



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

August 7, 2018

The Honorable Kirstjen Nielsen
Secretary
US Department of Homeland Security
Washington, DC

Re: CCD Emergency Management Ad Hoc Committee and Allies concerns with DHS-FEMA operations

Dear Secretary Nielsen

The Consortium for Citizens with Disabilities (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.

The 122 undersigned members of the CCD Emergency Management Ad Hoc Committee and allies are writing to express our deep concern over recent reports of significant changes in federal assistance to states in disasters. Ever since the terrorist attacks in 2001 and the devastation of hurricanes Katrina, Rita and Wilma in 2005, disability community leaders have sought to ensure that people with disabilities are fully included in the preparation for, response to and recovery from catastrophic emergencies and disasters, and are provided equal access to emergency services and programs, as required by law.

Linda Mastandrea, Director of the Federal Emergency Management Agency's Office of Disability Integration and Coordination (ODIC) [announced on May 24, 2018](#) (at 31 minutes) that effective June 1, 2018, the number of disability integration advisors (DIAs) deployed to states by FEMA in federally declared disasters, including major disasters, will be reduced from approximately 60 to only 5 per disaster. The DIAs have historically been the disability subject matter experts on the ground, assigned to advise the Federal Coordinating Officer, field leadership, deployed response and recovery staff and recipients of federal financial assistance. Their role is to provide guidance, training and technical assistance throughout disaster response and recovery to facilitate the government's obligation to provide equal access in compliance with the various federal statutes that protect the civil rights of people with disabilities during and after disasters.

We strongly objects to this plan because it lacks transparency and stakeholder input; does not adequately account for the gap in services this reduction of force will create; and will sow dangerous confusion and delay when the needs of people with disabilities remain unmet during the next disaster.

We understand that this move is part of FEMA's goal to shift greater responsibility for emergency response and recovery to local and state governments. As an overall objective, this is a policy goal that could have merit because of the reality that all disasters occur locally. However, beginning implementation of this policy by experimenting with disability integration support to states and local communities in disasters is unjustified and unwise particularly coming right at the start of hurricane season. It is a drastic change that should be implemented with due diligence and extreme caution, utilizing established objectives and performance measures, and certainly not on the backs of people with disabilities who are repeatedly disproportionately impacted by local, state and federal failures in preparedness, response and recovery.

This change is incongruent with the obligation that FEMA and DHS have for ensuring compliance with the equal access obligations associated with the expenditure of federal funds, regardless of the recipient of those funds. It strains credulity that a plan to immediately eliminate the availability of hundreds of trained disability integration personnel without planning, preparation or notice to the states and communities potentially impacted by the next disaster will result in adequate access to emergency programs and services or a better outcome for people with disabilities and disaster impacted communities.

FEMA's 2018-2022 strategic plan describes this dramatic shift in broad terms but lacks the transparency necessary to prepare states, emergency managers, public health, community organizations and individuals with disabilities for the next disaster. In fact, the Strategic Plan fails to even mention FEMA's plan to meet its equal access obligations to individuals with disabilities.

Despite the clear directives for engaging disability organizations in the Post Katrina Emergency Management Reform Act, i.e.; *"consulting with organizations that represent the interests and rights of individuals with disabilities about the needs of individuals with disabilities in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster"*, we are unaware of any stakeholder input in this decision, notice of this change or opportunity to comment on the impact this change will have in how equal access to emergency services and programs is handled during a disaster.

If FEMA continues to move forward with its plan to assign its civil rights responsibilities to states, we urge a corresponding increase in resources for the Department's Office of Civil Rights and Civil Liberties because people with disabilities do not relinquish their rights simply because of a natural or man-made disaster, and the federal government cannot assign its civil rights responsibilities, including monitoring and enforcement obligations, to grantees and sub-grantees.

We therefore request 1) an immediate delay in the implementation of this plan; 2) formal stakeholder input from all states and territories; 3) an increase in Department of Homeland Security staff and resources to monitor the implementation of the Department's civil rights obligations and report back to CCD whether the policy has an adverse effect on individuals with disabilities and disaster impacted communities, and 4) DHS's plan for corrective action.

Please contact Dara Baldwin, Senior Public Policy Analyst, National Disability Rights Network (NDRN) at dara.baldwin@ndrn.org or 202-408-9514 ext. 102 with any questions or concerns.

Sincerely,

CCD Members

American Association of People with Disabilities
American Network of Community Options & Resources (ANCOR)
American Physical Therapy Association
Association of Assistive Technology Act Programs
Association of University Centers on Disabilities (AUCD)
Autistic Self Advocacy Network
Center for Public Representation
Disability Rights Education & Defense Fund
Justice in Aging
National Council on Independent Living (NCIL)
National Disability Rights Network (NDRN)
National Down Syndrome Congress
National Low Income Housing Coalition
Paralyzed Veterans of America
Partnership for Inclusive Disaster Strategies
The Advocacy Institute
The Arc of the United States
United States International Council on Disabilities

Allies of CCD

Access Alaska Inc.
Access Independence
Access Living
ADAPT Montana
ADAPT of Texas
AIM Independent Living Center
Alabama Disabilities Advocacy Program
Alliance of People With disAbilities
American Association on Health and Disability
American Therapeutic Recreation Association
Appalachian Independence Center, Inc.
ARISE Child and Family Service, Inc.
Arizona Center for Disability Law
Board Resource Center

Bronx Independent Living Services
Brooklyn Center for Independence of the Disabled
Center for Disability Rights
Center for Independence
Coalition on Inclusive Emergency Planning / WASILC
Colorado Cross-Disability Coalition
Concerned Citizen
DC Metro ADAPT
Deaf-Hearing Communication Centre, Inc.
Disabilities Law Program, Community Legal Aid Society, Inc., Delaware
Disability Action Center - NW, Inc.
Disability Community Resource Center
Disability Law Center
Disability Law Center of Alaska
disAbility Law Center of Virginia
Disability Law Center, Massachusetts Protection & Advocacy
Disability Law Colorado
Disability Resource Center
Disability Rights Arkansas, Inc.
Disability Rights California
Disability Rights Center - NH
Disability Rights Education & Defense Fund
Disability Rights Florida, Inc.
Disability Rights Iowa
Disability Rights Maryland
Disability Rights NC
Disability Rights Nebraska
Disability Rights New Jersey
Disability Rights New Mexico
Disability Rights Pennsylvania
Disability Rights Texas
Disability Rights TN
Disability Rights Vermont
Disability Rights Wisconsin
Disability Rights, Education, Activism, and Mentoring (DREAM)
Equip for Equality
FILC
First Responders Disability Awareness Training
Florida Alliance for Assistance Services and Technology
Florida Democratic Disability Caucus
Florida Legal Services
Green Mountain ADAPT
harlem independent living center
Hawaii Disability Rights Center
Hispanic Federation
Idaho State Independent Living Council
Illinois Network of Centers for Independent Living
Illinois Valley Center for Independent Living

Illinois-Iowa Center for Independent Living
IMPACT CIL
Independence Northwest, Inc.
Independence Unlimited
Independent Living Inc.
Jacksonville Area Center for Independent Living
Kentucky Protection and Advocacy
Lake County Center for Independent Living
Liberty Resources, Inc.
Movimiento para el Alcance de Vida Independiente
National Foundation for Debt Management
National LGBTQ Task Force
National Organization of Nurses with Disabilities
Native American Disability Law Center
New York Association on Independent Living
New York State Independent Living Council
Northern Regional Center for Independent Living
Northwest Colorado Center for Independence
Northwestern Illinois Center for Independent Living (NICIL)
Not Dead Yet
Oklahoma Disability Law Center
Options Center for Independent Living
Personal Attendant Coalition of Texas
PolicyLink
Portlight Inclusive Disaster Strategies
Progress Center for Independent Living
Protection & Advocacy Project of ND
Protection and Advocacy for People with Disabilities, Inc
RCIL
Resource Center For Accessible Living
Rockland Independent Living Center dba B.R.i.D.G.E.S.
Shepherd Center
Soyland Access to Independent Living
Springfield Center for Independent Living
Stahlman Disability Consulting, LLC
Statewide Independent Council of Illinois
Statewide Independent Living Council of Alaska
The Disability Resource Center of the Rappahannock Area, Inc.
The Leadership Conference on Civil and Human Rights
The United Methodist Church, General Board of Church and Society
Trach Mommas of Louisiana
USSAAC (US Society for Augmentative and Alternative Communication)
Vermont Center for Independent Living
Vermont Coalition for Disability Rights
Washington State Independent Living Council
West Central Illinois CIL