

109TH CONGRESS  
1ST SESSION

# S. 1685

To ensure the evacuation of individuals with special needs in times of  
emergency.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 2005

Mr. OBAMA (for himself, Mr. BAYH, Mr. HARKIN, Mr. LEVIN, Mr. CORZINE,  
Mr. FEINGOLD, Mr. BINGAMAN, Mr. KENNEDY, Mrs. MURRAY, and Mr.  
SALAZAR) introduced the following bill; which was read twice and referred  
to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To ensure the evacuation of individuals with special needs  
in times of emergency.

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. FINDINGS AND PURPOSE.**

4 (a) FINDINGS.—Congress makes the following find-  
5 ings:

6 (1) The catastrophic Hurricane Katrina, which  
7 hit the Gulf Coast of the United States, caused mas-  
8 sive damage to the States of Louisiana, Mississippi,  
9 and Alabama.

1           (2) The total loss of life in the area is still un-  
2           known. The economic loss is still uncalculated, but  
3           is estimated to be in the tens to hundreds of billions  
4           of dollars.

5           (3) Many of the lives lost to the hurricane and  
6           the flooding that ensued could have been prevented  
7           had everyone been evacuated before the hurricane  
8           came ashore.

9           (4) Many of those people who were not evacu-  
10          ated lacked the resources to evacuate. Many of those  
11          people who lacked the resources to evacuate did not  
12          have access to any means of transportation to evac-  
13          uate. They had neither a vehicle nor the funding to  
14          pay for transportation out of the threatened areas.  
15          They did not have access to, nor could they afford,  
16          temporary accommodations outside the threatened  
17          areas.

18          (5) Many elderly and disabled individuals, in-  
19          cluding those in hospitals and nursing homes, were  
20          physically incapable of leaving on their own.

21          (6) In St. Bernard Parish, Louisiana, an esti-  
22          mated 32 of 60 residents in the St. Rita nursing  
23          home perished in the rising flood waters in the after-  
24          math of Hurricane Katrina.

1           (7) A more effective pre-disaster and post-dis-  
2           aster plan for evacuation that addressed the require-  
3           ments of those with special needs, such as those  
4           without transportation or those with physical disabili-  
5           ties, could have helped save lives.

6           (b) PURPOSE.—The purpose of this Act is to ensure  
7           the preparation of communities for future natural, acci-  
8           dental, or deliberate disasters by ensuring that the States  
9           prepare for the evacuation of individuals with special  
10          needs.

11       **SEC. 2. EVACUATION PLANS FOR INDIVIDUALS WITH SPE-**  
12                               **CIAL NEEDS.**

13          The Secretary of Homeland Security shall, acting  
14          through the Office of State and Local Government Coordi-  
15          nation and Preparedness, take appropriate actions to en-  
16          sure that each State, in its Homeland Security Strategy  
17          or other homeland security plan, provides detailed and  
18          comprehensive information regarding its pre-disaster and  
19          post-disaster plans for the evacuation of individuals with  
20          special needs, including low-income individuals and fami-  
21          lies, disabled individuals, the homeless, individuals who do  
22          not speak English, and the elderly, in emergencies that  
23          would warrant their evacuation, including plans for the  
24          provision of food, water, and shelter for evacuees.

1 **SEC. 3. REPORT TO CONGRESS.**

2 Not later than one year after the date of enactment  
3 of this Act, the Secretary of Homeland Security shall sub-  
4 mit to Congress a report setting forth the plans of the  
5 States to evacuate individuals with special needs in emer-  
6 gencies that would warrant their evacuation. The report  
7 shall include a discussion of—

8 (1) whether or not the States have the re-  
9 sources necessary to implement fully their evacu-  
10 ation plans; and

11 (2) the manner in which the plans of the States  
12 are integrated with the response plans of the Fed-  
13 eral Government for emergencies that would require  
14 the evacuation of individuals with special needs.

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