

Calendar No. 441

118TH CONGRESS }
2d Session

SENATE

{ REPORT
118-195

**THINK DIFFERENTLY ABOUT
EMERGENCIES ACT**

R E P O R T

OF THE

**COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE**

TO ACCOMPANY

H.R. 6249

TO PROVIDE FOR A REVIEW AND REPORT ON THE ASSISTANCE
AND RESOURCES THAT THE ADMINISTRATOR OF THE FEDERAL
EMERGENCY MANAGEMENT AGENCY PROVIDES TO INDIVIDUALS
WITH DISABILITIES AND THE FAMILIES OF SUCH INDIVIDUALS
THAT ARE IMPACTED BY MAJOR DISASTERS, AND FOR OTHER
PURPOSES



JULY 23, 2024.—Ordered to be printed

U.S. GOVERNMENT PUBLISHING OFFICE

49-010

WASHINGTON : 2024

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

GARY C. PETERS, Michigan, *Chairman*

THOMAS R. CARPER, Delaware	RAND PAUL, Kentucky
MAGGIE HASSAN, New Hampshire	RON JOHNSON, Wisconsin
KYRSTEN SINEMA, Arizona	JAMES LANKFORD, Oklahoma
JACKY ROSEN, Nevada	MITT ROMNEY, Utah
JON OSSOFF, Georgia	RICK SCOTT, Florida
RICHARD BLUMENTHAL, Connecticut	JOSH HAWLEY, Missouri
LAPHONZA R. BUTLER, California	ROGER MARSHALL, Kansas

DAVID M. WEINBERG, *Staff Director*

ALAN S. KAHN, *Chief Counsel*

NAVEED JAZAYERI, *Senior Professional Staff Member*

WILLIAM E. HENDERSON III, *Minority Staff Director*

CHRISTINA N. SALAZAR, *Minority Chief Counsel*

ANDREW J. HOPKINS, *Minority Counsel*

MEGAN M. KRYNEN, *Minority Professional Staff Member*

LAURA W. KILBRIDE, *Chief Clerk*

THINK DIFFERENTLY ABOUT EMERGENCIES ACT

JULY 23, 2024.—Ordered to be printed

Mr. PETERS, from the Committee on Homeland Security and
Governmental Affairs, submitted the following

R E P O R T

[To accompany H.R. 6249]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security and Governmental Affairs, to which was referred the bill (H.R. 6249) to provide for a review and report on the assistance and resources that the Administrator of the Federal Emergency Management Agency provides to individuals with disabilities and the families of such individuals that are impacted by major disasters, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

CONTENTS

	Page
I. Purpose and Summary	1
II. Background and Need for the Legislation	2
III. Legislative History	2
IV. Section-by-Section Analysis of the Bill, as Reported	3
V. Evaluation of Regulatory Impact	3
VI. Congressional Budget Office Cost Estimate	4
VII. Changes in Existing Law Made by the Bill, as Reported	4

I. PURPOSE AND SUMMARY

H.R. 6249, the *Think Differently About Emergencies Act*, would require the Federal Emergency Management Agency (FEMA) and the U.S. Government Accountability Office (GAO) to report to Congress on the assistance and resources FEMA provides to persons with intellectual and developmental disabilities impacted by major disasters. The report must be submitted within 120 days of enactment and describe the assistance and resources FEMA provides to such individuals. FEMA and GAO must each (1) review the assist-

ance and resources, (2) identify potential legal impediments to providing such assistance and resources, and (3) provide recommendations to Congress on how to improve access to assistance and resources.

II. BACKGROUND AND NEED FOR THE LEGISLATION

Major disasters often leave communities without basic necessities and difficulties accessing these needs are compounded when faced by individuals with disabilities.¹ Congress and FEMA have taken some steps to address these difficulties by adopting statutory and policy changes to improve access for such individuals. For example, the *Post-Katrina Emergency Management Reform Act of 2006* established the Disability Coordinator role within FEMA to ensure the needs of individuals with disabilities were met in disaster relief and emergency preparedness.² The Office of Disability Integration and Coordination was created by FEMA in 2010 to support the work of the Disability Coordinator.³

In 2019, GAO reviewed the challenges individuals with disabilities faced in accessing assistance and resources FEMA provided after the 2017 hurricane season and found that those individuals encountered barriers to accessing resources. The report found such individuals faced challenges in registering for resources and disclosing their disability related needs because of unclear application questions. There was also limited communication on applicants' disability status between FEMA programs. It was concluded these barriers "may have limited" the assistance individuals with disabilities were able to receive.⁴ While the 2019 report focused on access and outreach to individuals with disabilities, it did not specifically review the resources and assistance available to individuals with intellectual or developmental disabilities.⁵

To address these issues, the *Think Differently About Emergencies Act*, would require FEMA to report to Congress the resources and assistance available to individuals with intellectual or developmental disabilities within 120 days of enactment. GAO and FEMA will then review the resources and assistance and make recommendations to Congress on how to improve access to these resources and assistance within one year of enactment.

III. LEGISLATIVE HISTORY

Representative Marcus Molinaro (R-NY) introduced H.R. 6249, the *Think Differently About Emergencies Act*, on November 6, 2023, with original cosponsors Representative Dina Titus (D-NV-1), Representative Salud Carbajal (D-CA-24), and Delegate Eleanor Holmes Norton (D-DC-At Large). The House of Representatives considered H.R. 6249 on March 11, 2024, under suspension of the rules, and passed the bill by unanimous consent.

The bill was referred to the Senate Committee on Homeland Security and Governmental Affairs. The committee considered H.R. 6249 at a business meeting on May 15, 2024. The bill was ordered

¹ Government Accountability Office, *FEMA Action Needed to Better Support Individuals Who Are Older or Have Disabilities* (GAO-19-318) (May 2019).

² Post-Katrina Emergency Management Reform Act of 2006, Pub. L. No. 109-295.

³ Government Accountability Office, *FEMA Action Needed to Better Support Individuals Who Are Older or Have Disabilities* (GAO-19-318) (May 2019).

⁴ *Id.*

⁵ *Id.*

reported favorably by roll call vote of 11 yeas to 0 nays, with Senators Peters, Carper, Hassan, Rosen, Blumenthal, Paul, Lankford, Romney, Scott, Hawley, and Marshall voting in the affirmative, and with Senators Sinema, Ossoff, Butler, and Johnson voting yea by proxy, for the record only.

IV. SECTION-BY-SECTION ANALYSIS OF THE BILL, AS REPORTED

Section 1. Short title

This section establishes the short title of the bill as the “Think Differently About Emergencies Act.”

Section 2. Report to Congress

Subsection (a) requires the FEMA Administrator, within 120 days of enactment, to submit to Congress a report describing the assistance and resources for individuals with intellectual and developmental disabilities FEMA provides to states, localities, non-profit organizations, and directly to individuals.

Subsection (b) states the report shall contain a description of the resources and assistance as well as the training process for staff providing the assistance, list the programs used to help such individuals prepare for and recover from disasters, describe outreach activities, and identify areas of improvement.

Section 3. Review of assistance and resources

This section requires the Comptroller General of the U.S. and the Administrator of FEMA to review the resources and assistance FEMA provides to identify barriers, improve access, and make such recommendations to Congress within one year of enactment.

V. EVALUATION OF REGULATORY IMPACT

Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this bill and determined that the bill will have no regulatory impact within the meaning of the rules. The Committee agrees with the Congressional Budget Office’s statement that the bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

VI. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H.R. 6249, Think Differently About Emergencies Act			
As ordered reported by the Senate Committee on Homeland Security and Governmental Affairs on May 15, 2024			
By Fiscal Year, Millions of Dollars	2024	2024-2029	2024-2034
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	1	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2035?	No	Statutory pay-as-you-go procedures apply?	No
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2035?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 6249 would require the Federal Emergency Management Agency (FEMA) and the Government Accountability Office (GAO) to review disaster assistance and resources provided by FEMA for people with disabilities and their families. The act would require FEMA, within 120 days of enactment, to report to the Congress on details of that assistance and the process of administering it. In addition, the act would require both agencies, within one year of enactment, to make recommendations to the Congress on how to improve the quality and administration of that assistance.

Using information from FEMA and GAO about the costs of similar activities, CBO estimates that implementing the act would cost \$1 million over the 2024–2029 period; any related spending would be subject to the availability of appropriated funds.

On January 12, 2024, CBO transmitted a cost estimate for H.R. 6249, the Think Differently About Emergencies Act, as ordered reported by the House Committee on Transportation and Infrastructure on November 15, 2023. The two pieces of legislation are similar, and CBO's estimates of the budgetary effects are the same.

The CBO staff contact for this estimate is Margot Berman. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

VII. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

This legislation would make no change in existing law, within the meaning of clauses (a) and (b) of subparagraph 12 of rule XXVI of the Standing Rules of the Senate, because this legislation would not repeal or amend any provision of current law.