

Calendar No. 450

117TH CONGRESS
2D SESSION**S. 3502****[Report No. 117–133]**

To establish an Office of Civil Rights, Equity, and Community Inclusion at the Federal Emergency Management Agency, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 13 (legislative day, JANUARY 10), 2022

Mr. PETERS (for himself and Mr. PADILLA) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

JULY 21, 2022

Reported by Mr. PETERS, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To establish an Office of Civil Rights, Equity, and Community Inclusion at the Federal Emergency Management Agency, 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 “Achieving Equity in
5 Disaster Response, Recovery, and Resilience Act of 2022”.

1 **SEC. 2. OFFICE OF CIVIL RIGHTS, EQUITY, AND COMMU-**
 2 **NITY INCLUSION.**

3 (a) IN GENERAL.—Title V of the Homeland Security
 4 Act of 2002 (6 U.S.C. 311 et seq.) is amended by adding
 5 at the end the following:

6 **“SEC. 529. OFFICE OF CIVIL RIGHTS, EQUITY, AND COMMU-**
 7 **NITY INCLUSION.**

8 “(a) DEFINITIONS.—In this section—

9 “(1) the term ‘appropriate committees of Con-
 10 gress’ means—

11 “(A) the Committee on Homeland Security
 12 and Governmental Affairs of the Senate; and

13 “(B) the Committee on Transportation
 14 and Infrastructure; the Committee on Oversight
 15 and Reform; and the Committee on Homeland
 16 Security of the House of Representatives;

17 “(2) the term ‘Director’ means the Director of
 18 the Office of Civil Rights, Equity, and Community
 19 Inclusion;

20 “(3) the term ‘disaster assistance’ means assist-
 21 ance provided under titles IV and V of the Robert
 22 T. Stafford Disaster Relief and Emergency Assist-
 23 ance Act (42 U.S.C. 5170 et seq.);

24 “(4) the term ‘Office’ means the Office of Civil
 25 Rights, Equity, and Community Inclusion; and

1 “(5) the term ‘underserved community’
2 means—

3 “(A) the Native American and Alaskan
4 Native community;

5 “(B) the African-American community;

6 “(C) the Asian community;

7 “(D) the Hispanic (including persons of
8 Mexican, Puerto Rican, Cuban, and Central or
9 South American origin) community;

10 “(E) the Pacific Islander community;

11 “(F) the Middle Eastern and North Afri-
12 can community;

13 “(G) a rural community;

14 “(H) a low-income community;

15 “(I) the disability community; and

16 “(J) any other historically disadvantaged
17 community, as determined by the Director.

18 “(b) OFFICE OF CIVIL RIGHTS, EQUITY, AND COM-
19 MUNITY INCLUSION.—

20 “(1) IN GENERAL.—The Office of Equal Rights
21 of the Agency shall, on and after the date of enact-
22 ment of the Achieving Equity in Disaster Response,
23 Recovery, and Resilience Act of 2022, be known as
24 the Office of Civil Rights, Equity, and Community
25 Inclusion.

1 “(2) REFERENCES.—Any reference to the Of-
 2 fice of Equal Rights of the Agency in any law, regu-
 3 lation, map, document, record, or other paper of the
 4 United States shall be deemed to be a reference to
 5 the Office of Civil Rights, Equity, and Community
 6 Inclusion.

7 “(c) DIRECTOR.—

8 “(1) IN GENERAL.—The Office shall be headed
 9 by a Director, who shall report to the Administrator.

10 “(2) REQUIREMENT.—The Director shall have
 11 documented experience and expertise in civil rights,
 12 underserved community inclusion research, disaster
 13 preparedness, or resilience disparities elimination.

14 “(d) PURPOSE.—The purpose of the Office is to—

15 “(1) improve underserved community access to
 16 disaster assistance;

17 “(2) improve the quality of disaster assistance
 18 received by underserved communities;

19 “(3) eliminate racial, ethnic, and other under-
 20 served community disparities in the delivery of dis-
 21 aster assistance; and

22 “(4) carry out such other responsibilities of the
 23 Office of Equal Rights as in effect on the day before
 24 the date of enactment of the Achieving Equity in
 25 Disaster Response, Recovery, and Resilience Act of

1 2022, as determined appropriate by the Adminis-
2 trator.

3 ~~“(e) AUTHORITIES AND DUTIES.—~~

4 ~~“(1) IN GENERAL.—The Director shall be re-~~
5 ~~sponsible for—~~

6 ~~“(A) improving—~~

7 ~~“(i) underserved community access to~~
8 ~~disaster assistance before and after a dis-~~
9 ~~aster; and~~

10 ~~“(ii) the quality of Agency assistance~~
11 ~~underserved communities receive;~~

12 ~~“(B) reviewing preparedness, response,~~
13 ~~and recovery programs and activities of the~~
14 ~~Agency to ensure the elimination of underserved~~
15 ~~community disparities in the delivery of such~~
16 ~~programs and activities; and~~

17 ~~“(C) carrying out such other responsibil-~~
18 ~~ities of the Office of Equal Rights as in effect~~
19 ~~on the day before the date of enactment of the~~
20 ~~Achieving Equity in Disaster Response, Recov-~~
21 ~~ery, and Resilience Act of 2022, as determined~~
22 ~~appropriate by the Administrator.~~

23 ~~“(2) REDUCING DISPARITIES IN PREPARED-~~
24 ~~NESS, RESPONSE, AND RECOVERY.—~~

1 “(A) IN GENERAL.—The Director shall de-
2 velop measures to evaluate the effectiveness of
3 the activities of program offices in the Agency
4 and the activities of recipients aimed at reduc-
5 ing disparities in the services provided to under-
6 served communities.

7 “(B) REQUIREMENT.—The measures de-
8 veloped under subparagraph (A) shall—

9 “(i) evaluate community outreach ac-
10 tivities; language services; workforce cul-
11 tural competence; historical assistance for
12 grants and loans provided to individuals;
13 State, local, tribal, and territorial govern-
14 ments; the effects of disaster declaration
15 thresholds on underserved communities;
16 the percentage of contracts awarded to un-
17 derserved and minority-owned businesses;
18 historical barriers to equitable assistance
19 across race and class during and after dis-
20 asters; and other areas, as determined by
21 the Director; and

22 “(ii) identify the communities impli-
23 cated in the evaluations conducted under
24 clause (i).

1 “(C) COORDINATION WITH OTHER OF-
 2 FICES.—In carrying out this section, the Direc-
 3 tor shall—

4 “(i) participate in scenario-based dis-
 5 aster response exercises at the Agency;

6 “(ii) coordinate with the Office of Mi-
 7 nority Health of the Department of Health
 8 and Human Services;

9 “(iii) coordinate with the Office of
 10 Civil Rights of the Department of Agri-
 11 culture;

12 “(iv) as appropriate, coordinate with
 13 other relevant offices across the Federal
 14 Government, including by leading a vol-
 15 untary task force to address disaster re-
 16 sponse needs of underserved communities;

17 “(v) coordinate with the Office for
 18 Civil Rights and Civil Liberties of the De-
 19 partment; and

20 “(vi) investigate allegations of unequal
 21 disaster assistance based on race or ethnic
 22 origin or refer those allegations to the ap-
 23 propriate office.

24 “(f) GRANTS AND CONTRACTS.—In carrying out this
 25 section, to further inclusion and engagement of under-

1 served communities throughout preparedness, response,
 2 recovery, and mitigation and to eliminate racial, ethnic,
 3 and other underserved community disparities in the deliv-
 4 ery of disaster assistance, as described in subsection (d);
 5 the Administrator shall—

6 “(1) administer and evaluate Agency programs
 7 and activities, including the programs and activities
 8 of recipients of preparedness, response, recovery,
 9 and mitigation grants and contracts, to—

10 “(A) further inclusion and engagement of
 11 underserved communities and underserved and
 12 minority-owned businesses; and

13 “(B) improve outcomes for underserved
 14 communities tied to Agency programs and ac-
 15 tivities; and

16 “(2) establish an underserved community initia-
 17 tive to award grants to, and enter into cooperative
 18 agreements and contracts with, nonprofit entities.

19 “(g) DISABILITY COORDINATOR.—

20 “(1) IN GENERAL.—There shall be within the
 21 Office a Disability Coordinator to ensure that the
 22 needs of individuals with disabilities are being prop-
 23 erly addressed by proactively engaging with dis-
 24 ability and underserved communities and State;

1 local, and tribal governments in emergency pre-
2 paredness and disaster relief.

3 ~~“(2) RESPONSIBILITIES.—~~The Disability Coordi-
4 nator shall be responsible for—

5 ~~“(A) providing guidance and coordination~~
6 ~~on matters relating to individuals with disabili-~~
7 ~~ties in emergency planning requirements and~~
8 ~~relief efforts in the event of a natural disaster,~~
9 ~~act of terrorism, or other man-made disaster;~~

10 ~~“(B) interacting with the staff of the~~
11 ~~Agency, the National Council on Disability, the~~
12 ~~Interagency Coordinating Council on Prepared-~~
13 ~~ness and Individuals with Disabilities estab-~~
14 ~~lished under Executive Order 13347 (6 U.S.C.~~
15 ~~314 note; relating to individuals with disabili-~~
16 ~~ties in emergency preparedness); other agencies~~
17 ~~of the Federal Government, and State, local,~~
18 ~~and tribal government authorities relating to~~
19 ~~the needs of individuals with disabilities in~~
20 ~~emergency planning requirements and relief ef-~~
21 ~~forts in the event of a natural disaster, act of~~
22 ~~terrorism, or other man-made disaster;~~

23 ~~“(C) consulting with stakeholders that rep-~~
24 ~~resent the interests and rights of individuals~~
25 ~~with disabilities about the needs of individuals~~

1 with disabilities in emergency planning require-
2 ments and relief efforts in the event of a nat-
3 ural disaster, act of terrorism, or other man-
4 made disaster;

5 “(D) ensuring the coordination and dis-
6 semination of best practices and model evacu-
7 ation plans and sheltering for individuals with
8 disabilities;

9 “(E) ensuring the development of training
10 materials and a curriculum for training emer-
11 gency response providers, State, local, and trib-
12 al government officials, and others on the needs
13 of individuals with disabilities;

14 “(F) promoting the accessibility of tele-
15 phone hotlines and websites relating to emer-
16 gency preparedness, evacuations, and disaster
17 relief;

18 “(G) working to ensure that video pro-
19 gramming distributors, including broadcasters,
20 cable operators, and satellite television services,
21 make emergency information accessible to indi-
22 viduals with hearing and vision disabilities;

23 “(H) providing guidance to State, local,
24 and tribal government officials and other indi-
25 viduals, and implementing policies, relating to

1 the availability of accessible transportation op-
 2 tions for individuals with disabilities in the
 3 event of an evacuation;

4 “(I) providing guidance and implementing
 5 policies to external stakeholders to ensure that
 6 the rights and wishes of individuals with dis-
 7 abilities regarding post-evacuation residency
 8 and relocation are respected;

9 “(J) ensuring that meeting the needs of in-
 10 dividuals with disabilities is a component of the
 11 national preparedness system established under
 12 section 644 of the Post-Katrina Emergency
 13 Management Reform Act of 2006 (6 U.S.C.
 14 744);

15 “(K) coordinate technical assistance for
 16 Agency programs based on input from under-
 17 served communities through a designee of the
 18 Director; and

19 “(L) any other duties assigned by the Di-
 20 rector.

21 “(h) REPORTS.—

22 “(1) IN GENERAL.—Not later than 1 year after
 23 the date of enactment of the Achieving Equity in
 24 Disaster Response, Recovery, and Resilience Act of
 25 2022, and biennially thereafter, the Administrator

1 shall submit to the appropriate committees of Con-
 2 gress a report describing the activities carried out
 3 under this section during the period for which the
 4 report is being prepared.

5 “(2) CONTENTS.—Each report submitted under
 6 paragraph (1) shall include—

7 “(A) a narrative on activities conducted by
 8 the Office, including a description of outreach
 9 and consultation efforts with advocacy organiza-
 10 tions and human resource providers;

11 “(B) the results of the measures developed
 12 to evaluate the effectiveness of activities aimed
 13 at reducing preparedness, response, and recov-
 14 ery disparities; and

15 “(C) the number and types of allegations
 16 of unequal disaster assistance investigated by
 17 the Director or referred to other appropriate of-
 18 fices.

19 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
 20 are authorized to be appropriated such sums as are nec-
 21 essary to carry out this section.”.

22 “(b) OFFICE OF DISABILITY COORDINATOR.—Title V
 23 of the Homeland Security Act of 2002 (6 U.S.C. 311 et
 24 seq.) is amended by striking section 513 (6 U.S.C. 321b).

1 (c) ~~TECHNICAL AND CONFORMING AMENDMENTS.—~~

2 The table of contents in section 1(b) of the Homeland Se-
 3 curity Act of 2002 (Public Law 107–296; 116 Stat. 2135)
 4 is amended—

5 (1) by striking the item relating to section 513
 6 (6 U.S.C. 321b); and

7 (2) by inserting after the item relating to sec-
 8 tion 528 the following:

“Sec. 529. Office of Civil Rights, Equity, and Community Inclusion.”.

9 (d) ~~COVID–19 RESPONSE.—~~

10 (1) ~~IN GENERAL.—~~During the period of time
 11 for which there is a major disaster or emergency de-
 12 clared by the President under section 401 or 501,
 13 respectively, of the Robert T. Stafford Disaster Re-
 14 lief and Emergency Assistance Act (42 U.S.C. 5170,
 15 5191) declared with respect to COVID–19, the Di-
 16 rector of the Office of Civil Rights, Equity, and
 17 Community Inclusion shall regularly consult with
 18 State, local, territorial, and Tribal government offi-
 19 cials and community-based organizations from un-
 20 derserved communities the Office of Civil Rights,
 21 Equity, and Community Inclusion identifies as dis-
 22 proportionately impacted by COVID–19.

23 (2) ~~FACA APPLICABILITY.—~~The Federal Advi-
 24 sory Committee Act (5 U.S.C. App.) shall not apply
 25 to any consultation conducted under paragraph (1).

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Achieving Equity in*
 3 *Disaster Response, Recovery, and Resilience Act of 2022”.*

4 **SEC. 2. OFFICE OF CIVIL RIGHTS, EQUITY, AND COMMUNITY**
 5 **INCLUSION.**

6 *(a) IN GENERAL.—Section 513 of the Homeland Secu-*
 7 *rity Act of 2002 (6 U.S.C. 321b) is amended to read as*
 8 *follows:*

9 **“SEC. 513. OFFICE OF CIVIL RIGHTS, EQUITY, AND COMMU-**
 10 **NITY INCLUSION.**

11 *“(a) DEFINITIONS.—In this section—*

12 *“(1) the term ‘appropriate committees of Con-*
 13 *gress’ means—*

14 *“(A) the Committee on Homeland Security*
 15 *and Governmental Affairs of the Senate; and*

16 *“(B) the Committee on Transportation and*
 17 *Infrastructure, the Committee on Oversight and*
 18 *Reform, and the Committee on Homeland Secu-*
 19 *rity of the House of Representatives;*

20 *“(2) the term ‘Director’ means the Director of the*
 21 *Office of Civil Rights, Equity, and Community Inclu-*
 22 *sion;*

23 *“(3) the term ‘disaster assistance’ means assist-*
 24 *ance provided under titles IV and V of the Robert T.*
 25 *Stafford Disaster Relief and Emergency Assistance*
 26 *Act (42 U.S.C. 5170 et seq.);*

1 “(4) the term ‘Office’ means the Office of Civil
2 Rights, Equity, and Community Inclusion; and

3 “(5) the term ‘underserved community’ means—

4 “(A) the Native American and Alaskan Na-
5 tive community;

6 “(B) the African-American community;

7 “(C) the Asian community;

8 “(D) the Hispanic (including persons of
9 Mexican, Puerto Rican, Cuban, and Central or
10 South American origin) community;

11 “(E) the Pacific Islander community;

12 “(F) the Middle Eastern and North African
13 community;

14 “(G) a rural community;

15 “(H) a low-income community;

16 “(I) the disability community; and

17 “(J) any other historically disadvantaged
18 community, as determined by the Director.

19 “(b) OFFICE OF CIVIL RIGHTS, EQUITY, AND COMMU-
20 NITY INCLUSION.—

21 “(1) IN GENERAL.—The Office of Equal Rights
22 of the Agency shall, on and after the date of enact-
23 ment of the Achieving Equity in Disaster Response,
24 Recovery, and Resilience Act of 2022, be known as the

1 *Office of Civil Rights, Equity, and Community Inclu-*
 2 *sion.*

3 “(2) *REFERENCES.*—*Any reference to the Office*
 4 *of Equal Rights of the Agency in any law, regulation,*
 5 *map, document, record, or other paper of the United*
 6 *States shall be deemed to be a reference to the Office*
 7 *of Civil Rights, Equity, and Community Inclusion.*

8 “(c) *DIRECTOR.*—

9 “(1) *IN GENERAL.*—*The Office shall be headed by*
 10 *a Director, who shall report to the Administrator.*

11 “(2) *REQUIREMENT.*—*The Director shall have*
 12 *documented experience and expertise in civil rights,*
 13 *underserved community inclusion research, disaster*
 14 *preparedness, or resilience disparities elimination.*

15 “(d) *PURPOSE.*—*The purpose of the Office is to—*

16 “(1) *improve underserved community access to*
 17 *disaster assistance;*

18 “(2) *improve the quality of disaster assistance*
 19 *received by underserved communities;*

20 “(3) *eliminate racial, ethnic, and other under-*
 21 *served community disparities in the delivery of dis-*
 22 *aster assistance; and*

23 “(4) *carry out such other responsibilities of the*
 24 *Office of Equal Rights as in effect on the day before*
 25 *the date of enactment of the Achieving Equity in Dis-*

1 *aster Response, Recovery, and Resilience Act of 2022,*
 2 *as determined appropriate by the Administrator.*

3 “(e) *AUTHORITIES AND DUTIES.—*

4 “(1) *IN GENERAL.—The Director shall be respon-*
 5 *sible for—*

6 “(A) *improving—*

7 “(i) *underserved community access to*
 8 *disaster assistance before and after a dis-*
 9 *aster; and*

10 “(ii) *the quality of Agency assistance*
 11 *underserved communities receive;*

12 “(B) *reviewing preparedness, response, and*
 13 *recovery programs and activities of the Agency*
 14 *to ensure the elimination of underserved commu-*
 15 *nity disparities in the delivery of such programs*
 16 *and activities; and*

17 “(C) *carrying out such other responsibilities*
 18 *of the Office of Equal Rights as in effect on the*
 19 *day before the date of enactment of the Achieving*
 20 *Equity in Disaster Response, Recovery, and Re-*
 21 *silience Act of 2022, as determined appropriate*
 22 *by the Administrator.*

23 “(2) *REDUCING DISPARITIES IN PREPAREDNESS,*
 24 *RESPONSE, AND RECOVERY.—*

1 “(A) *IN GENERAL.*—*The Director shall de-*
2 *velop measures to evaluate the effectiveness of the*
3 *activities of program offices in the Agency and*
4 *the activities of recipients aimed at reducing dis-*
5 *parities in the services provided to underserved*
6 *communities.*

7 “(B) *REQUIREMENT.*—*The measures devel-*
8 *oped under subparagraph (A) shall—*

9 “(i) *evaluate community outreach ac-*
10 *tivities, language services, workforce cul-*
11 *tural competence, historical assistance for*
12 *grants and loans provided to individuals*
13 *and State, local, tribal, and territorial gov-*
14 *ernments, the effects of disaster declaration*
15 *thresholds on underserved communities, the*
16 *percentage of contracts awarded to under-*
17 *served and minority-owned businesses, his-*
18 *torical barriers to equitable assistance*
19 *across race and class during and after dis-*
20 *asters, and other areas, as determined by*
21 *the Director; and*

22 “(ii) *identify the communities impli-*
23 *cated in the evaluations conducted under*
24 *clause (i).*

1 “(C) *COORDINATION WITH OTHER OF-*
2 *FICES.—In carrying out this section, the Direc-*
3 *tor shall—*

4 “(i) *participate in scenario-based dis-*
5 *aster response exercises at the Agency;*

6 “(ii) *coordinate with the Office of Mi-*
7 *nority Health of the Department of Health*
8 *and Human Services;*

9 “(iii) *coordinate with the Office of*
10 *Civil Rights of the Department of Agri-*
11 *culture;*

12 “(iv) *as appropriate, coordinate with*
13 *other relevant offices across the Federal Gov-*
14 *ernment, including by leading a voluntary*
15 *task force to address disaster response needs*
16 *of underserved communities;*

17 “(v) *coordinate with the Office for*
18 *Civil Rights and Civil Liberties of the De-*
19 *partment; and*

20 “(vi) *investigate allegations of unequal*
21 *disaster assistance based on race or ethnic*
22 *origin or refer those allegations to the ap-*
23 *propriate office.*

24 “(f) *GRANTS AND CONTRACTS.—In carrying out this*
25 *section, to further inclusion and engagement of underserved*

1 *communities throughout preparedness, response, recovery,*
 2 *and mitigation and to eliminate racial, ethnic, and other*
 3 *underserved community disparities in the delivery of dis-*
 4 *aster assistance, as described in subsection (d), the Admin-*
 5 *istrator shall—*

6 “(1) *administer and evaluate Agency programs*
 7 *and activities, including the programs and activities*
 8 *of recipients of preparedness, response, recovery, and*
 9 *mitigation grants and contracts, to—*

10 “(A) *further inclusion and engagement of*
 11 *underserved communities and underserved and*
 12 *minority-owned businesses; and*

13 “(B) *improve outcomes for underserved*
 14 *communities tied to Agency programs and ac-*
 15 *tivities; and*

16 “(2) *establish an underserved community initia-*
 17 *tive to award grants to, and enter into cooperative*
 18 *agreements and contracts with, nonprofit entities.*

19 “(g) *DISABILITY COORDINATOR.—*

20 “(1) *IN GENERAL.—There shall be within the Of-*
 21 *fice a Disability Coordinator to ensure that the needs*
 22 *of individuals with disabilities are being properly ad-*
 23 *dressed by proactively engaging with disability and*
 24 *underserved communities and State, local, and tribal*

1 *governments in emergency preparedness and disaster*
2 *relief.*

3 “(2) *RESPONSIBILITIES.—The Disability Coordi-*
4 *nator shall be responsible for—*

5 “(A) *providing guidance and coordination*
6 *on matters relating to individuals with disabili-*
7 *ties in emergency planning requirements and*
8 *relief efforts in the event of a natural disaster,*
9 *act of terrorism, or other man-made disaster;*

10 “(B) *interacting with the staff of the Agen-*
11 *cy, the National Council on Disability, the Inter-*
12 *agency Coordinating Council on Preparedness*
13 *and Individuals with Disabilities established*
14 *under Executive Order 13347 (6 U.S.C. 314*
15 *note; relating to individuals with disabilities in*
16 *emergency preparedness), other agencies of the*
17 *Federal Government, and State, local, and tribal*
18 *government authorities relating to the needs of*
19 *individuals with disabilities in emergency plan-*
20 *ning requirements and relief efforts in the event*
21 *of a natural disaster, act of terrorism, or other*
22 *man-made disaster;*

23 “(C) *consulting with stakeholders that rep-*
24 *resent the interests and rights of individuals*
25 *with disabilities about the needs of individuals*

1 *with disabilities in emergency planning require-*
2 *ments and relief efforts in the event of a natural*
3 *disaster, act of terrorism, or other man-made*
4 *disaster;*

5 “(D) ensuring the coordination and dis-

6 *semination of best practices and model evacu-*
7 *ation plans and sheltering for individuals with*
8 *disabilities;*

9 “(E) ensuring the development of training

10 *materials and a curriculum for training emer-*
11 *gency response providers, State, local, and tribal*
12 *government officials, and others on the needs of*
13 *individuals with disabilities;*

14 “(F) promoting the accessibility of telephone

15 *hotlines and websites relating to emergency pre-*
16 *paredness, evacuations, and disaster relief;*

17 “(G) working to ensure that video program-

18 *ming distributors, including broadcasters, cable*
19 *operators, and satellite television services, make*
20 *emergency information accessible to individuals*
21 *with hearing and vision disabilities;*

22 “(H) providing guidance to State, local,

23 *and tribal government officials and other indi-*
24 *viduals, and implementing policies, relating to*
25 *the availability of accessible transportation op-*

1 *tions for individuals with disabilities in the*
 2 *event of an evacuation;*

3 *“(I) providing guidance and implementing*
 4 *policies to external stakeholders to ensure that*
 5 *the rights and wishes of individuals with disabil-*
 6 *ities regarding post-evacuation residency and re-*
 7 *location are respected;*

8 *“(J) ensuring that meeting the needs of in-*
 9 *dividuals with disabilities is a component of the*
 10 *national preparedness system established under*
 11 *section 644 of the Post-Katrina Emergency Man-*
 12 *agement Reform Act of 2006 (6 U.S.C. 744);*

13 *“(K) coordinate technical assistance for*
 14 *Agency programs based on input from under-*
 15 *served communities through a designee of the Di-*
 16 *rector; and*

17 *“(L) any other duties assigned by the Direc-*
 18 *tor.*

19 *“(h) REPORTS.—*

20 *“(1) IN GENERAL.—Not later than 1 year after*
 21 *the date of enactment of the Achieving Equity in Dis-*
 22 *aster Response, Recovery, and Resilience Act of 2022,*
 23 *and biennially thereafter, the Administrator shall*
 24 *submit to the appropriate committees of Congress a*
 25 *report describing the activities carried out under this*

1 *section during the period for which the report is being*
 2 *prepared.*

3 *“(2) CONTENTS.—Each report submitted under*
 4 *paragraph (1) shall include—*

5 *“(A) a narrative on activities conducted by*
 6 *the Office, including a description of outreach*
 7 *and consultation efforts with advocacy organiza-*
 8 *tions and human resource providers;*

9 *“(B) the results of the measures developed to*
 10 *evaluate the effectiveness of activities aimed at*
 11 *reducing preparedness, response, and recovery*
 12 *disparities; and*

13 *“(C) the number and types of allegations of*
 14 *unequal disaster assistance investigated by the*
 15 *Director or referred to other appropriate offices.*

16 *“(i) AUTHORIZATION OF APPROPRIATIONS.—There are*
 17 *authorized to be appropriated such sums as are necessary*
 18 *to carry out this section.”.*

19 *(b) TECHNICAL AND CONFORMING AMENDMENTS.—*
 20 *The table of contents in section 1(b) of the Homeland Secu-*
 21 *rity Act of 2002 (Public Law 107–296; 116 Stat. 2135) is*
 22 *amended by striking the item relating to section 513 (6*
 23 *U.S.C. 321b) and inserting the following:*

“Sec. 513. Office of Civil Rights, Equity, and Community Inclusion.”.

24 *(c) COVID–19 RESPONSE.—*

1 (1) *IN GENERAL.*—During the period of time for
2 which there is a major disaster or emergency declared
3 by the President under section 401 or 501, respec-
4 tively, of the Robert T. Stafford Disaster Relief and
5 Emergency Assistance Act (42 U.S.C. 5170, 5191) de-
6 clared with respect to COVID–19, the Director of the
7 Office of Civil Rights, Equity, and Community Inclu-
8 sion shall regularly consult with State, local, terri-
9 torial, and Tribal government officials and commu-
10 nity-based organizations from underserved commu-
11 nities the Office of Civil Rights, Equity, and Commu-
12 nity Inclusion identifies as disproportionately im-
13 pacted by COVID–19.

14 (2) *FACA APPLICABILITY.*—The Federal Advi-
15 sory Committee Act (5 U.S.C. App.) shall not apply
16 to any consultation conducted under paragraph (1).

Calendar No. 450

117TH CONGRESS
2D Session

S. 3502

[Report No. 117-133]

A BILL

To establish an Office of Civil Rights, Equity, and
Community Inclusion at the Federal Emergency
Management Agency, and for other purposes.

JULY 21, 2022

Reported with an amendment