

111TH CONGRESS  
2D SESSION

# H. R. 4478

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to direct the President to take actions to address the needs of children and families who are victims of a major disaster, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 20, 2010

Ms. CORRINE BROWN of Florida introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to direct the President to take actions to address the needs of children and families who are victims of a major disaster, 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 “Kids Wish II Act”.

1 **SEC. 2. DEFINITIONS.**

2 Section 102 of the Robert T. Stafford Disaster Relief  
3 and Emergency Assistance Act (42 U.S.C. 5122) is  
4 amended—

5 (1) in paragraph (9)(C) by inserting “child  
6 care,” after “educational,”;

7 (2) in paragraph (10)(A) by inserting “child  
8 care,” after “educational,”; and

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

10 “(11) CHILDREN.—The term ‘children’ means  
11 individuals who are 18 years of age or younger.

12 “(12) EMERGENCY CHILD CARE.—The term  
13 ‘emergency child care’ means supervision, recreation,  
14 and other services offered by a State or local govern-  
15 ment (or a child care provider regulated by a State)  
16 for the purpose of providing nonparental care for  
17 children in the event of a major disaster or emer-  
18 gency.”.

19 **SEC. 3. ELIGIBILITY OF FOR-PROFIT CHILD CARE FACILI-**  
20 **TIES FOR DISASTER ASSISTANCE.**

21 Title I of the Robert T. Stafford Disaster Relief and  
22 Emergency Assistance Act (42 U.S.C. 5121 et seq.) is  
23 amended by adding at the end the following:

24 **“SEC. 103. FOR-PROFIT CHILD CARE FACILITIES.**

25 “Notwithstanding any other provision of this Act, a  
26 private for-profit child care facility shall be eligible for as-

1 sistance under this Act to the same extent as a private  
2 nonprofit child care facility.”.

3 **SEC. 4. DISASTER PLANNING.**

4 Title III of the Robert T. Stafford Disaster Relief  
5 and Emergency Assistance Act (42 U.S.C. 5141 et seq.)  
6 is amended by adding at the end the following:

7 **“SEC. 327. DISASTER PLANNING TO ADDRESS NEEDS OF**  
8 **CHILDREN AND FAMILIES.**

9 “(a) STATE AND LOCAL DISASTER PLANNING.—

10 “(1) IN GENERAL.—The President shall encour-  
11 age States and localities to include consideration of  
12 services and facilities for children within all phases  
13 of their disaster planning, training, and exercises.

14 “(2) SERVICES AND FACILITIES FOR CHILDREN  
15 DEFINED.—In this subsection, the term ‘services  
16 and facilities for children’ includes—

17 “(A) health and mental health services and  
18 facilities for children;

19 “(B) school services and facilities;

20 “(C) child care services and facilities;

21 “(D) services and facilities associated with  
22 early education programs, including the Head  
23 Start program;

24 “(E) juvenile corrections, detention, and  
25 court services and facilities;

1                   “(F) child welfare services and facilities;  
2                   and

3                   “(G) residential care services and facilities  
4                   for children, including residential treatment  
5                   centers and group homes.

6           “(b) NATIONAL DISASTER PLANNING.—The Presi-  
7   dent shall take such actions as may be necessary to include  
8   the provision of services and facilities for children within  
9   national planning activities, including the National Re-  
10   sponse Framework and the National Disaster Recovery  
11   Framework.

12          “(c) SPECIFIC MEASURABLE CAPABILITIES OF DIS-  
13   ASTER PLANS.—The President shall ensure, to the max-  
14   imum extent practicable, that disaster plans for services  
15   and facilities for children, at a minimum, incorporate spe-  
16   cific measurable capabilities for shelter-in-place, evacu-  
17   ation, relocation, family reunification, temporary oper-  
18   ating standards, and accommodation of children with dis-  
19   abilities and chronic health needs and other special needs  
20   child populations.”.

21   **SEC. 5. DISASTER ASSISTANCE FOR CHILD CARE SERVICES**  
22                   **AND FACILITIES.**

23          (a) ESSENTIAL ASSISTANCE.—Section 403(a)(3) of  
24   the Robert T. Stafford Disaster Relief and Emergency As-  
25   sistance Act (42 U.S.C. 5170b(a)(3)) is amended—

1 (1) in subparagraph (D) by inserting “, child  
2 care,” after “schools”;

3 (2) by striking “and” at the end of subpara-  
4 graph (I);

5 (3) by striking the period at the end of sub-  
6 paragraph (J) and inserting “; and”; and

7 (4) by adding at the end the following:

8 “(K) provision of emergency child care and  
9 assistance to families for child placement in  
10 emergency child care.”.

11 (b) REPAIR, RESTORATION, AND REPLACEMENT OF  
12 DAMAGED FACILITIES.—Section 406(a)(3)(B) of such Act  
13 (42 U.S.C. 5172(a)(3)(B)) is amended by inserting “child  
14 care,” after “education,”.

15 (c) FEDERAL ASSISTANCE TO INDIVIDUALS AND  
16 HOUSEHOLDS.—Section 408(e)(2) of such Act (42 U.S.C.  
17 5174(e)(2)) is amended—

18 (1) in the paragraph heading by inserting  
19 “CHILD CARE,” after “TRANSPORTATION,”; and

20 (2) by inserting “child care,” after “transpor-  
21 tation,”.

22 **SEC. 6. CASE MANAGEMENT SERVICES.**

23 Section 426 of the Robert T. Stafford Disaster Relief  
24 and Emergency Assistance Act (42 U.S.C. 5189d) is  
25 amended—

1 (1) by inserting “(a) IN GENERAL.—” before  
2 “The President”; and

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

4 “(b) PROGRAM REQUIREMENTS.—

5 “(1) EMPHASIS ON CHILDREN AND FAMILIES.—

6 In carrying out this section, the President shall es-  
7 tablish a single Federal disaster case management  
8 program with an emphasis on achieving tangible,  
9 positive outcomes for all children and families who  
10 are victims of a major disaster.

11 “(2) COMPONENTS.—The program shall—

12 “(A) adequately address the physical  
13 health, mental health, nutrition, education,  
14 housing, transportation, and other human serv-  
15 ices needs of children and families who are vic-  
16 tims of a major disaster;

17 “(B) provide for the involvement of non-  
18 profit agencies that provide disaster case man-  
19 agement services;

20 “(C) provide access to funding that sup-  
21 ports all aspects of disaster case management,  
22 including direct services to survivors;

23 “(D) provide for a single point of contact  
24 for disaster assistance applicants who need a

1 wide variety of services that may be provided by  
 2 many different organizations; and

3 “(E) provide funding to support case man-  
 4 ager training.”.

5 **SEC. 7. ASSISTANCE TO MEET NEEDS OF CHILDREN AND**  
 6 **FAMILIES.**

7 Title IV of the Robert T. Stafford Disaster Relief and  
 8 Emergency Assistance Act (42 U.S.C. 5170 et seq.) is  
 9 amended—

10 (1) by redesignating the second section 425, re-  
 11 lating to essential service providers, as section 427;  
 12 and

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

14 **“SEC. 428. ASSISTANCE TO MEET NEEDS OF CHILDREN AND**  
 15 **FAMILIES.**

16 “(a) MASS CARE SHELTERS.—

17 “(1) IN GENERAL.—The President may provide  
 18 mass care shelters for victims of major disasters.  
 19 Such shelters shall provide a safe and secure mass  
 20 care shelter environment for children, including ap-  
 21 propriate access to essential services and supplies.

22 “(2) STANDARDS.—In carrying out this sub-  
 23 section, the President shall—

1           “(A) develop and implement national  
2 standards and indicators for mass care shelters  
3 that are specific and responsive to children;

4           “(B) develop a list of essential age-appro-  
5 priate shelter supplies for infants and children  
6 and fund the addition of child-specific supplies  
7 to caches for immediate deployment to support  
8 shelter operations;

9           “(C) ensure the implementation of stand-  
10 ards and training to mitigate risks unique to  
11 children in shelters, including child abduction  
12 and sex offenders; and

13           “(D) ensure all shelter operators have ac-  
14 cess to a fast, accurate, and low-cost system for  
15 conducting national fingerprint-based criminal  
16 history background checks for shelter workers  
17 and volunteers.

18       “(b) HOUSING.—The President—

19           “(1) shall give priority to families with children  
20 in providing disaster housing assistance under this  
21 title; and

22           “(2) may provide financial and other assistance  
23 for individuals and families who are victims of a  
24 major disaster to ensure an expedited transition into  
25 permanent housing, especially for families with chil-



1        dren who have disabilities or other special health,  
2        mental health, or educational needs.

3        “(c) EVACUATION.—The President, in coordination  
4 with the heads of other appropriate Federal agencies, shall  
5 develop a standardized, interoperable national evacuee  
6 tracking and family reunification system that ensures the  
7 safety and well-being of children.”.

8        **SEC. 8. DISASTER RELATED INFORMATION SERVICES.**

9        Section 616(a)(2)(B) of the Robert T. Stafford Dis-  
10 aster Relief and Emergency Assistance Act (42 U.S.C.  
11 5196f(a)(2)(B)) is amended by inserting “children and”  
12 before “individuals with disabilities”.

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