

110TH CONGRESS
1ST SESSION

S. 1970

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

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2007

Mr. DODD introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Addressing the Dis-
5 aster Needs of Children Act of 2007”.

1 **TITLE I—NATIONAL COMMIS-**
2 **SION ON CHILDREN AND DIS-**
3 **ASTERS**

4 **SEC. 101. ESTABLISHMENT OF COMMISSION.**

5 There is established in the legislative branch the Na-
6 tional Commission on Children and Disasters (in this title
7 referred to as the “Commission”).

8 **SEC. 102. PURPOSES OF COMMISSION.**

9 The purposes of the Commission are to—

10 (1) examine, assess, and report upon the facts
11 and causes relating to the needs of children before,
12 during, and after all hazards, disasters, and emer-
13 gencies;

14 (2) build upon the investigations of other enti-
15 ties and avoid unnecessary duplication, by reviewing
16 the findings, conclusions, and recommendations of
17 other executive branch, congressional, or inde-
18 pendent commissions, or nongovernmental entities,
19 relating to the needs of children before, during, and
20 after all hazards, disasters, and emergencies; and

21 (3) investigate and report to the President and
22 Congress on its findings, conclusions, and rec-
23 ommendations for measures that can be taken to ad-
24 dress fully the needs of children before, during, and
25 after all hazards, disasters, and emergencies.

1 **SEC. 103. COMPOSITION OF COMMISSION.**

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

4 (1) 1 member shall be appointed by the Presi-
5 dent, by and with the advice and consent of the Sen-
6 ate, and shall serve as the chairperson;

7 (2) 1 member, who is of a different political
8 party than that of the member appointed under
9 paragraph (1), shall be appointed by the President,
10 by and with the advice and consent of the Senate,
11 and shall serve as Vice chairperson;

12 (3) 2 members shall be appointed by the Major-
13 ity Leader of the Senate;

14 (4) 2 members shall be appointed by the Minor-
15 ity Leader of the Senate;

16 (5) 2 members shall be appointed by the Speak-
17 er of the House of Representatives; and

18 (6) 2 members shall be appointed by the Minor-
19 ity Leader of the House of Representatives.

20 (b) POLITICAL PARTY AFFILIATION.—Not more than
21 5 members of the Commission shall be from the same po-
22 litical party.

23 (c) GOVERNMENTAL APPOINTEES.—An individual
24 appointed to the Commission may not be an elected official
25 of the Federal Government or any State or local govern-
26 ment.

1 (d) MEMBER EXPERTISE.—

2 (1) IN GENERAL.—Not less than 1 member of
3 the Commission shall have demonstrated expertise
4 in—

5 (A) child health, including physical and
6 mental health;

7 (B) child health services and delivery sys-
8 tems;

9 (C) child care services and delivery sys-
10 tems;

11 (D) child welfare services and delivery sys-
12 tems;

13 (E) primary education services;

14 (F) housing services relevant to children
15 and families;

16 (G) transportation services relevant to chil-
17 dren and families;

18 (H) juvenile justice systems and services
19 relevant to children and families;

20 (I) public finance mechanisms relevant to
21 children and families; or

22 (J) emergency mitigation, preparedness,
23 recovery, and response activities relevant to
24 children and families.

1 (2) NONGOVERNMENTAL EXPERTISE.—At least
2 1 member of the Commission shall be from a private
3 nonprofit, private for-profit, or philanthropic entity
4 with demonstrated expertise in addressing the needs
5 of children before, during, and after all hazards, dis-
6 asters, and emergencies.

7 (e) DEADLINE FOR APPOINTMENT.—All members of
8 the Commission shall be appointed not later than 60 days
9 after the date of enactment of this Act.

10 (f) INITIAL MEETING.—The Commission shall meet
11 and begin the operations of the Commission not later than
12 90 days after the date of enactment of this Act.

13 (g) QUORUM; VACANCIES.—After its initial meeting,
14 the Commission shall meet at the call of the chairperson
15 or a majority of the members of the Commission. Six
16 members of the Commission shall constitute a quorum for
17 purposes of conducting business. Any vacancy in the Com-
18 mission shall not affect its powers, and shall be filled in
19 the same manner in which the original appointment was
20 made.

21 **SEC. 104. FUNCTIONS OF THE COMMISSION.**

22 The Commission shall—

23 (1) conduct an investigation that—

24 (A) examines and assesses relevant facts
25 and causes relating to the needs of children be-

1 fore, during, and after all hazards, disasters,
2 and emergencies; and

3 (B) includes relevant facts and causes re-
4 lating to the needs of—

5 (i) child health, including physical and
6 mental health;

7 (ii) child care;

8 (iii) child welfare;

9 (iv) primary education;

10 (v) housing;

11 (vi) transportation;

12 (vii) juvenile justice;

13 (viii) public finance mechanisms; and

14 (ix) relevant activities in emergency
15 mitigation, preparedness, response, and re-
16 covery;

17 (2) identify, review, and evaluate existing laws
18 relevant to the needs of children before, during, and
19 after all hazards, disasters, and emergencies;

20 (3) identify, review, and evaluate relevant past
21 events regarding the mitigation, preparedness, re-
22 sponse, recovery, coordination, and service delivery
23 policies of the Federal Government, and, where ap-
24 plicable, State and local governments and non-
25 governmental entities, relative to addressing fully the

1 needs of children before, during, and after all haz-
2 ards, disasters, and emergencies; and

3 (4) submit to the President and Congress such
4 reports as required by this title containing such find-
5 ings, conclusions, and recommendations for meas-
6 ures as the Commission shall determine appropriate,
7 including proposing organization, planning, coordi-
8 nation, management, and financial policies, arrange-
9 ments, procedures, rules, and regulations.

10 **SEC. 105. POWERS OF THE COMMISSION.**

11 (a) IN GENERAL.—

12 (1) HEARINGS AND EVIDENCE.—The Commis-
13 sion may, for the purpose of carrying out this title
14 hold such hearings and sit and act at such times and
15 places, take such testimony, receive such evidence,
16 and administer such oaths as may be necessary to
17 carry out the functions of the Commission.

18 (2) WITNESS ALLOWANCES AND FEES.—

19 (A) IN GENERAL.—Section 1821 of title
20 28, United States Code, shall apply to a witness
21 requested to appear at a hearing of the Com-
22 mission.

23 (B) EXPENSES.—The per diem and mile-
24 age allowances for a witness shall be paid from

1 funds available to pay the expenses of the Com-
2 mission.

3 (b) CONTRACTING.—The Commission may, to such
4 extent and in such amounts as are provided in appropria-
5 tion Acts, enter into contracts to enable the Commission
6 to discharge its duties under this title.

7 (c) INFORMATION FROM FEDERAL AGENCIES.—

8 (1) IN GENERAL.—The Commission is author-
9 ized to secure directly from any executive depart-
10 ment, bureau, agency, board, commission, office,
11 independent establishment, or instrumentality of the
12 Federal Government, information, suggestions, esti-
13 mates, and statistics for the purposes of this title.
14 Each department, bureau, agency, board, commis-
15 sion, office, independent establishment, or instru-
16 mentality shall, to the extent authorized by law, fur-
17 nish such information, suggestions, estimates, and
18 statistics directly to the Commission, upon request
19 made by the chairperson, the chairperson of any
20 subcommittee created by the Commission, or any
21 member designated by a majority of the Commis-
22 sion.

23 (2) RECEIPT, HANDLING, STORAGE, AND DIS-
24 SEMINATION.—Information shall only be received,
25 handled, stored, and disseminated by members of

1 the Commission and its staff consistent with all ap-
2 plicable statutes, regulations, and Executive orders.

3 (d) ASSISTANCE FROM FEDERAL AGENCIES.—

4 (1) GENERAL SERVICES ADMINISTRATION.—

5 The Administrator of General Services shall provide
6 to the Commission on a reimbursable basis adminis-
7 trative support and other services for the perform-
8 ance of the Commission's functions.

9 (2) OTHER DEPARTMENTS AND AGENCIES.—In

10 addition to the assistance provided for under para-
11 graph (1), departments and agencies of the United
12 States may provide to the Commission such services
13 as they may determine advisable and as may be au-
14 thorized by law.

15 (e) POSTAL SERVICES.—The Commission may use
16 the United States mails in the same manner and under
17 the same conditions as departments and agencies of the
18 United States.

19 **SEC. 106. STAFF OF COMMISSION.**

20 (a) IN GENERAL.—

21 (1) APPOINTMENT AND COMPENSATION.—The
22 chairperson of the Commission, in consultation with
23 the vice chairperson, in accordance with rules agreed
24 upon by the Commission, may appoint and fix the
25 compensation of a staff director and such other per-

1 sonnel as may be necessary to enable the Commis-
2 sion to carry out its functions, in accordance with
3 the provisions of title 5, United States Code, except
4 that no rate of pay fixed under this subsection may
5 exceed the equivalent of that payable for a position
6 at level V of the Executive Schedule under section
7 5316 of title 5, United States Code.

8 (2) PERSONNEL AS FEDERAL EMPLOYEES.—

9 (A) IN GENERAL.—The provisions of the
10 Federal Advisory Committee Act (5 U.S.C.
11 App) shall apply to the staff director and any
12 personnel of the Commission.

13 (B) MEMBERS OF COMMISSION.—Subpara-
14 graph (A) shall not be construed to apply to
15 members of the Commission.

16 (b) DETAILEES.—Any Federal Government employee
17 may be detailed to the Commission without reimbursement
18 from the Commission, and such detailee shall retain the
19 rights, status, and privileges or his or her regular employ-
20 ment without interruption.

21 (c) CONSULTANT SERVICES.—The Commission is au-
22 thorized to procure the services of experts and consultants
23 in accordance with section 3109 of title 5, United States
24 Code, but at rates not to exceed the daily rate paid a per-
25 son occupying a position at level IV of the Executive

1 Schedule under section 5315 of title 5, United States
2 Code.

3 **SEC. 107. COMPENSATION AND TRAVEL EXPENSES.**

4 (a) COMPENSATION.—Each member of the Commis-
5 sion may be compensated at a rate not to exceed the daily
6 equivalent of the annual rate of basic pay in effect for
7 a position at level IV of the Executive Schedule under sec-
8 tion 5315 of title 5, United States Code, for each day dur-
9 ing which that member is engaged in the actual perform-
10 ance of the duties of the Commission.

11 (b) TRAVEL EXPENSES.—While away from their
12 homes or regular places of business in the performance
13 of services for the Commission, members of the Commis-
14 sion shall be allowed travel expenses, including per diem
15 in lieu of subsistence, in the same manner as persons em-
16 ployed intermittently in the Government service are al-
17 lowed expenses under section 5703(b) of title 5, United
18 States Code.

19 **SEC. 108. REPORTS OF THE COMMISSION; TERMINATION.**

20 (a) INTERIM REPORTS.—The Commission may sub-
21 mit to the President and Congress interim reports con-
22 taining such findings, conclusions, and recommendations
23 for measures as have been agreed to by a majority of Com-
24 mission members.

1 (b) FINAL REPORT.—Not later than 16 months after
2 the date of the enactment of this Act, the Commission
3 shall submit to the President and Congress a final report
4 containing such findings, conclusions, and recommenda-
5 tions for measures as have been agreed to by a majority
6 of Commission members.

7 (c) TERMINATION.—

8 (1) IN GENERAL.—The Commission, and all the
9 authorities of this title, shall terminate 60 days after
10 the date on which the final report is submitted
11 under subsection (b).

12 (2) ADMINISTRATIVE ACTIVITIES BEFORE TER-
13 MINATION.—The Commission may use the 60-day
14 period referred to in paragraph (1) for the purpose
15 of concluding its activities, including providing testi-
16 mony to committees of Congress concerning its re-
17 ports and disseminating its final report.

18 **SEC. 109. AUTHORIZATION OF APPROPRIATIONS.**

19 There is authorized to be appropriated to carry out
20 this title, \$2,000,000 for each of fiscal years 2008 and
21 2009.

1 **TITLE II—NATIONAL RESOURCE**
2 **CENTER ON CHILDREN AND**
3 **DISASTERS**

4 **SEC. 201. ESTABLISHMENT OF RESOURCE CENTER.**

5 The Secretary of Health and Human Services (in this
6 title referred to as the “Secretary”) shall establish a Na-
7 tional Resource Center on Children and Disasters (in this
8 title referred to as the “Center”).

9 **SEC. 202. PURPOSE OF THE CENTER.**

10 The Center shall provide resource information to
11 Federal, State, local, and tribal governments, as well as
12 to other nongovernmental entities, on issues relating to the
13 needs of children before, during, and after all hazards, dis-
14 asters, and emergencies.

15 **SEC. 203. FUNCTIONS OF THE CENTER.**

16 The Center shall—

17 (1) establish a clearinghouse to collect, main-
18 tain, disseminate, and, where appropriate, develop
19 information, networks, and resources on issues relat-
20 ing to the needs of children before, during, and after
21 all hazards, disasters, and emergencies, including
22 child health, child care, child welfare, primary edu-
23 cation, housing, transportation, juvenile justice, pub-
24 lic finance mechanisms, and relevant activities in

1 emergency mitigation, preparedness, response, and
2 recovery; and

3 (2) develop and maintain a website and related
4 systems for disseminating information on issues de-
5 scribed in paragraph (1).

6 **SEC. 204. COLLABORATION AND COORDINATION.**

7 (a) COLLABORATION.—In carrying out this section,
8 the Secretary shall collaborate with any executive depart-
9 ment, bureau, agency, board, commission, office, inde-
10 pendent establishment, or instrumentality of the Govern-
11 ment responsible for policies, arrangements, procedures,
12 rules, and regulations relevant to the needs of children be-
13 fore, during, and after all hazards, disasters, and emer-
14 gencies.

15 (b) MEMORANDUM OF UNDERSTANDING.—Not later
16 than 90 days after the date of enactment of this Act, the
17 Secretary shall enter into a memorandum of under-
18 standing with the Secretary of Homeland Security, the
19 Secretary of Education, the Secretary of Housing and
20 Urban Development, the Secretary of Transportation, and
21 the Attorney General, to collaborate where appropriate on
22 the functions described in section 203.

23 (c) CONSULTATION.—In carrying out this title, the
24 Secretary shall consult with—

25 (1) State and local agencies;

1 (2) national and local organizations with dem-
2 onstrated expertise in working to address the needs
3 of children before, during, and after all hazards, dis-
4 asters, and emergencies;

5 (3) national organizations with demonstrated
6 specialty expertise in areas such as child health,
7 child care, child welfare, primary education, public
8 housing, transportation, juvenile justice, public fi-
9 nance mechanisms, and relevant activities in emer-
10 gency mitigation, preparedness, response, and recov-
11 ery; and

12 (4) qualified professionals who possess the spe-
13 cialized knowledge, skills, experience, and relevant
14 attributes related to addressing the needs of children
15 before, during, and after all hazards, disasters, and
16 emergencies.

17 **SEC. 205. AUTHORITY TO ENTER INTO CONTRACTS.**

18 The Secretary may, to such extent and in such
19 amounts as are provided in appropriation Acts, enter into
20 contracts to enable the Center to discharge its duties
21 under this title.

1 **SEC. 206. AUTHORIZATION OF APPROPRIATIONS.**

2 There is authorized to be appropriated to carry out
3 this title \$1,500,000 for each of fiscal years 2008 and
4 2009.

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