



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

Date:

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

Re: CCD Emergency Management Subcommittee 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 ***NUMBER*** 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 Marcie Roth, President & CEO of Partnership for Inclusive Disaster Strategies at marcie@disasterstrategies.org or 301-717-7447 with any questions or concerns.

Sincerely,

(List of sign ons)