

110TH CONGRESS  
1ST SESSION

# H. R. 3495

---

## AN ACT

To establish a National Commission on Children and  
Disasters, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Kids in Disasters Well-  
3 being, Safety, and Health Act of 2007”.

4 **SEC. 2. DEFINITION.**

5 In this Act, the terms “child” and “children” mean  
6 an individual or individuals, respectively, who have not at-  
7 tained 18 years of age.

8 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

9 There is established a commission to be known as the  
10 “National Commission on Children and Disasters” (re-  
11 ferred to in this Act as the “Commission”).

12 **SEC. 4. PURPOSES OF COMMISSION.**

13 The purposes of the Commission are to—

14 (1) conduct a comprehensive study to examine  
15 and assess the needs of children as they relate to  
16 preparation for, response to, and recovery from all  
17 hazards, including major disasters and emergencies;

18 (2) build upon the investigations of other enti-  
19 ties and avoid unnecessary duplication, by reviewing  
20 the findings, conclusions, and recommendations of  
21 other commissions, Federal, State, and local govern-  
22 ments, or nongovernmental entities, relating to the  
23 needs of children as they relate to preparation for,  
24 response to, and recovery from all hazards, including  
25 major disasters and emergencies; and

1           (3) submit a report to the President and Con-  
2           gress on specific findings, conclusions, and rec-  
3           ommendations to address the needs of children as  
4           they relate to preparation for, response to, and re-  
5           covery from all hazards, including major disasters  
6           and emergencies.

7 **SEC. 5. COMPOSITION OF COMMISSION.**

8           (a) MEMBERS.—The Commission shall be composed  
9 of 10 members, of whom—

10           (1) 1 member shall be appointed by the Presi-  
11 dent;

12           (2) 1 member, who is of a different political  
13 party than that of the member appointed under  
14 paragraph (1), shall be appointed by the President;

15           (3) 2 members shall be appointed by the major-  
16 ity leader of the Senate;

17           (4) 2 members shall be appointed by the minor-  
18 ity leader of the Senate;

19           (5) 2 members shall be appointed by the Speak-  
20 er of the House of Representatives; and

21           (6) 2 members shall be appointed by the minor-  
22 ity leader of the House of Representatives.

23           (b) CHAIRPERSON AND VICE-CHAIRPERSON SELEC-  
24 TION.—The Chairperson and Vice Chairperson shall be  
25 elected from among members of the Commission.

1 (c) GOVERNMENTAL APPOINTEES.—An individual  
2 appointed to the Commission may not be an official or  
3 employee of the Federal Government.

4 (d) COMMISSION REPRESENTATION.—The Commis-  
5 sion shall include—

6 (1) representatives from private nonprofit enti-  
7 ties with demonstrated expertise in addressing the  
8 needs of children as they relate to preparation for,  
9 response to, and recovery from all hazards, including  
10 major disasters and emergencies; and

11 (2) State emergency managers and local emer-  
12 gency managers.

13 (e) QUALIFICATIONS.—Members appointed under  
14 subsection (a) shall include—

15 (1) individuals involved with providing services  
16 to children, including health, education, housing, and  
17 other social services, including grant and entitlement  
18 programs;

19 (2) individuals with experience in emergency  
20 management, including coordination of resources  
21 and services among State and local governments, the  
22 Federal Government, and nongovernmental entities;

23 (3) individuals with philanthropic experience fo-  
24 cused on the needs of children;

1           (4) individuals with experience in providing do-  
2           nated goods and services, including personnel serv-  
3           ices, to meet the needs of children and families as  
4           they relate to preparation for, response to, and re-  
5           covery from all hazards, including major disasters  
6           and emergencies; and

7           (5) individuals who have conducted academic  
8           research into related issues.

9           (f) APPOINTMENTS.—All members of the Commission  
10          shall be appointed not later than 90 days after the date  
11          of enactment of this Act.

12          (g) INITIAL MEETING.—The Commission shall meet  
13          and begin the operations of the Commission not later than  
14          120 days after the date of enactment of this Act.

15          (h) QUORUM AND VACANCY.—

16                (1) QUORUM.—A majority of the members of  
17                the Commission shall constitute a quorum, but a  
18                lesser number of members may hold hearings.

19                (2) VACANCY.—Any vacancy in the Commission  
20                shall not affect its powers and shall be filled in the  
21                same manner in which the original appointment was  
22                made.

23          **SEC. 6. DUTIES OF COMMISSION.**

24          The Commission shall—

- 1           (1) conduct a comprehensive study that exam-  
2           ines and assesses the needs of children as they relate  
3           to preparation for, response to, and recovery from  
4           all hazards, including major disasters and emer-  
5           gencies, including specific findings relating to—
  - 6                   (A) children’s physical and mental health;
  - 7                   (B) child care, including in private for-  
8                   profit and nonprofit settings;
  - 9                   (C) child welfare;
  - 10                  (D) elementary and secondary education;
  - 11                  (E) sheltering, temporary housing, and af-  
12                  fordable housing;
  - 13                  (F) transportation;
  - 14                  (G) entitlement and grant programs;
  - 15                  (H) juvenile justice;
  - 16                  (I) evacuation; and
  - 17                  (J) relevant activities in emergency man-  
18                  agement;
- 19           (2) identify, review, and evaluate existing law  
20           relevant to the needs of children as they relate to  
21           preparation for, response to, and recovery from all  
22           hazards, including major disasters and emergencies;
- 23           (3) identify, review, and evaluate the lessons  
24           learned from past disasters and emergencies relative  
25           to addressing the needs of children; and

1           (4) submit a report to the President and Con-  
2           gress on the Commission's specific findings, conclu-  
3           sions, and recommendations to address the needs of  
4           children as they relate to preparation for, response  
5           to, and recovery from all hazards, including major  
6           disasters and emergencies, including specific rec-  
7           ommendations on the need for planning and estab-  
8           lishing a national resource center on children and  
9           disasters, coordination of resources and services, ad-  
10          ministrative actions, policies, regulations, financing,  
11          and legislative changes as the Commission considers  
12          appropriate.

13 **SEC. 7. POWERS OF COMMISSION.**

14          (a) HEARINGS.—The Commission may hold such  
15          hearings, meet and act at such times and places, and re-  
16          ceive such evidence as may be necessary to carry out the  
17          functions of the Commission.

18          (b) INFORMATION FROM FEDERAL AGENCIES.—

19                (1) IN GENERAL.—The Commission may secure  
20          directly from any executive department, bureau,  
21          agency, board, commission, office, independent es-  
22          tablishment, or instrumentality of the Federal Gov-  
23          ernment such information, suggestions, estimates,  
24          and statistics as the Commission considers necessary  
25          to carry out this Act.

1           (2) PROVISION OF INFORMATION.—On request  
2 of the Chairperson of the Commission, each depart-  
3 ment, bureau, agency, board, commission, office,  
4 independent establishment, or instrumentality shall,  
5 to the extent authorized by law, provide the re-  
6 quested information to the Commission.

7           (3) RECEIPT, HANDLING, STORAGE, AND DIS-  
8 SEMINATION.—Information shall only be received,  
9 handled, stored, and disseminated by members of  
10 the Commission and its staff consistent with all ap-  
11 plicable statutes, regulations, and Executive orders.

12       (c) ASSISTANCE FROM FEDERAL AGENCIES.—

13           (1) GENERAL SERVICES ADMINISTRATION.—On  
14 request of the Chairperson of the Commission, the  
15 Administrator of General Services shall provide to  
16 the Commission, on a reimbursable basis, adminis-  
17 trative support and other services necessary for the  
18 Commission to carry out its duties.

19           (2) OTHER DEPARTMENTS AND AGENCIES.—In  
20 addition to the assistance provided for under para-  
21 graph (1), departments and agencies of the United  
22 States may provide to the Commission such services  
23 as they may determine advisable and as authorized  
24 by law.

1 (d) CONTRACTING.—The Commission may enter into  
2 contracts to enable the Commission to discharge its duties  
3 under this Act.

4 (e) DONATIONS.—The Commission may accept, use,  
5 and dispose of donations of services or property.

6 (f) POSTAL SERVICES.—The Commission may use  
7 the United States mails in the same manner and under  
8 the same conditions as a department or agency of the  
9 United States.

10 **SEC. 8. STAFF OF COMMISSION.**

11 (a) IN GENERAL.—The Chairperson of the Commis-  
12 sion, in consultation with the Vice Chairperson, in accord-  
13 ance with rules agreed upon by the Commission, may ap-  
14 point and fix the compensation of a staff director and such  
15 other personnel as may be necessary to enable the Com-  
16 mission to carry out its functions, in accordance with the  
17 provisions of title 5, United States Code, except that no  
18 rate of pay fixed under this subsection may exceed the  
19 equivalent of that payable for a position at level V of the  
20 Executive Schedule under section 5316 of title 5, United  
21 States Code.

22 (b) STAFF OF FEDERAL AGENCIES.—Upon request  
23 of the Chairperson of the Commission, the head of any  
24 executive department, bureau, agency, board, commission,  
25 office, independent establishment, or instrumentality of

1 the Federal Government may detail, without reimburse-  
2 ment, any of its personnel to the Commission to assist  
3 it in carrying out its duties under this Act. Any detail of  
4 an employee shall be without interruption or loss of civil  
5 service status or privilege.

6 (c) **CONSULTANT SERVICES.**—The Commission is au-  
7 thorized to procure the services of experts and consultants  
8 in accordance with section 3109 of title 5, United States  
9 Code, but at rates not to exceed the daily rate paid a per-  
10 son occupying a position at level IV of the Executive  
11 Schedule under section 5315 of title 5, United States  
12 Code.

13 **SEC. 9. TRAVEL EXPENSES.**

14 Each member of the Commission shall serve without  
15 compensation, but shall receive travel expenses, including  
16 per diem in lieu of subsistence, in accordance with applica-  
17 ble provisions in the same manner as persons employed  
18 intermittently in the Government service are allowed ex-  
19 penses under section 5703 of title 5, United States Code.

20 **SEC. 10. FEDERAL ADVISORY COMMITTEE ACT APPLICA-**  
21 **BILITY.**

22 The provisions of the Federal Advisory Committee  
23 Act shall apply to the Commission, including the staff of  
24 the Commission.

1 **SEC. 11. REPORTS OF COMMISSION; TERMINATION.**

2 (a) INTERIM REPORT.—Not later than December 31,  
3 2008, the Commission shall submit to the President and  
4 Congress an interim report containing specific findings,  
5 conclusions, and recommendations required under this Act  
6 as have been agreed to by a majority of Commission mem-  
7 bers.

8 (b) FINAL REPORT.—Not later than 24 months after  
9 the date of the enactment of this Act, the Commission  
10 shall submit to the President and Congress a final report  
11 containing specific findings, conclusions, and rec-  
12 ommendations required under this Act as have been  
13 agreed to by a majority of Commission members.

14 (c) TERMINATION.—

15 (1) IN GENERAL.—The Commission, and all the  
16 authorities of this Act, shall terminate 180 days  
17 after the date on which the final report is submitted  
18 under subsection (b).

19 (2) RECORDS.—Not later than the date of ter-  
20 mination of the Commission under paragraph (1),  
21 all records and papers of the Commission shall be  
22 delivered to the Archivist of the United States for  
23 deposit in the National Archives.

1 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

2       There is authorized to be appropriated to carry out  
3 this Act, \$2,000,000 for each of fiscal years 2008 and  
4 2009.

      Passed the House of Representatives November 6,  
2007.

Attest:

*Clerk.*



110<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 3495**

---

**AN ACT**

To establish a National Commission on Children  
and Disasters, and for other purposes.