

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.

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