



June 21, 2021

To Whom It May Concern:

The Emergency Management Task Force with the Consortium of Citizens with Disabilities (CCD) writes today to provide comment on the request for information (RFI) to advance equity that was published on April 22, 2021. We appreciate this opportunity to comment on this critical issue. CCD is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration, and inclusion of children and adults with disabilities in all aspects of society. Nearly one in five people in the United States has a disability. Our task force would like to specifically highlight the advancements that must be made to ensure equity for people with disabilities and other intersecting communities in disaster preparedness, response and recovery.

At this point, we will provide some comments on some specific aspects of the RFI:

GENERAL QUESTIONS

(1) Are there FEMA programs, regulations, and/or policies that perpetuate systemic barriers to opportunities and benefits for people of color and/or other underserved groups as defined in [Executive Order 13985](#) and, if so, what are they? How can those regulations, and/or policies be modified, expanded, streamlined, or repealed to deliver resources and benefits more equitably?

Yes, structural barriers continue to exist in FEMA that prevent individuals with disabilities from gaining full access to FEMA services during disasters. Under the previous administration, the structure of disability services changed significantly. This impacted the accommodations people with disabilities during disasters can receive. For instance, the number of disability integration staff that are deployed to disaster zones was significantly decreased. Additionally, the responsibility of direct assistance for this community shifted from disability integration staff to more generally trained FEMA employees. Disability-specific training for such providers is now more limited. When responders receive less-specific training, they cannot offer as much detailed technical assistance to disaster survivors. The situations that arise from disasters for persons with disabilities can become quite complicated. For instance, a person with a complex medical background may have to coordinate medical insurance coverage in a new state or obtain a specific piece of medical equipment that may not be readily available unless it is specifically required in emergency protocols. In such circumstances, personnel with detailed training are necessary to tackle more complicated situations.

Another significant barrier is the lack of category B funding for centers for independent living (CIL) and protection and advocacy (P&A) offices. CILs and P&As provide both direct services and legal advocacy on the frontlines during disasters. For instance, CILs often drive into disaster riddled areas with accessible vehicles to evacuate wheelchair users. P&As advocate during a disaster to procure services such as interpreters to make sure disaster victims with disabilities have equal access to all government programs. However, under category B of the Public Assistance Program, it has been unclear if such services should be reimbursed financially. At this time, these organizations have not received any crucial funding to provide such critical services.

(4) Are there FEMA programs, regulations, and/or policies that are unnecessarily complicated or could be streamlined to achieve the objectives of equity for all (including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality), bolstering resilience to climate change, or addressing the disproportionately high and adverse climate-related impacts on disadvantaged communities in more efficient ways? If so, what are they and how can they be made less complicated and/or streamlined?

The General Accountability Office (GAO-318) conducted an assessment after the quick succession of Hurricanes Harvey, Irma, and Maria. The three natural disasters demonstrated weaknesses in the FEMA policies that prevented people with disabilities to equally access FEMA services. The report that was published on May 14, 2019 demonstrated that accommodation needs were not shared successfully across government agencies to ensure that survivors with disabilities received proper accommodations throughout the process. In response to the report, FEMA explained that their legacy systems cannot share accommodation requests across FEMA programs. This is a gap that must be remedied to provide equity in FEMA services. The GAO had suggested in the report that a system be developed where an alert in a survivor's file is triggered to express an ongoing need for accommodations.

Additionally, public policies for emergency response procedures such as rolling blackouts to stabilize electricity must coordinate with and speak to persons with disabilities. Although such procedures have necessary purposes, they can significantly impact persons with disabilities. For instance, those who use mechanical ventilation must be alerted far in advance of such utility shut-downs to ensure they have alternative measures to receive their life sustaining support. Local and state governments need to be better at communicating such policies and procedures to communities that may be adversely affected by their actions.

Another program that should be highlighted for accessibility and equity purposes is the establishment of FEMA locations such as cooling stations. During instances such as heatwaves, these locations are pivotal. However, when setting up such locations, FEMA must ensure that they are situated with the needs of all affected members of the community in mind. This means they should be fully accessible, placed in locations that can be accessed via public transportation and be properly equipped to handle the accommodation requirements of

people with disabilities. If these basic requirements are not met then access to the service is not equitable.

(6) Does FEMA currently collect information, use forms, or require documentation that impede access to FEMA programs and/or are not effective to achieve statutory, regulatory, and/or program objectives? If so, what are they and how can FEMA revise them to reduce burden, save time or costs, increase simplification and navigability, reduce confusion or frustration, and increase equity in access to FEMA programs and achieving statutory and/or regulatory objectives?

The one question regarding needed disability accommodations on the basic FEMA form has been known to cause problems in collecting information on applicants' disabilities and reasonable accommodation requests. On the form, question 24 inquires about access and functional needs. Historically, applicants have not understood what information this question is requesting. The wording is unclear. As a result, applicants have not accurately answered the question and thus have not received necessary and adequate accommodations. The form uses question 24 for both persons who had a disability before the disaster and have ongoing accommodation needs, as well as those who developed a disability as a result of the disaster. Consequently, persons who developed the disability as a result of the event may not be as knowledgeable about how to respond. This may be an appropriate place to create a separate question on that form. While the FEMA website does offer assistance when filling out question 24, it is unclear how widely publicized is such assistance. Statistics show that many displaced persons still do not know how to respond to question 24. FEMA must do more to simplify the question and provide assistance to help applicants fill-out the form.

Furthermore, FEMA needs to take additional steps to assist persons in shelters to obtain vital paperwork. Outside of FEMA specific forms, disaster survivors need access to documents such as social security cards and house deeds. Many shelters provide access to government entities to procure such documentation within emergency shelters. However, this is not always the case. In such situations, disaster victims must travel outside of the shelter to attempt to seek out such documentation. This can present accessibility barriers for persons with disabilities. For example, an emergency shelter may have a sign language interpreter at the shelter but it might be more difficult to procure such an interpreter if someone has to travel to a social security office. Therefore, emergency shelters must provide full accommodations to all government offices within emergency settings to ensure that persons with disabilities have equal access to regain necessary documentation.

(9) Are there existing sources of data that FEMA can use to evaluate the post-promulgation effects of regulations over time? Or, are there sources of data that FEMA can use to evaluate the effects of FEMA policies or regulations on equity for all, including individuals who belong to underserved communities?

FEMA must take steps to collect pertinent data that will better inform its services to people with disabilities. On April 10, 2018, The National Council on Disability (NCD) [sent a letter](#) to FEMA Administrator Long expressing concerns with FEMA data collection that negatively impacts the services persons with disabilities receive in emergency situations. CCD would like to reemphasize those concerns here. The data collected by FEMA during disasters on persons with disabilities is incomplete. For instance, data concerning services for people with hidden disabilities is not collected because hidden disabilities are not apparent and thus routinely go unrecorded. Similarly, when persons with disabilities are sent to shelters after a natural disaster, they are not identified in shelter population counts. This lack of disability data collection affects FEMA's understanding of who and how they must accommodate individuals with disabilities.

Moreover, there is no data that explores intersecting communities. For instance, data should be collected to identify the impact of natural disasters on persons of color who are also disabled. These communities are disproportionately impacted by natural and public health disasters because of the numerous barriers that diverse minority populations encounter. Thus, data on intersecting demographic backgrounds of disaster survivors is essential to serve different communities.

Thank you for the opportunity to lend input to the discussion surrounding equity within the Federal Emergency Management Agency. If you have any questions, please reach out to Claire Stanley at Claire.Stanley@ndrn.org.

Sincerely:

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