

CCD Emergency Management Task Force Recommendations for the Administration

The COVID-19 pandemic has revealed multiple, systemic failures to protect those with access and functional needs in public health and disaster planning, resulting in the deaths and forced institutionalization of thousands of people with disabilities. Devolution by the federal government of many emergency preparedness responsibilities has often meant that emergency managers do not understand or forget their obligations as recipients of federal funding to comply with the Rehabilitation Act (Rehab Act) and Americans with Disabilities Act (ADA) in carrying out their duties. The CCD Emergency Management Task Force urges the next Administration to support the steps outlined below to ensure that the consequences of future natural disasters and public health emergencies do not fall disproportionately on those with disabilities.

The Emergency Management Task Force makes the following recommendations for action by the Executive Branch:

- Include responsibility for disability inclusive disaster preparation, response and recovery within the portfolio of a new Domestic Policy Council Disability Advisor position. The disability community is seeking appointment of a Disability Advisor within the executive branch Domestic Policy Council. It is important that this position provide high level attention to and have the ability to facilitate a coordinated effort of disability inclusive federal response to disasters and public health emergencies.
- Direct the Department of Justice to devote sufficient resources to Project Civic Access to undertake an examination of state and local emergency management compliance with the ADA and Rehabilitation Act. Project Civic Access is a valuable part of the DOJ tool kit for ensuring that communities properly comply with the ADA. Because state and local recipients of federally declared disaster funds are obligated to comply with the Rehab Act and ADA, DOJ should be tasked with reviewing their compliance and effecting appropriate remedial actions through its consent agreement process.
- Revise and expand the list of nonprofits eligible for Category B funds under the Stafford Act to include organizations led by and serving people with disabilities. The Stafford Act currently authorizes states to provide Category B funding to a limited number of nonprofit organizations. As a result, nonprofits with particular subject matter expertise in disability inclusive disaster management are, in many states, excluded from having access to these funds even though they are often called upon to serve people with disabilities in emergencies.

JOINT RECOMMENDATIONS

- With the CCD Rights Task Force, we support regulatory and administrative measures to ensure that the rights of people with disabilities are not violated when

local and state governments adopt policies and procedures to respond to disasters and public health emergencies.

- With the CCD Health Task Force, we support regulatory and administrative measures to ensure that vaccine protocols and other responses to COVID-19 and future pandemics treat people with disabilities equitably in their implementation.
- With the CCD Long Term Services and Supports Task Force, we support regulatory and administrative measures to ensure that people with disabilities have access to home and community based services in natural disasters and public health emergencies.
- With the CCD Housing Task Force and National Low Income Housing Coalition's Disaster Housing Recovery Coalition, we support regulatory and administrative measures to protect people with disabilities at risk of homelessness, displacement and forced institutionalization resulting from natural disasters and pandemics.