(f) CONTRACTORS.—A nongovernmental organiza-
7 tion that enters into a contract with a covered recipient
8 relating to a covered use of funds shall comply with the
9 Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) and
10 the Americans with Disabilities Act of 1990 (42 U.S.C.
11 12101 et seq.) in providing property or services under the
12 contract.

13 “(g) COMMUNICATIONS.—Communications relating
14 to a covered use of funds by a covered recipient shall be
15 made available in languages, including American Sign
16 Language and other sign languages, used in the commu-
17 nities receiving the communications.

18 “(h) ACCESSIBILITY.—A covered recipient shall en-
19 sure each facility or service made available in connection
20 with a covered use of funds is accessible to individuals with
21 disabilities, older adults, and other individuals with access
22 and functional needs, including—

23 “(1) notifications relating to a hazard;

24 “(2) evacuation notifications;

1 “(3) notifications relating to disaster services;

2 and

3 “(4) emergency shelters.

4 “(i) VISITABILITY.—A covered recipient that, as part
5 of a covered use of funds, constructs or prepares dwelling
6 units (including sleeping units) shall ensure that the dwell-
7 ing units meet visitability standards.”.

8 **SEC. 6. TRAINING, TECHNICAL ASSISTANCE, AND RE-**
9 **SEARCH DISABILITY AND DISASTER CEN-**
10 **TERS.**

11 (a) PURPOSE.—The purpose of this section is to pro-
12 vide financial support to eligible entities to create centers
13 through which the eligible entities will—

14 (1) provide training and technical assistance to
15 State, local, Tribal, and territorial disaster relief,
16 public health, and social service agencies in the im-
17 plementation and enhancement of systemic and ef-
18 fective engagement policies, programs, and activities
19 that ensure—

20 (A) that the needs and civil rights of cov-
21 ered individuals are addressed and implemented
22 throughout all phases of disaster preparation,
23 response, recovery, and mitigation; and

1 (B) the inclusion of covered individuals in
2 the development of all State, local, Tribal, and
3 territorial disaster preparation plans;

4 (2) assist Federal, State, local, Tribal, and ter-
5 ritorial disaster relief agencies in the coordination
6 and integration of Federal, State (including terri-
7 torial), local, and Tribal services and programs to
8 serve covered individuals in the least restrictive envi-
9 ronment appropriate to their needs during a dis-
10 aster;

11 (3) conduct research and expand knowledge
12 about covered individuals and their experiences dur-
13 ing the preparation, response, recovery, and mitiga-
14 tion phases of disasters; and

15 (4) discover, through research, and disseminate
16 knowledge about, the most effective methods for—

17 (A) protecting the civil rights of covered
18 individuals during times of disasters;

19 (B) including covered individuals in all
20 phases of disaster preparation, response, recov-
21 ery, and mitigation;

22 (C) reducing their deaths, injuries and
23 losses from disasters;

24 (D) reducing the displacement and dis-
25 proportionate effects of relocation after a dis-

1 aster, including financial and social effects, on
2 covered individuals; and

3 (E) ensuring covered individuals are par-
4 ticipants in the research, development, and dis-
5 tribution of evidence-based information regard-
6 ing disasters.

7 (b) DEFINITIONS.—In this section:

8 (1) ELIGIBLE ENTITY.—The term “eligible enti-
9 ty” means an entity or partnership of entities that—

10 (A) submits an application to the Sec-
11 retary in accordance with subsection (e);

12 (B) is or includes an institution (which
13 may be an institution of higher education), or
14 a nongovernmental organization, that focuses
15 on—

16 (i) serving the needs of individuals
17 with disabilities; or

18 (ii) serving the needs of older adults;

19 (C) in the case of an entity or partnership
20 with a disability focus, has a cross-disability
21 service focus;

22 (D) has experience in conducting training,
23 technical assistance, and research pertaining to
24 consumer-directed community support services
25 for covered individuals;

1 (E) includes covered individuals in posi-
2 tions of leadership in the planning, manage-
3 ment, and operation of the programs of train-
4 ing, technical assistance, and research;

5 (F) has knowledge and experience per-
6 taining to the implementation and enhancement
7 of systemic and effective engagement policies,
8 programs, and activities that promote the inclu-
9 sion, needs, and civil rights of covered individ-
10 uals in preparation for, response to, recovery
11 from, and mitigation of disasters; and

12 (G) has, or will establish, an advisory
13 council or similar entity, of which at least 51
14 percent of the members are covered individuals.

15 (2) INSTITUTION OF HIGHER EDUCATION.—The
16 term “institution of higher education” has the
17 meaning given the term in section 101(a) of the
18 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

19 (3) STAKEHOLDER GROUP.—The term “stake-
20 holder group” means a group of individuals and or-
21 ganizations that—

22 (A) is committed to disability inclusive and
23 older adult inclusive disaster management;

1 (B) includes covered individuals through-
2 out preparedness, response, recovery, and miti-
3 gation activities;

4 (C) has leaders that include covered indi-
5 viduals;

6 (D) has a governing or advisory board, of
7 which at least half of the members are covered
8 individuals; and

9 (E) has a mission to inclusively serve cov-
10 ered individuals.

11 (c) AUTHORITY FOR GRANTS.—The Secretary may
12 award grants, on a competitive basis, to eligible entities,
13 to provide for—

14 (1) activities that include covered individuals in
15 the preparation (including planning) for, response
16 to, recovery from, and mitigation of disasters; and

17 (2) except as described in subsection (d)(2), re-
18 search related to disasters and covered individuals.

19 (d) AMOUNT AND PERIOD OF GRANTS.—

20 (1) AMOUNT.—In awarding grants under this
21 section, the Secretary shall, to the extent prac-
22 ticable, award a grant to an eligible entity in an
23 amount that is not less than \$2,500,000 and not
24 more than \$10,000,000.

1 (2) DISTRIBUTION.—The Secretary shall award
2 not fewer than 2 of the grants in each of the 10
3 Federal regions of the Department of Health and
4 Human Services. At least 1 grant in each region
5 shall be awarded to an eligible entity exclusively to
6 conduct training and technical assistance described
7 in paragraphs (1) and (2) of subsection (a).

8 (3) PERIODS.—The Secretary shall award the
9 grants for periods of 5 years, through an open com-
10 petition held at the end of each 5-year period. Eligi-
11 ble entities that receive grants under this section
12 may reapply for such grants at the end of the peri-
13 ods.

14 (e) APPLICATIONS.—

15 (1) SUBMISSIONS.—To be eligible to receive a
16 grant under this section, an entity shall submit an
17 application to the Secretary at such time and in
18 such manner as the Secretary may require.

19 (2) CONTENTS.—Each such application shall
20 include, at a minimum, the following:

21 (A) A description of the applicant's dem-
22 onstrated experience in providing training, in-
23 formation, and support to individuals with dis-
24 abilities in preparing for, responding to, recov-
25 ering from, and mitigating disasters.

1 (B) A description of the applicant’s dem-
2 onstrated experience in providing training, in-
3 formation, and support to older adults in pre-
4 paring for, responding to, recovering from, and
5 mitigating disasters.

6 (C) A description of the applicant’s dem-
7 onstrated experience in working with Federal,
8 State, local, Tribal, and territorial government
9 agencies in preparing for, responding to, recov-
10 ering from, and mitigating disasters.

11 (D) A description of the steps the appli-
12 cant, acting through the center, will take to tar-
13 get services to low-income individuals and indi-
14 viduals identified as disproportionately affected
15 in disasters, including those individuals at
16 greatest risk of institutionalization.

17 (E) An assurance that the applicant, act-
18 ing through the center, will—

19 (i) work with State, local, Tribal, and
20 territorial disaster relief, public health, and
21 social service agencies to determine the
22 best means for delivery of services to ad-
23 dress the needs of covered individuals;

24 (ii) assist in establishing State, local,
25 Tribal, and territorial disaster plans to ad-

1 dress the needs of both rural and urban
2 populations;

3 (iii) in carrying out activities under
4 the grant, conduct sufficient outreach to
5 centers for independent living, VOADs,
6 and other nongovernmental organizations,
7 including organizations that represent and
8 are comprised of covered individuals;

9 (iv) include covered individuals in a
10 meaningful way in the development and
11 execution of activities carried out under
12 the grant;

13 (v) provide adequate staff, including
14 staff who are individuals with disabilities,
15 to carry out the activities under the grant;
16 and

17 (vi) communicate information on the
18 programs and systems developed under the
19 grant, in accessible formats and languages,
20 including American Sign Language, of the
21 communities being served.

22 (f) PRIORITY.—In awarding grants for activities de-
23 scribed in this section, the Secretary shall give priority to
24 eligible entities that—

1 (1) demonstrate a minimum of 3 years of expe-
2 rience in actively conducting disability inclusive and
3 older adult inclusive disaster management;

4 (2) propose activities to address the prepared-
5 ness, response, recovery, and mitigation needs of
6 covered individuals;

7 (3) propose activities to address leadership de-
8 velopment in State, local, Tribal, and territorial
9 agencies and covered individual advocacy organiza-
10 tions;

11 (4) includes covered individuals in positions of
12 leadership in the planning, management, and oper-
13 ation of the activities carried out under this section;

14 (5) demonstrate ability to provide training that
15 prevents bias due to disability or age, and that uses
16 experiential approaches and does not rely on simula-
17 tions;

18 (6) demonstrate expertise concerning the obliga-
19 tion to prevent discrimination against covered indi-
20 viduals on the basis of disability and age in pro-
21 grams and provide activities and specific plans for
22 achieving and maintaining physical access, program
23 access, and effective communication for covered indi-
24 viduals throughout all grant activities;

1 (7) demonstrate that the eligible entity involved
2 will use measurable collaboration and partnership
3 strategies with State, local, Tribal, and territorial
4 agencies, centers for independent living, VOADs,
5 and other nongovernmental organizations, including
6 organizations that represent and are comprised of
7 covered individuals;

8 (8) demonstrate that the eligible entity will use
9 measurable disaster outcomes strategies in carrying
10 out grant activities;

11 (9) demonstrate the ability to quickly create
12 products, such as videos, fact sheets, guidelines, and
13 checklists, to be used in disaster management;

14 (10) employ constituents of the entity in deci-
15 sionmaking positions;

16 (11) provide disability inclusive and older adult
17 inclusive disaster management leadership skills de-
18 velopment;

19 (12) demonstrate awareness of available re-
20 sources in the community for meeting the prepared-
21 ness, response, recovery, and mitigation needs of
22 covered individuals; and

23 (13) demonstrate expertise in promoting the
24 use of universal design (as defined in section 103 of
25 the Higher Education Act of 1965 (20 U.S.C.

1 1003)), the philosophy of independent living (within
2 the meaning of that philosophy in title VII of the
3 Rehabilitation Act of 1973 (29 U.S.C. 796 et seq.)),
4 intersectionality imperatives, and the social model of
5 disability.

6 (g) USE OF FUNDS.—

7 (1) IN GENERAL.—Grant funds made available
8 under this section shall be used only for activities
9 described in and approved by the Secretary as a part
10 of an application submitted under subsection (e), to
11 carry out—

12 (A) a strategy designed to ensure the in-
13 clusion of covered individuals in the preparation
14 (including planning) for, response to, recovery
15 from, and mitigation of disasters; and

16 (B) research to enhance the activities de-
17 scribed in subparagraph (A), using not more
18 than 25 percent of the grant funds to carry out
19 that research.

20 (2) ACTIVITIES.—Such activities may include
21 initiatives that provide comprehensive training, tech-
22 nical assistance, development of funding sources,
23 and support to State, local, Tribal, and territorial
24 disaster relief, public health, and social service agen-
25 cies and stakeholder groups, in order to ensure that,

1 in carrying out disaster management planning and
2 programs, the agencies and groups address the in-
3 clusion, civil rights, and needs of covered individuals
4 by—

5 (A) hiring personnel with direct knowledge
6 of and experience with meeting the civil rights
7 of covered individuals to be free from discrimi-
8 nation on the basis of disability or age in pro-
9 grams and activities;

10 (B) training staff of State, local, Tribal,
11 and territorial disaster relief, public health, and
12 social service agencies on the needs and civil
13 right of covered individuals, preferably through
14 training by experts who are, collectively, indi-
15 viduals with disabilities and older adults;

16 (C) creating partnerships between eligible
17 entities, State, local, Tribal, and territorial dis-
18 aster relief, public health, and social service
19 agencies, centers for independent living,
20 VOADs, and other nongovernmental organiza-
21 tions, including organizations that represent
22 and are comprised of covered individuals;

23 (D) assisting in the development and im-
24 plementation, in partnership with State, local,
25 Tribal, and territorial disaster relief, public

1 health, and social service agencies, of plans that
2 will provide for a continuum of services to re-
3 move barriers to full engagement for covered in-
4 dividuals during a disaster and in preparedness
5 (including planning) for, response to, recovery
6 from, and mitigation of a disaster;

7 (E) assisting in the creation of standards
8 and identification of funding sources for re-
9 building disaster-damaged housing and new
10 housing that is accessible, affordable, and dis-
11 aster-resilient;

12 (F) assisting in the creation of standards
13 for homeowner and flood insurance coverage for
14 rebuilding disaster-damaged housing and new
15 housing that is accessible, affordable, and dis-
16 aster-resilient;

17 (G) establishing universal design and ac-
18 cessibility standards, and establishing specifica-
19 tions for visitability (based on the visitability
20 standards), for achieving and maintaining equal
21 access for covered individuals throughout all
22 hazard mitigation and disaster resilience activi-
23 ties;

24 (H) establishing initiatives to increase new
25 and transferred technology and innovations to

1 solve notification, evacuation, health mainte-
2 nance, and other barriers for covered individ-
3 uals before, during, and after disasters; and

4 (I) conducting research, in partnership
5 with covered individuals, that will contribute to
6 knowledge and strategies to—

7 (i) decrease injuries, deaths, and harm
8 to covered individuals;

9 (ii) create inclusive disaster prepared-
10 ness, recovery, response, and mitigation
11 strategies for State, local, Tribal, and ter-
12 ritorial agencies, centers for independent
13 living, VOADs, and other nongovernmental
14 organizations, including organizations that
15 represent and are comprised of covered in-
16 dividuals;

17 (iii) preserve community living options
18 and access to needed services and supports
19 for covered individuals during post-disaster
20 periods; and

21 (iv) conduct longitudinal studies that
22 create and maintain datasets to assist in
23 the understanding of Federal, State, local,
24 Tribal, and territorial policies designed to
25 reduce the negative impact of disasters on

1 covered individuals and protect the civil
2 right of covered individuals to be free from
3 discrimination on the basis of disability or
4 age in programs and activities.

5 (3) STANDARDS AND GUIDELINES.—The Sec-
6 retary shall establish standards and guidelines for
7 activities supported by a grant under this section.
8 Such standards and guidelines shall be developed
9 with the input of stakeholder groups. In a situation
10 in which a refinement or adaptation of the standards
11 or guidelines is made necessary by a local cir-
12 cumstance, the Secretary shall enter into negotia-
13 tions with an eligible entity applying for such a
14 grant for a project in the affected area, to refine or
15 adapt the standards and guidelines for the project.

16 (h) INDIVIDUAL RIGHTS.—Notwithstanding any
17 other provision of this section, no entity, agency, or group
18 assisted under this section shall take any action that in-
19 fringes in any manner on the civil right of covered individ-
20 uals to be free from discrimination on the basis of dis-
21 ability or age in programs and activities.

22 (i) REPORTS.—Not later than January 31 of fiscal
23 years 2026 and 2028, the Secretary shall submit to Con-
24 gress a report describing the activities carried out under
25 this section during the preceding 2 fiscal years.

1 (j) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to carry out this section
3 \$100,000,000 for each of fiscal years 2024 through 2028.

4 **SEC. 7. PROJECTS OF NATIONAL SIGNIFICANCE.**

5 (a) DEFINITIONS.—In this section:

6 (1) ELIGIBLE ENTITY.—The term “eligible enti-
7 ty” means an entity or partnership of entities that—

8 (A) submits an application to the Sec-
9 retary at such time, in such manner, and con-
10 taining such information as the Secretary may
11 reasonably require;

12 (B) is or includes an institution (which
13 may be an institution of higher education), or
14 a nongovernmental organization, that focuses
15 on—

16 (i) serving the needs of individuals
17 with disabilities; or

18 (ii) serving the needs of older adults;

19 (C) in the case of an entity or partnership
20 with a disability focus, has a cross-disability
21 service focus;

22 (D) has experience in conducting training,
23 technical assistance, and research pertaining to
24 consumer-directed community support services
25 for covered individuals;

1 (E) includes covered individuals in posi-
2 tions of leadership in the planning, manage-
3 ment, and operation of the programs of train-
4 ing, technical assistance, and research;

5 (F) has knowledge and experience per-
6 taining to the implementation and enhancement
7 of systemic and effective engagement policies,
8 programs, and activities that promote the inclu-
9 sion, needs, and civil right of covered individ-
10 uals in preparation for, response to, recovery
11 from, and mitigation of disasters; and

12 (G) has, or will establish, an advisory
13 council or similar entity, of which at least 51
14 percent of the members are covered individuals.

15 (2) INSTITUTION OF HIGHER EDUCATION.—The
16 term “institution of higher education” has the
17 meaning given the term in section 6(b).

18 (b) GRANTS, CONTRACTS, AND COOPERATIVE
19 AGREEMENTS.—

20 (1) IN GENERAL.—The Secretary shall award
21 grants to, or enter into contracts or cooperative
22 agreements with, eligible entities on a competitive
23 basis to carry out projects of national significance
24 that—

1 (A) create opportunities for individuals
2 with disabilities and older adults to directly con-
3 tribute to improving preparation for, recovery
4 from, response to, and mitigation of disasters;

5 (B) support the development of State,
6 local, Tribal, and territorial policies that rein-
7 force and promote the inclusion of individuals
8 with disabilities and older adults in Federal,
9 State, local, Tribal, and territorial community
10 preparation for disasters; and

11 (C) support research that—

12 (i) tracks, in the short-term and long-
13 term, the effects of disasters on individuals
14 with disabilities and older adults;

15 (ii) identifies evidence-based practices
16 that enhance inclusion of individuals with
17 disabilities and older adults to participate
18 in and lead preparation for disasters at
19 Federal, State, local, Tribal, and territorial
20 levels;

21 (iii) leads to the creation of strategies
22 and procedures to implement community
23 level practices that decrease deaths, inju-
24 ries, and harm resulting from disasters to

1 individuals with disabilities and older
2 adults;

3 (iv) contributes to the protection of
4 the civil right of covered individuals with
5 disabilities and older adults to be free from
6 discrimination on the basis of disability or
7 age in programs and activities, and self-de-
8 termination of those individuals and
9 adults, while also promoting their safety
10 and well-being during and following disas-
11 ters;

12 (v) contributes to the development of
13 Federal, State, local, Tribal, and territorial
14 policies that enhance collaboration among
15 governmental entities, centers for inde-
16 pendent living, VOADs, and other non-
17 governmental organizations, including or-
18 ganizations that represent and are com-
19 prised of covered individuals, to improve
20 the inclusion of covered individuals in
21 preparation for, response to, recovery from,
22 and mitigation of disasters; and

23 (vi) contributes to other efforts, as de-
24 termined by the Secretary, to advance the
25 purposes of this section.

1 (2) AMOUNT, QUANTITY, AND DURATION.—In
2 awarding grants or entering into contracts or coop-
3 erative agreements under this section, the Secretary
4 shall—

5 (A) to the extent practicable, ensure that
6 each such grant, contract, or cooperative agree-
7 ment is for an amount that is not less than
8 \$2,500,000 and not more than \$10,000,000;

9 (B) award or enter into not less than 4
10 grants, contracts, or cooperative agreements;
11 and

12 (C) ensure that each such grant, contract,
13 or cooperative agreement is for a period of not
14 less than 3 years and not more than 5 years.

15 **SEC. 8. CRISIS STANDARDS OF CARE AND CIVIL RIGHTS**
16 **LAWS.**

17 (a) STANDARDS OF CARE.—States and local govern-
18 mental entities shall develop crisis standards of care for
19 implementation during the period of a disaster or public
20 health emergency pursuant to the nondiscrimination re-
21 quirements under—

22 (1) section 504 of the Rehabilitation Act of
23 1973 (29 U.S.C. 794); and

24 (2) section 1557 of the Patient Protection and
25 Affordable Care Act (42 U.S.C. 18116).

1 (b) INCLUSIONS.—In developing and implementing
2 crisis standards of care in accordance with subsection (a),
3 States and local governmental entities shall comply with:

4 (1) The crisis standards of care described in the
5 guidance issued by the Office for Civil Rights of the
6 Department of Health and Human Services entitled
7 “Bulletin: Civil Rights, HIPAA, and the Coronavirus
8 Disease 2019 (COVID–19)” and dated March 28,
9 2020, and any best practices developed by the Office
10 of Civil Rights pursuant to such guidance.

11 (2) The following requirements:

12 (A) States and local governmental entities
13 may not develop or implement potentially dis-
14 criminatory policies that negatively affect cov-
15 ered individuals or children. Such policies may
16 address the application of crisis standards of
17 care in resource-constrained settings during dis-
18 asters and public health emergencies.

19 (B) During disasters and public health
20 emergencies, civil rights may not be suspended
21 or waived.

22 (C) Crisis standards of care shall reflect
23 that every human being has fundamental and
24 inherent dignity, equity, and worth, and has a
25 right to be treated equally and fairly in the pro-

1 vision of health care services under Federal civil
2 rights laws.

3 (D) Crisis standards of care shall be suffi-
4 ciently clear to allow practitioners to apply such
5 standards of care, especially when stewarding of
6 scarce resources means withholding or with-
7 drawing critical care services. Such standards
8 of care shall reflect the values, wishes, and in-
9 terest of all patients, especially covered individ-
10 uals and children.

11 (E) States and local governmental entities
12 shall partner with, and work to ensure strong
13 public engagement of, community and provider
14 stakeholders, with particular attention to the
15 needs of covered individuals and children.

16 (F) States and local governmental entities
17 shall use ethically and clinically sound planning
18 to secure equitable allocation of resources and
19 fair protections for covered individuals and chil-
20 dren.

21 (G) States and local governmental entities
22 shall develop specific response measures to meet
23 the needs of covered individuals and children.

24 (H) States and local governmental entities
25 shall seek to eliminate the use of class, race,

1 ethnicity, neighborhood, disability, and age in
2 decisions relating to access of care.

3 **SEC. 9. NATIONAL ADVISORY COMMITTEE ON INDIVIDUALS**
4 **WITH DISABILITIES AND DISASTERS.**

5 Section 2811C of the Public Health Service Act (42
6 U.S.C. 300hh–10d) is amended—

7 (1) in subsection (c)—

8 (A) in paragraph (1), in the first sentence,
9 by striking “17 members” and inserting “45
10 members”;

11 (B) in paragraph (2), by adding at the end
12 the following:

13 “(N) 11 members, representing the dis-
14 ability community and reflecting the diverse
15 characteristics of its members, who shall—

16 “(i) represent individuals with disabil-
17 ities with a wide variety of disaster experi-
18 ences, including cross-disability representa-
19 tion;

20 “(ii) be geographically diverse;

21 “(iii) be ethnically and racially di-
22 verse;

23 “(iv) be of diverse ages, and include
24 older adults;

1 “(v) represent both genders, and in-
2 clude members that represent a variety of
3 sexual orientations and gender identities;

4 “(vi) include veterans; and

5 “(vii) be linguistically diverse.

6 “(O) 1 representative from each of—

7 “(i) a coastal State emergency man-
8 agement agency with an employee in a po-
9 sition with established duties relating to in-
10 tegration of individuals with disabilities or
11 to addressing access and functional needs;

12 “(ii) a noncoastal State emergency
13 management agency with an employee in a
14 position described in clause (i);

15 “(iii) a Tribal emergency management
16 agency with an employee in a position de-
17 scribed in clause (i);

18 “(iv) a territorial emergency manage-
19 ment agency with an employee in a posi-
20 tion described in clause (i);

21 “(v) a nongovernmental organization
22 providing disaster preparedness and re-
23 sponse services;

24 “(vi) a local urban disaster manage-
25 ment entity, which representative has dis-

1 ability inclusive emergency management
2 experience;

3 “(vii) a local rural disaster manage-
4 ment entity, which representative has dis-
5 ability inclusive emergency management
6 experience;

7 “(viii) a local disability organization
8 with a cross-disability focus;

9 “(ix) a State disability organization
10 with a cross-disability focus;

11 “(x) a national disability organization
12 with a cross-disability focus;

13 “(xi) a national older adults organiza-
14 tion;

15 “(xii) the Council of the Inspectors
16 General on Integrity and Efficiency;

17 “(xiii) a low-income housing organiza-
18 tion, who has expertise in the civil rights
19 of disaster-affected covered individuals;
20 and

21 “(xiv) a representative of a legal serv-
22 ices agency with expertise in the civil
23 rights of disaster-affected covered individ-
24 uals.

25 “(P) The Secretary of Transportation.

1 “(Q) The Director of Disability Policy for
2 the Domestic Policy Council.”; and

3 (C) by adding at the end the following:

4 “(3) DEFINITIONS.—In this subsection, the
5 terms ‘access and functional needs’, ‘civil rights’,
6 ‘covered individual’, ‘disability inclusive emergency
7 management experience’, ‘disaster’, ‘individuals with
8 disabilities’, ‘older adult’, and ‘State’ have the mean-
9 ings given the terms in section 4 of the REAADI for
10 Disasters Act.”;

11 (2) by redesignating subsection (g) as sub-
12 section (h);

13 (3) by inserting after subsection (f) the fol-
14 lowing:

15 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
16 is authorized to be appropriated to carry out this section
17 \$500,000 for each of fiscal years 2024 through 2027.”;
18 and

19 (4) in subsection (h), as so redesignated—

20 (A) in paragraph (1), by striking “on Sep-
21 tember 30, 2023” and inserting “4 years after
22 the date of enactment of the REAADI for Dis-
23 asters Act”; and

24 (B) in paragraph (2), by striking “October
25 1, 2022” and inserting “2 years after the date

1 of enactment of the REAADI for Disasters
2 Act”.

3 **SEC. 10. REVIEW OF SETTLEMENT AGREEMENTS RELATED**
4 **TO DISASTERS AND INDIVIDUALS WITH DIS-**
5 **ABILITIES AND OLDER ADULTS.**

6 (a) DEFINITIONS.—In this section:

7 (1) CHIEF OF THE DISABILITY RIGHTS SEC-
8 TION.—The term “Chief of the Disability Rights
9 Section” means the Chief of the Disability Rights
10 Section of the Civil Rights Division of the Depart-
11 ment of Justice.

12 (2) COMMITTEE.—The term “Committee”
13 means the Disability and Disaster Preparedness Ad-
14 visory Committee established under subsection (b).

15 (3) COVERED COMMITTEE OF CONGRESS.—The
16 term “covered committee of Congress” means—

17 (A) the Committee on Health, Education,
18 Labor, and Pensions and the Committee on
19 Homeland Security and Governmental Affairs
20 of the Senate; and

21 (B) the Committee on Transportation and
22 Infrastructure, the Committee on Education
23 and the Workforce, and the Committee on En-
24 ergy and Commerce of the House of Represent-
25 atives.

1 (4) COVERED SETTLEMENT AGREEMENT.—The
2 term “covered settlement agreement” means a set-
3 tlement agreement—

4 (A) entered into by the United States dur-
5 ing the period beginning on January 1, 2005,
6 and ending on the first December 31 after the
7 date of enactment of this Act; and

8 (B) that relates to a potential violation of
9 the Rehabilitation Act of 1973 (29 U.S.C. 701
10 et seq.) or the Americans with Disabilities Act
11 of 1990 (42 U.S.C. 12101 et seq.) in connec-
12 tion with the preparation for, response to, re-
13 covery from, or mitigation of a disaster.

14 (b) ESTABLISHMENT OF COMMITTEE.—There is es-
15 tablished an advisory committee, to be known as the “Dis-
16 ability and Disaster Preparedness Advisory Committee” to
17 review covered settlement agreements.

18 (c) MEMBERSHIP.—

19 (1) IN GENERAL.—Not later than 60 days after
20 the date of enactment of this Act, the Attorney Gen-
21 eral shall appoint the members of the Committee,
22 which shall include—

23 (A) employees of the Department of Jus-
24 tice; and

1 (B) not less than 3 disability rights advo-
2 cates who—

3 (i) are not employees of the Federal
4 Government;

5 (ii) are individuals with disabilities;
6 and

7 (iii) have disability inclusive emer-
8 gency management experience.

9 (2) PERIOD OF APPOINTMENT; VACANCIES.—

10 (A) IN GENERAL.—A member of the Com-
11 mittee shall be appointed for the life of the
12 Committee.

13 (B) VACANCIES.—Any vacancy in the
14 Committee—

15 (i) shall not affect the powers of the
16 Committee; and

17 (ii) shall be filled in the same manner
18 as the original appointment.

19 (3) CHAIRPERSON AND VICE CHAIRPERSON.—

20 The members of the Committee shall elect a Chair-
21 person and a Vice Chairperson from among the
22 members, not less than 1 of whom shall be a mem-
23 ber appointed under paragraph (1)(B).

24 (4) MEETINGS.—

1 (A) IN GENERAL.—The Committee shall
2 meet at the call of the Chairperson.

3 (B) QUORUM.—A majority of the members
4 of the Committee shall constitute a quorum, but
5 a lesser number of members may hold hearings.

6 (d) DUTIES.—The Committee shall—

7 (1) conduct a review of each covered settlement
8 agreement;

9 (2) review annual reports and recommendations
10 provided to each covered committee of Congress re-
11 lating to addressing the needs of covered individuals
12 in the preparation for, response to, recovery from, or
13 mitigation of a disaster;

14 (3) not later than 1 year after the date of en-
15 actment of this Act, submit a report containing the
16 findings and recommendations of the Committee
17 to—

18 (A) each covered committee of Congress;

19 (B) any other entity of Congress with ju-
20 risdiction over matters relating to addressing
21 the needs of covered individuals in the prepara-
22 tion for, response to, recovery from, or mitiga-
23 tion of a disaster;

24 (C) the Attorney General;

25 (D) the Secretary of Education;

- 1 (E) the Secretary of Homeland Security;
2 (F) the Secretary of Health and Human
3 Services;
4 (G) the Secretary of Transportation; and
5 (H) the President, through the Director of
6 Disability Policy for the Domestic Policy Coun-
7 cil; and
8 (4) provide the comments and recommendations
9 described in section 10(b)(2).

10 (e) POWERS OF COMMITTEE.—

11 (1) HEARINGS.—The Committee may hold such
12 hearings, sit and act at such times and places, take
13 such testimony, and receive such evidence as the
14 Committee considers advisable to carry out this sec-
15 tion.

16 (2) INFORMATION FROM FEDERAL AGENCIES.—

17 (A) IN GENERAL.—The Committee may
18 secure directly from any Federal department or
19 agency such information as the Committee con-
20 siders necessary to carry out this section.

21 (B) FURNISHING INFORMATION.—On re-
22 quest of the Chairperson of the Committee, the
23 head of the department or agency shall furnish
24 the information to the Committee.

1 (C) DISABILITY RIGHTS SECTION.—The
2 Chief of the Disability Rights Section shall sub-
3 mit to the Committee a report on the oversight
4 of covered settlement agreements a sufficient
5 period of time before the date specified in sub-
6 section (d)(3) to allow the Committee to review
7 the report and include the report of the Chief
8 of the Disability Rights Section in the report of
9 the Committee under subsection (d)(3).

10 (3) POSTAL SERVICES.—The Committee may
11 use the United States mails in the same manner and
12 under the same conditions as other departments and
13 agencies of the Federal Government.

14 (f) COMMITTEE PERSONNEL MATTERS.—

15 (1) COMPENSATION OF MEMBERS.—

16 (A) IN GENERAL.—A member of the Com-
17 mittee who is not an officer or employee of the
18 Federal Government shall be compensated at a
19 rate equal to the daily equivalent of the annual
20 rate of basic pay prescribed for level IV of the
21 Executive Schedule under section 5315 of title
22 5, United States Code, for each day (including
23 travel time) during which the member is en-
24 gaged in the performance of the duties of the
25 Committee.

1 (B) FEDERAL MEMBERS.—A member of
2 the Committee who is an officer or employee of
3 the United States shall serve without compensa-
4 tion in addition to that received for service as
5 an officer or employee of the United States.

6 (2) TRAVEL EXPENSES.—A member of the
7 Committee shall be allowed travel expenses, includ-
8 ing per diem in lieu of subsistence, at rates author-
9 ized for employees of agencies under subchapter I of
10 chapter 57 of title 5, United States Code, while
11 away from their home or regular places of business
12 in the performance of services for the Committee.

13 (3) STAFF.—

14 (A) IN GENERAL.—The Chairperson of the
15 Committee may, without regard to the civil
16 service laws (including regulations), appoint
17 and terminate an executive director and such
18 other additional personnel as may be necessary
19 to enable the Committee to perform the duties
20 of the Committee, except that the employment
21 of an executive director shall be subject to con-
22 firmation by the Committee.

23 (B) COMPENSATION.—The Chairperson of
24 the Committee may fix the compensation of the
25 executive director and other personnel without

1 regard to chapter 51 and subchapter III of
2 chapter 53 of title 5, United States Code, relat-
3 ing to classification of positions and General
4 Schedule pay rates, except that the rate of pay
5 for the executive director and other personnel
6 may not exceed the rate payable for level V of
7 the Executive Schedule under section 5316 of
8 that title.

9 (4) DETAIL OF GOVERNMENT EMPLOYEES.—
10 Any Federal Government employee may be detailed
11 to the Committee without reimbursement, and such
12 detail shall be without interruption or loss of civil
13 service status or privilege.

14 (5) PROCUREMENT OF TEMPORARY AND INTER-
15 MITTENT SERVICES.—The Chairperson of the Com-
16 mittee may procure temporary and intermittent serv-
17 ices under section 3109(b) of title 5, United States
18 Code, at rates for individuals which do not exceed
19 the daily equivalent of the annual rate of basic pay
20 prescribed for level V of the Executive Schedule
21 under section 5316 of that title.

22 (g) TERMINATION OF COMMITTEE.—The Committee
23 shall terminate 90 days after the date on which the Com-
24 mittee submits the report required under subsection
25 (d)(3).

1 (h) REPORTS BY DISABILITY RIGHTS SECTION.—On
2 and after the date on which the Committee submits the
3 report required under subsection (d)(3), the Chief of the
4 Disability Rights Section shall publish an annual report
5 on the oversight of settlement agreements relating to dis-
6 aster preparation, response, recovery, and mitigation ac-
7 tivities.

8 **SEC. 11. GAO REPORT ON PAST USE OF DISASTER FUNDS.**

9 (a) INVESTIGATION.—Not later than 60 days after
10 the date of enactment of this Act, the Comptroller General
11 of the United States shall begin to conduct an investiga-
12 tion of whether, on or after January 1, 2005, Federal
13 agencies have complied with the Americans with Disabil-
14 ities Act of 1990 (42 U.S.C. 12101 et seq.), and the Reha-
15 bilitation Act of 1973 (29 U.S.C. 701 et seq.), in expend-
16 ing Federal funds to prepare for, respond to, recover from,
17 or mitigate disasters, including whether and, if so, how
18 such funds were used to ensure accessibility to services
19 and supports for individuals with disabilities and older
20 adults.

21 (b) REPORT.—

22 (1) IN GENERAL.—Not later than 1 year after
23 the date of enactment of this Act, the Comptroller
24 General shall, in accordance with paragraph (2),
25 issue a report on the investigation conducted under

1 subsection (a), along with recommendations for re-
2 mediation of any misexpenditures identified.

3 (2) REVIEW.—

4 (A) IN GENERAL.—Prior to issuing the re-
5 port under paragraph (1), the Comptroller Gen-
6 eral shall obtain comments and recommenda-
7 tions on a draft version of the report, including
8 the recommendations described in subparagraph
9 (B), from the National Advisory Committee on
10 Individuals with Disabilities and Disasters es-
11 tablished under section 2811C of the Public
12 Health Service Act (42 U.S.C. 300hh–10d) and
13 the Disability and Disaster Preparedness Advi-
14 sory Committee established under section 9(b)
15 (referred to in this paragraph as the “Commit-
16 tees”), and any other agency determined appro-
17 priate by the Secretary.

18 (B) COMMITTEE RECOMMENDATIONS ON
19 ADDITIONAL SOURCES.—The recommendations
20 obtained under subparagraph (A) shall include
21 recommendations from the Committees regard-
22 ing additional sources the Comptroller General
23 may interview for purposes of the investigation
24 under subsection (a).

○