AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

ACCESSIBILITY OF THE HOUSE COMPLEX FOR PERSONS WITH SPECIAL NEEDS

HEARING

BEFORE THE

COMMITTEE ON HOUSE ADMINISTRATION HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

FIRST SESSION

HEARING HELD IN WASHINGTON, DC, JULY 28, 2005

Printed for the use of the Committee on House Administration

U.S. GOVERNMENT PRINTING OFFICE

23–251 WASHINGTON : 2005

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512–1800; DC area (202) 512–1800
Fax: (202) 512–2250 Mail: Stop SSOP, Washington, DC 20402–0001

COMMITTEE ON HOUSE ADMINISTRATION

BOB NEY, *Chairman*

VERNON J. EHLERS, Michigan
JOHN L. MICA, Florida
CANDICE MILLER, Michigan
JOHN T. DOOLITTLE, California
THOMAS M. REYNOLDS, New York

JUANITA MILLENDER-McDONALD, California
Ranking Minority Member
ROBERT A. BRADY, Pennsylvania
ZOE LOFGREN, California

PROFESSIONAL STAFF

PAUL VINOVICH, *Staff Director*
GEORGE SHEVLIN, *Minority Staff Director*

ACCESSIBILITY OF THE HOUSE COMPLEX FOR PERSONS WITH SPECIAL NEEDS

Thursday, July 28, 2005

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, D.C.

The committee met, pursuant to call, at 10:05 a.m., in Room 1310, Longworth, Hon. Robert W. Ney [chairman of the committee] presiding.

Present: Representatives Ney, Ehlers, Millender-McDonald and Lofgren.

Staff Present: David Duncan, Deputy Staff Director; Jennifer Mohtarez, Professional Staff Member; Michael Harrison, Minority Professional Staff Member; George F. Shevlin, Minority Staff Director; and Sterling Spriggs, Minority Tech Director.

The CHAIRMAN. I want to welcome everyone today to the Committee on House Administration. We are holding an oversight hearing on the efforts to improve accessibility to the House complex. I want to thank our Ranking Member, Juanita Millender-McDonald, from California, for her interest, and also the staff on both sides of the aisle for the work, preparation, and interest they have on this issue. I would also like to thank our House officers who are here today, as well as our Chief of Police. And I appreciate their work, not just today, but over the years, to work with the issues.

And again, this oversight hearing is on efforts to improve accessibility to the House complex for persons who have special needs.

First we will hear from our good friend, Congressman Langevin. And our next panel will then include people responsible for accessibility here on the House side of the Capitol. We have Chief Gainer, Terrance Gainer, Chief of the Capitol Police; Alan Hantman, our Architect of the Capitol; and House Chief Administrative Officer, Jay Eagen.

Our third and final panel consists of professionals from the private sector. They have experience in deploying common sense, rational solutions to improve accessibility.

Before we get started with this hearing, I just want to make a few comments. After our recent evacuations, several folks came to us—Members, staff and persons that had a form of disability—and said that they had problems getting out of the buildings. I recognize the unique challenges we face while trying to evacuate over 40,000 people in the entire complex of Congress—House, Senate, and the Capitol proper—within a matter of minutes; this is a problem that we can't allow to continue. In the other hearing we had on the evacuation, some of these issues were raised. And this hear-

ing is going to look at how we can go about solving the problems related to emergency evacuations. But the scope is a lot broader than that. We are also looking into the issue of getting into the buildings, getting around buildings, working here, visiting here, and communicating here.

When we talk about accessibility, my perspective is that a facility isn't truly accessible unless it is accessible to everyone, especially an important institution like ours, where all people must be able to access their elected Representative on issues affecting the citizenry of the United States and, frankly, issues affecting people around the world. When constituents visit their Members, they should have an easy time in doing so, regardless of their relative abilities. That must be the manner in which the people's House operates.

While our institution is unique in the functions and structures that house it, it is also full of rich architectural history. If we tore them down and started over, we obviously could make them more accessible and easier to use, but that is not a realistic approach to the problem. So we need to improve accessibility as much as possible, while trying to maintain the historical significant aspects of the building.

The hearing today will provide an opportunity for the Committee to examine past and current efforts to improve the House's accessibility, but it will also provide an opportunity to identify creative solutions.

Our final panel will provide insight into techniques and systems used elsewhere to address the continuing need for improvement and accessibility, and to give suggestions on how to apply these technologies and best practices to help us achieve our collective responsibility for safety and easy access for all visitors, Members and staff.

And again, I want to thank our Ranking Member and members of the Committee that are here. We have two members that have joined us. And again, this is an important issue; it is an issue that Members want to deal with and have wanted to address over the years. And in some cases new Members' offices are just designed for years past, when unfortunately in our society this wasn't thought about; or frankly, if it was thought about, nobody really cared to do anything about it. Times have changed, thank goodness, in the United States: that is the purpose of our hearing.

And with that, I will yield to our Ranking Member. Thank you.

Ms. MILLENDER-MCDONALD. Thank you, Mr. Chairman, and good morning to all of you.

First of all, I would like to thank you, Mr. Chairman, on the last evacuation, because I was right under your wings and you were able to provide me with information as to what was going on in terms of our having to evacuate. And so we thank you very much for that.

Also, I would like to thank the Chief and the Capitol Police. I might add that though there are improvements to be made, there was a very smooth transition, especially as far as I am concerned, as we left the floor to leave the building. And so I thank all of those Capitol Police who were there and thank you for the improvements that have been made to date.

Mr. Chairman, this is a very important hearing on the accessibility of the House complex for persons with special needs.

This is a very timely hearing because this week marks the 15th anniversary of passage of the Americans with Disabilities Act of 1990. Like several other laws, the ADA did not initially apply to the Congress. Only after the passage of the Congressional Accountability Act did Congress formally decide to comply with the ADA and make itself as accessible as possible for all members of our society. In retrospect, it seems incredible that Congress did not cover itself from the start, but it did not. This hearing will review the progress made toward that goal in the last decade.

As we begin, perhaps we should take a moment and consider the term "accessibility" in the broadest context. In my view, accessibility means ensuring that everyone can enter the House facilities readily, conduct his or her business while there, whether it be for work or pleasure, and then leave the facility safely, especially in the event of a dire emergency or necessity. Clearly, the House has made progress. It is more accessible now than it was a decade ago.

Members of our second panel today, the Architect of the Capitol, the House Chief Administrative Officer, and the Chief of the Capitol Police have contributed greatly to that progress, and I thank them for that. More work lies ahead, and we look forward to their plans and recommendations.

We should also look forward to hearing from our third panel of distinguished onsite experts who can offer common sense solutions to the significant difficulties that remain. In addition to those two panels, I certainly look forward to hearing from our distinguished colleague from Rhode Island, Representative James Langevin. Mr. Langevin can provide the perspective of a Member who must confront the full range of accessibility issues in the course of his work in the House every day.

Mr. Chairman, this is an especially good follow-up to our June hearing that examined the May 11th emergency evacuation of the Capitol complex. We heard then about the need to redouble our focus on emergency planning. I certainly look forward to hearing the views of today's witnesses on this aspect of accessibility.

There is much to explore here today. Again, I appreciate your holding the hearing, Mr. Chairman, and I look forward to the testimony.

The CHAIRMAN. I thank the Ranking Member, the gentlelady from California, for her comments.

Mr. Ehlers.

Mr. EHLERS. Thank you, Mr. Chairman. And I want to thank you for holding this hearing. I think it is one of the more important pieces of legislation passed in the past couple decades. I appreciate the first President Bush for initiating this and pushing it hard and getting it done. I only regret that Congress did not immediately put it in effect in our buildings here. I wish they had; it would have given us a head start. But I am pleased that when Newt Gingrich became Speaker, that was a very high priority for him. So we put ourselves into that law very quickly.

I think the progress is very good. It is very difficult to do many of these things in these old buildings, especially with the large amounts of stone and concrete in the buildings. We have made

progress; we have more to do. And I think it is very important that we have this hearing so that we can highlight what remains to be done. But I am pleased not only for the reasons of staff members being able to get around the buildings easily, but especially the many tourists that we have. And I know that many of those who come from my district are elderly, they charter buses to come, and they would not have been able to see the Capitol very well at all in the past. Now they can come and thoroughly enjoy it, and they do enjoy seeing where the founders of this Nation worked. And so it is not just a matter of accommodating employees, but accommodating millions of visitors.

I yield back.

The CHAIRMAN. Thank you. The gentlelady from California, Ms. Lofgren.

Ms. LOFGREN. Mr. Chairman, I do have a statement, but I know Mr. Langevin has a conflict with another committee assignment, so I am wondering if I can defer until after his testimony.

The CHAIRMAN. You may defer until afterwards.

[The statement of Ms. Lofgren follows:]

STATEMENT OF CONGRESSWOMAN LOFGREN
Committee on House Administration
Thursday, July 28, 2005
Hearing on Accessibility of the House Complex for Persons with Special Needs

- Chairman Ney and Ranking Member Millender-McDonald, thank you for holding this very important hearing today.

- As we have explored in past hearings, our system for evacuation of the Capitol Complex is not perfect and needs to be constantly reevaluated.

- One area of particular concern to me is the evacuation of people with special needs.

- My office is on the first floor of the Cannon Building on the New Jersey Avenue, SE side of the building. One of my neighbors in the Cannon Building is my good friend, Congressman Jim Langevin of Rhode Island.

- I also have a member of my staff that uses a wheel chair. His name is Vance Taylor.

- We are fortunate to have a handicap entrance on our hallway. This entrance allows Members, staff and visitors, including Congressman Langevin and Vance, to easily depart the Cannon Building during an emergency or an evacuation drill.

- Of course, they are not always in the Cannon Building. Like all Members, Congressman Langevin has a demanding schedule that takes him to all parts of the Capitol complex. Vance frequently has lunch in the Longworth Cafeteria and meets with fellow staffers through the House office buildings. Access for both of them in and out of the Capitol complex can be difficult in certain parts of the building.

- Also, I am aware that there are other staffers with special needs that may not work on the ground floor near a handicap entrance.

- Unfortunately, exiting the complex is not the only challenge for people with special needs. Some of the temporary Jersey barriers installed around the Capitol complex have very little space in between them. I am concerned that people in wheel chairs are not able to fit in between the barriers as they exit the complex. These barriers should be placed far enough apart for a wheelchair to easily fit through.

- It is clear to me that we need a better plan for all those with special needs that work in the House of Representatives. I've made sure that my office has an evacuation plan that works well for my office; however, I realize that my plan would need to be drastically different if we were on the 7th floor of Longworth or at the far end of the ~~Rayburn~~ Longworth Building. I think there needs to be much better coordination with the Capitol Police so all staffers are assisted and accounted for in an emergency.

- I am pleased that Congressman Langevin has agreed to speak with us today to share his experiences with us. We can learn quite a bit from him on the challenges that he faces every day and how we on the House Administration Committee can help to improve the accessibility of the Capitol Complex.

- I also want to acknowledge Vance Taylor from my staff who is with us today in the audience.

- We recently celebrated the 15th anniversary of the passage of the American with Disabilities Act. This landmark legislation helped make daily life a little easier for those with special needs. The House Administration Committee must take the lead in making the Capitol Complex is accessible and safe for ALL Members, staffers and visitors.

The CHAIRMAN. And with that, we want to welcome our colleague, Congressman Langevin. Welcome.

STATEMENT OF THE HON. JAMES R. LANGEVIN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF RHODE ISLAND

Mr. LANGEVIN. Thank you, Mr. Chairman.

Good morning. I want to begin by thanking you, Chairman Ney and Ranking Member Millender-McDonald, and the entire committee for convening today's hearing, "Accessibility of the House Complex For Persons With Special Needs." I commend you for your dedication to improving our service to Americans with disabilities, and I am grateful for the opportunity to testify.

In particular, Mr. Chairman, I just want to mention how much I appreciate how personally you have been involved in accessibility issues. And people with disabilities certainly have a friend in Bob Ney—and I appreciate that—as well as Ms. Millender-McDonald and the other members of this committee.

This week marked the 15th anniversary of the Americans with Disabilities Act, and I have encouraged Americans to acknowledge the anniversary by reflecting on the act's successes and discussing the work that is still left to be done. It is fitting that we also examine our own workplace and the ways that we can make it better.

Now, when I entered Congress in 2000 as the first quadriplegic ever to serve in the House, some changes had to be made to accommodate my service. I would like to start by acknowledging the efforts of the House leadership, the CAO, this committee and many others to ensure that I can work in Congress just as effectively as any Member. And I was, and continue to be, overwhelmed by how helpful my colleagues have been.

I was provided accessible office space on the first floor of the Cannon Building; additional space on the House floor was provided through removal of a chair; and an adjustable podium in the well of the Chamber also, that allows me to address my colleagues on the floor. And like many reasonable accommodations, this podium, which moves easily up and down to various heights, has proven useful to Members both with and without disabilities.

Now, while these changes have made it possible for me to do my job, there are certainly areas where the House can improve at accessibility, both for me and for our many disabled staff members, interns, and especially visitors.

I believe the most pressing issue facing persons with special needs in the House of Representatives is in the area of emergency preparedness. Now, because of the limited number of accessible entrances in and out of the Capitol, it is critical that these accessible routes are clear, marked, staffed and unobstructed. Capitol Police and other staff members must be knowledgeable about where to direct visitors in the case of an emergency or evacuation. And again, recent years have seen many significant improvements in this area, but we still need to remain ever mindful of the needs of those with disabilities as we implement an emergency response and evacuation plan.

Now, for example, I understand that the House will soon implement new guidelines designating Capitol Police-staffed elevators in

each House office building to be used by individuals with disabilities during evacuation. And I applaud this initiative, and I hope that all officers will receive training about how to communicate this information to their disabled staff, their interns and guests. And I would also advocate that each building entrance have the right evacuation information available to share with visitors with obvious disabilities.

I know that also one elevator in the Capitol Building uses a separate power supply and will remain operational in a blackout. However, I am concerned that visitors and most staff are not aware of this elevator and could not take advantage of it in a power loss situation. I would suggest that signs be placed in the Capitol so that all individuals with disabilities are aware of the location of this elevator.

Now, furthermore, it would be wise to consider ensuring that at least one elevator in each House office building is similarly set up to be unaffected by power loss.

One other thing that comes to mind as well: When there is a vote in progress, for example, we know that the bottom elevator buttons no longer are functional for the Member elevators, and the elevator buttons above those that are normally used are the ones that are in operation; and obviously those are far out of reach for someone who is in a wheelchair, not able to reach to that height. So I think it would be important to reconsider the placement of those buttons, or making them operational in the event of—the bottom buttons operational in the event of an emergency.

Now, I also serve on two committees, Armed Services and Homeland Security. The Armed Services Committee hearing room was made accessible for me during my first term. However, the Homeland Security Committee does not have a permanent committee room, and we have met in several locations over the last few years. And when the committee utilizes a room, a temporary portable ramp is often brought in so that I can access the dais. And while this works on a day-to-day basis, in the case of an emergency, having to properly position the ramp and clear obstacles could shave valuable minutes off my exit time. Now, I hope in the near future the plans will be made to make all hearing rooms accessible.

Finally, I believe our most critical shortcoming is the access to the House Chamber itself. In order to exit or enter the Chamber, I and other wheelchair or scooter users must use a doorway off the Speaker's lobby, far to one side of the floor. Now, under normal circumstances, this route is adequate; however, in a panic-filled emergency situation, I am not confident that I could make it through the crowd and out of the Chamber quickly or safely if I were on the opposite side.

Now, my staff has attended emergency drills on the House floor on my behalf, and they have expressed the same fears to me based on what they witnessed during the exercises.

Now, I understand that options and work is under consideration for emergencies, to include the use of a pull-out ramp that could be extended over the stairs when needed. Under this scenario, a designated employee would have the responsibility for placing the ramp over the stairs at the main entrance in order to provide handicapped Members or staff an additional exit from the Cham-

ber. And while these solutions sound viable in theory, I certainly have doubts about their execution in a chaotic and panicked evacuation where everyone's primary concern will be getting themselves to safety as quickly as possible.

If you can think of how it would play out, I understand that this ramp would be over the stairs opposite the Speaker's rostrum, and someone would have to pull the ramp out over the stairs. Again, in theory it works, but if the alarm goes off and people are quickly exiting the Chamber, that means they would have to stop people from exiting, pull out the ramp, get it into position, and then allow people to go out. I just find it unlikely that that is going to play out as intended.

Now, as you address accessibility issues facing our workplace, I hope that you will bear these comments in mind. Again, I want to thank the committee for your interest in these issues.

My treatment as a Member of Congress illustrates the tremendous advances America has made in terms of accommodating employees with disabilities. It shows how institutions, even very old ones, can adapt to accommodate people in special circumstances.

I have often said that I may be the first quadriplegic ever to serve in the United States House of Representatives, but I most certainly will not be the last. We owe it to our colleagues, our visitors, and to the future leaders of our Nation to do all that we can to see that the Capitol complex meets their accessibility needs.

And with that, Mr. Chairman, I yield back and I thank you for the opportunity to testify.

[The statement of Mr. Langevin follows:]

CONGRESSMAN JAMES LANGEVIN
TESTIMONY FOR THE COMMITTEE ON HOUSE ADMINISTRATION
Hearing on Accessibility of the House Complex for Persons with Special Needs
July 28, 2005

I want to thank Chairman Ney, Ranking Member Millender-McDonald, and the entire Committee for convening today's hearing on accessibility of the House complex for persons with special needs. I commend you for your dedication to improving our service to Americans with disabilities and am grateful for the opportunity to testify.

This week marked the fifteenth anniversary of the Americans with Disabilities Act, and I have encouraged Americans to acknowledge the anniversary by reflecting on the Act's successes and discussing the work left to be done. It is fitting that we also examine our own workplace and the ways we can make it better.

When I entered Congress in 2000, as the first quadriplegic ever to serve in the House, some changes had to be made to accommodate my service. I would like to start by acknowledging the efforts of the House Leadership, the CAO, this Committee and many others to ensure that I can work in Congress just as effectively as any Member. I was – and continue to be – overwhelmed by how helpful my colleagues have been.

I was provided accessible office space, additional space on the House Floor through the removal of a chair, and an adjustable podium in the well of the chamber that allows me to address my colleagues on the Floor. Like many "reasonable accommodations," this podium, which moves easily up and down to various heights, has proven useful for Members with and without disabilities.

While these changes have made it possible for me to do my job, there are certainly areas where the House could improve its accessibility – both for me and for our many disabled staff members, interns and especially visitors.

I believe the most pressing issue facing persons with special needs in the House of Representatives is in the area of emergency preparedness. Because of the limited number of accessible entrances in and out of the Capitol, it is critical that the accessible routes are clear, marked, staffed and unobstructed. Capitol Police and other House staff must be knowledgeable about where to direct visitors in the case of an emergency or evacuation. Again, recent years have seen many significant improvements in this area, but we need to remain ever-mindful of the needs of those with disabilities as we implement emergency response and evacuation plans.

For example, I understand that the House will soon implement new guidelines designating Capitol Police-staffed elevators in each House office building for use by individuals with disabilities during an evacuation. I applaud this initiative and hope that all offices will receive training about how to communicate this information to their disabled staff, interns and guests. I would also advocate that each building entrance have evacuation information available to share with visitors with obvious disabilities.

I know that one elevator in the Capitol building uses a separate power supply and will remain operational in a blackout. However, I am concerned that visitors and most staff are not aware of this elevator and could not take advantage of it in a power loss situation. I would suggest that signs be placed in the Capitol, so that all individuals with disabilities are aware of the location of this elevator. Furthermore, it may be wise to consider ensuring that at least one elevator in each office building is similarly set up to be unaffected by power loss.

serve on two Committees - Armed Services and Homeland Security. The Armed Services Committee hearing room was made accessible for me during my first term. However, the Homeland Security Committee does not have a permanent hearing room, and we have met in many locations over the last few years. When the Committee utilizes a new room, a temporary, portable ramp is often brought in so I can access the dais. While this works on a day to day basis, in the case of an emergency, having to properly position the ramp and clear obstacles could shave valuable minutes off my exit time. I hope in the near future, plans will be made to make all hearing rooms accessible.

Finally, I believe our most critical shortcoming is access to the House chamber itself. In order to enter and exit the chamber, I, and other wheelchair or scooter users, must use a doorway in the Speaker's Lobby, far to one side of the Floor. Under normal circumstances this route is adequate. However, in a panic-filled, emergency situation, I am not confident that I could make it through the crowd and out of the chamber quickly or safely. My staff has attended emergency drills on the House Floor on my behalf, and they expressed the same fears to me based upon what they witnessed during the exercises.

I understand that options under consideration for emergencies include the use of a pull-out ramp that could be extended over the stairs when needed. Under this scenario, a designated employee would have responsibility for placing the ramp over the stairs at the main entrance in order to provide handicapped members or staff an additional exit from the chamber. While these solutions sound viable in theory, I have serious doubts about their execution in a chaotic and panicked evacuation, where everyone's primary concern will be getting themselves to safety as quickly as possible.

As you address accessibility issues facing our workplace, I hope you will bear these comments in mind. Again, I want to thank the Committee for your interest in these issues. My treatment as a Member of Congress illustrates the tremendous advances America has made in terms of accommodating employees with disabilities. It shows how institutions, even very old ones, can adapt to accommodate people in special circumstances.

I have often said that I may be the first quadriplegic to serve in the House of Representatives, but I certainly will not be the last. We owe it to our colleagues, our visitors and the future leaders of our nation to do all we can to see that the Capitol complex meets their accessibility needs.

The CHAIRMAN. Well, I want to thank the gentleman, and I think your testimony is important. Also, I would like to state that you contribute a lot to Congress, and add valuable insights to the issues we deal with. I know when I was in the state senate one time, I had fractured my leg, and it was temporary, 6, 7 weeks—and this was years ago, 14, 15 years ago—trying to get around was a nightmare. And it sure woke me up. And I don't think a lot of people think about the issue. You being here and the insight you provide is extremely valuable for the House future. It extends not just to Members but also to visitors and staff.

Here in our Committee, when I first became Chairman, we hired a gentleman who did our policy, who is blind; he has now moved over to the Department of Commerce. But it gave us a lot of reflection and insight here about ways that we could change things. And the way we did it was to sit down with Pat and find out ways that worked. And some of those things have become permanent ideas that we can use in other places in the House. So I appreciate your testimony.

I have one question to ask. I guess I didn't follow it; the issue of the ramp that pulls out by the Speaker's rostrum, it goes over which step?

Mr. LANGEVIN. Directly opposite the Speaker's rostrum. The door, for example, that the President enters and exits during the State of the Union, that main entrance, just opposite his rostrum at the other end of the Chamber.There will be—I guess they are working on installing a ramp that will pull out from under the stairs and go over the stairs. I have advocated that there should be a permanent ramp that is placed there. It is only a matter of a few stairs, and it doesn't seem that it would protrude out too far into the hallway. In fact, the stairs are actually recessed in before you actually get to the end of the doorway, so it really wouldn't extend far out to the hall. I have advocated that that be a permanent ramp so you don't have to have someone pull it out and put it back every time you want to use it.

The CHAIRMAN. It would probably help in that case, too. Some of the stairs have narrowed over the course since 1859, going up into there. Now I know where you are talking about.

I think you are talking about room 311, with Cannon for Homeland Security, Room 311.

Mr. LANGEVIN. There are a few different committee rooms that they use.

The CHAIRMAN. I know that the Architect is equipping Room 311 with some changes. There is still an issue where Homeland Security is looking for some office space in another building, I don't know which one. But I think 311 has an August plan by the Architect, which is some good news on that.

I don't have any questions, I just appreciate the insight that you have given us in working with us on this issue.

The gentlelady.

Ms. MILLENDER-MCDONALD. Thank you, Mr. Chairman. And I too appreciate you coming this morning. You have set the precedent for us to really look at this critically for Members, as well as for those who come to visit in the House.

When you spoke of signs in the corridor, throughout the corridor, that they should be clear, marked, and I think lighted, and also I think they should be audible for those special needs folks who need to have that type of sound as well, as we evacuate or have to evacuate.

You mentioned elevators. They are slow with us anyway. I think these elevators need to be checked and double-checked. But to even think of the fact that the button needs to be in a place where it is accessible is another very sensitive thing that perhaps a lot of us don't think about, and I think it is so important that that is done.

Are there any other things, any other organizations and departments here in the House that you have tried to have accommodations and they have not been readily accessible to you? Or are people very accommodating to you?

Mr. LANGEVIN. No. I found in most all situations, those that have responsibility for trying to make the changes have worked diligently to make it happen. With the exception of adding a permanent ramp through one of the other doors of the House Chamber, of the House floor, everything else has happened pretty quickly.

The only other thing that comes to mind is the issue of automatic door openers for people with disabilities. You know, I suppose if you have a staff member or visitors who come to visit, they can't exit or enter the room without the assistance of someone opening or closing the door. Obviously—I know I have automatic door openers right outside my office. I know Ms. Lofgren has a member on her staff with a disability and has automatic door openers outside of her office. And some Members do. I notice maybe a couple of other Members have them. But that should, if possible, become standard.

And the other only thing that comes to mind is—and I don't necessarily have any answers as to how you remedy this, but for someone with a disability there are only two ways to—oh, I am sorry; there are two or three ways to exit the building: the Capitol, and that is merely all on the first floor. But if you are coming right off the House Chamber, for example, if I am coming out of the House Chamber I have to exit the Chamber, get into the elevator, go down one floor, and then down a corridor and out the first floor entrance, or go down to the sub-basement and exit through the tunnel.

And I know that there are options that are being considered or reviewed as to how someone could exit the building from the second floor, as most Members would do if they were leaving the Chamber in an emergency situation; even routine. But other than that, and adding a probably very long ramp off those very high stairs, there aren't many good options. But I know that there are also situations where they have special chairs that people would be transferred into and could help the individual to go down the stairs. But those are just the things that come to mind.

Ms. MILLENDER-MCDONALD. That is great information, and information that we should, indeed, take under advisement in ensuring that we continue to provide accessibility for more Members who are coming in and more visitors, who are sure to increase. Given the expansion in the new Visitors Center, we will have more folks coming in.

You spoke about the one elevator that remains operable in light of a blackout, and a lot of folks don't know about this elevator. I suppose I don't know either. Where is this elevator again?

Mr. LANGEVIN. If you are looking at the House Chamber, and you are looking right at the Speaker's rostrum, it would be the elevator to the left of the—so you would exit the Speaker's lobby left, and it is—Wendy, the elevator operator, it is usually——

The CHAIRMAN. Is that the elevator that Wendy operates?

Mr. LANGEVIN. That is right.

The CHAIRMAN. Okay. Everybody knows Wendy.

Mr. LANGEVIN. And I have been informed, unless I am mistaken, that all elevators work even if the fire alarms are going off, the emergency alarm is going off. I believe that is correct.

Mr. HANTMAN. We have emergency power on two elevators in the Capitol.

Ms. MILLENDER-MCDONALD. And where is the other one, Mr. Architect?

Mr. HANTMAN. On the Senate side.

Ms. MILLENDER-MCDONALD. I was going to ask, what is the comparable nature of the House and the Senate in terms of accessibility? And I suppose you will get to that when you come to that.

So during the last evacuation, I was concerned about other Members as well as yourself in getting out. I wonder if—and typically they tell you if emergencies come, do not use elevators; but that one, of course, will have to be used by those who are with special needs. Is that the elevator that you went down on to get out?

Mr. LANGEVIN. That's right. And I knew about it, so I automatically just went to the elevator and down to the first floor and out. They said the other option is to go down to the sub-basement and out through the tunnel.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I was asking staff if all hearing rooms have the accessibility of Members to come up to the dais. And they think perhaps all of them were accessible, with the exception of the one that the Congressman speaks of in the area, I suppose, that he has been using in terms of Homeland Security. So that is something that we need to check. And I had a briefing the other day in 311, so there needs to be more further work on that as well.

We thank you very much for being here this morning, sharing your thoughts with us. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Gentlelady from California.

Ms. LOFGREN. Well, I thank Congressman Langevin. As a Member of Congress, he has the ability to be heard in a way that members of the staff and public don't, and so I think it is very important that he is here, not only identifying issues that he has faced, but also speaking for hundreds of people who couldn't be a witness, who are in wheelchairs or who need accommodations for access in emergency. I think it is very important both for the public and for staff, and I thank you for taking the time to do it.

One question I had—we are on the same floor, and there is a button access into the Cannon Building—but your office is down the hall, so even in an evacuation—obviously you are not always

in your office, but in an evacuation you actually have to backtrack, I assume, in order to get out.

Mr. LANGEVIN. If I were going to go out to the street entrance, I would just go down that hall. I am hoping that eventually—and I believe plans may be underway—to make the elevator nearest my office operational and have a separate power supply.

Ms. LOFGREN. So that would be one solution.

Mr. LANGEVIN. The one thing that also concerns me, and I think it needs to be thought through a little bit more, I understand that elevators would be designated, and people with disabilities, I am told—and this is just from information I received from a disabled staffer—said that they are instructed to go to one particular place and there will be people there to assist them out. And this individual pointed out to me, he went to this location and waited, you know, for a while for someone to arrive—which someone ultimately did arrive to assist him—but he said he could have been out of the building long before if he had just gone to the nearest entrance or exit. And I think that is something to be considered.

I think people with disabilities, if there is an emergency situation, if they know of an exit out of the building, should just immediately try to get out the quickest way possible. And if they are going to need assistance, then there is no particular place——

Ms. LOFGREN. I think that is an excellent point, because when there is an evacuation it is a little intense, and the less plans that need to be implemented, the better off we are going to be. If we could just allow people to exit on their own, that is much to be preferred, it seems to me.

I have a statement which I will make a part of the official record. I would like to note that I do have a member of my staff who uses a wheelchair who is here today, Vance Taylor, and he has been a help to me in understanding these issues.

And just as Congressman Langevin has for all of us in the Congress, one of the issues that Vance has run into—and I am wondering if you have, Congressman—is when there is an evacuation and you are on the street, the Jersey barriers are very close together; and in an evacuation, at one point Vance's chair was actually stuck between two Jersey barriers. And I am wondering if that is an issue that you have run into—I think you might have been in your van, I don't know if you were on the street or not—but in your moving around, whether that has posed a challenge.

Mr. LANGEVIN. I haven't run into that problem, but I think I know what you are talking about in terms of further out towards the street, a little bit away from the complex where Jersey barriers still exist. I have seen many of the Jersey barriers have been replaced by the steel poles that are permanently mounted in the ground that surround the Capitol complex. To my knowledge, those are spread spaces wide enough so that there is not a problem going through them. But the Jersey barriers, I can't speak to that, but I can see where that may be a problem.

Ms. LOFGREN. Maybe I can ask the Architect on that?

I know you have to get to another committee, so I won't ask any further questions at this point, other than just to say thanks.

Mr. LANGEVIN. Thank you.

The CHAIRMAN. I want to thank the gentleman again for your testimony and your insight. I also want to thank you for your assistance with the Help America Vote Act a couple years ago. Your insight on that was critical to us being able to get a bill to consideration with a lot of special needs issues.

Mr. LANGEVIN. Your leadership was very helpful on that issue as well, Mr. Chairman. Again, on this and many others, I thank you for your sensitivity.

The CHAIRMAN. Thank you. Have a good day.

Mr. LANGEVIN. Thank you.

The CHAIRMAN. We are on to panel two.

I want to thank our second panel for being here today. We are fortunate to have with us Jay Eagen, our House Chief Administrative Officer; Alan Hantman, our Architect over the U.S. Capitol; and Chief Gainer, Chief of Police of the Capitol Police.

And with that, which order do you want to begin with?

Chief GAINER. I defer to my superiors.

The CHAIRMAN. We will begin with the Architect of the Capitol. Thank you.

STATEMENT OF ALAN HANTMAN, ARCHITECT OF THE CAPITOL

Mr. HANTMAN. Thank you, Mr. Chairman, and good morning. And good morning, Ranking Member Millender-McDonald, and other members of the committee.

I appreciate the opportunity to discuss our efforts to improve safety and accessibility across the Capitol complex.

Safety is a top priority for the AOC. Over the past several years, the level of safety throughout the Capitol complex has been continuously improving in an effort to bring our facilities up to date with modern codes. Included in that commitment are efforts to make the U.S. Capitol and other buildings accessible to all.

Because the buildings under our care are historic landmark structures, applying modern-day fire and safety codes and ADA requirements are not easy tasks, since solutions are not always straightforward. This sometimes involves developing alternative performance criteria rather than applying strictly proscriptive criteria in the code.

Thorough studies are completed to assure that appropriate fire protections and solutions are developed, that accessibility and safe ways to egress are provided, while ensuring that unique architectural features in this building are not compromised or destroyed.

Following passage of the ADA, the AOC established an ADA accessibility program to eliminate physical barriers and improve all means of access on Capitol Hill. Today, ADA issues are typically handled as routine components of larger projects. With new facilities such as the CVC, they are designed in full compliance with ADA from ground zero. That means adequate elevators, escalators, ramps, strobes, text screening and orientation theaters. All of these issues are much more simple to accommodate in new structures, as the Chairman pointed out in his opening statements.

The AOC also places the highest priority on providing immediate attention to relieve specific accessibility problems that are identified.

Mr. Chairman, over the years, Congress has been very supportive in providing the necessary funds to assure the accessibility, safety, and well-being of everyone who works in and visits the Capitol complex.

The joint commitment of the AOC and Congress has resulted in a number of vital projects, including the modernization of public restrooms in the Capitol and House office buildings; the installation of way-finding and ADA signage that features exit signage in Braille and raised characters; the removal of revolving doors and replacing them with swing doors which are more accessible to people in wheelchairs; the installation of ramps and automatic door openers, as well as the modification of curbs and sidewalks; the installation of strobe alarms and sprinklers throughout our buildings; and the establishment of emergency staging areas that was discussed before; the removal of flagpoles and other objects in hallways that are tripping hazards during an emergency evacuation.

In addition, we have been working closely with the other legislative branch agencies to find better, more efficient ways to evacuate the buildings during emergencies and to educate people on the safest way to exit. This includes identifying certain elevators to be used to evacuate mobility-impaired individuals in an emergency. Mr. Chairman, this is a short list of the many projects we have been working on over the past several years.

Since September 11th, we have taken a closer look at a number of issues beyond security; among them, accessibility and the ability to evacuate all people safely and quickly from our buildings. The AOC is dedicated to providing a safe and secure environment throughout the Capitol complex, while at the same time preserving the historic value and beauty of these national landmarks.

I look forward to our continued work together on this important issue, and I am happy to answer any questions you may have.

The CHAIRMAN. Thank you.

[The statement of Mr. Hantman follows:]

STATEMENT OF ALAN M. HANTMAN, FAIA
ARCHITECT OF THE CAPITOL

Before the Committee on House Administration
Regarding the Accessibility of the U.S. House of Representatives

July 28, 2005

Good morning, Mr. Chairman, members of the Committee. I appreciate the opportunity to discuss our efforts to improve safety and accessibility across the Capitol complex.

Safety is a top priority for me and all AOC employees. Over the past several years, the level of safety throughout the Capitol complex has been continuously improving in an effort to bring our facilities up to date with modern codes. Included in that commitment are our efforts to also make the U.S. Capitol and other buildings located on the Capitol campus accessible to all.

Because the buildings under our care are historical, landmark structures, applying modern day fire and safety codes, and Americans with Disabilities Act (ADA) requirements are not easy tasks and solutions are not straightforward. Careful and thorough studies must be completed to assure that fire protection solutions are developed and accessibility and safe means of egress during an emergency are provided while ensuring that unique architectural features and priceless artwork in these buildings are not compromised or destroyed.

AOC's ADA Program

Following the passage of the ADA in 1990, and predating the establishment of the Office of Compliance (OOC) in 1996, the AOC established an ADA Accessibility Program to eliminate physical barriers and improve all means of access to Capitol Hill facilities in keeping with the intent of the new law. This followed an original effort to eliminate architectural barriers that was approved and funded by Congress and launched by the AOC in the late 1970s.

As a function of the new program, the U.S. Capitol complex was evaluated. Many locations where accessibility could be improved in public spaces were identified, costs were analyzed, and priorities were set. Each jurisdiction then developed a comprehensive program including yearly funding requests. The reasoning for annual appropriations was that these issues needed to be solved over time to minimize the disruption to Congress and to carefully consider the impact on historic structures.

In addition, separately funded projects were identified in each budget cycle such as restroom upgrades by building and modifications to entrances by jurisdiction. Two qualified consulting firms were hired to concentrate on the bulk of the annual work. Special training was offered to AOC design staff to assist in both the identification and solutions to the issues.

Currently, ADA issues are typically handled as routine components of larger projects. The Inaugural stands used in January 2005 were redesigned, in part, to address previous ADA problems. Every project is analyzed to determine if ADA issues are present and in need of resolution. For example, significant effort has been placed on temporary access to the Capitol for persons with disabilities due to the Capitol Visitor Center construction. The AOC has maintained a policy of placing the highest priority on providing immediate attention and funds as required to relieve specific accessibility problems identified from time to time by Members, staff, and visitors.

ADA Accomplishments

Over the years, Congress has been very supportive in providing the necessary funds to assure the accessibility, safety, and well being of everyone who works in and visits the Capitol complex. Because most ADA requirements are typically addressed as part of larger projects, specific dollar amounts are not easy to identify. However, as an example for ADA-specific work over the last five years, the AOC has obligated approximately $6.4 million for the House and Capitol.

The joint commitment of the AOC and Congress to assure accessibility has resulted in a number of vital projects.

- All of the public restrooms in the Capitol Building have been modernized and modified and are 100 percent ADA compliant. In the House Office Buildings, we are upgrading eight restrooms to make them ADA compliant. We are working on one restroom at a time in each building. One set of restrooms in both the Rayburn and Longworth Buildings have been completed. We recently started construction on restrooms across from Veteran Affairs Committee in the Cannon Building and in Northwest corner of the Rayburn Building on basement and first floor levels.

- We have been installing wayfinding and ADA signage that features exit signage in Braille and raised characters. These signs are located in or/ near stairwells, which identify the stairwell, the floor level, and location of the exit floor. Phase One for the House Office Buildings includes the installation of most of these signs, and Phase Two will involve the installation of the remainder. Completion of Phase One is expected in Fall 2005, pending current contractual resolution with the contractor on assessment of liquidated damages and his completion of the project. The U.S. Capitol program will also include these stairwells exit signs.

- Over the past several years, we have removed revolving doors at building entrances that improved the overall egress of these buildings. We have also modified curbs and installed ramps across the Capitol complex, including most recently to the historic North and South terraces of the Capitol.

- We have been actively installing visual alarms (strobes) throughout our buildings. Installation of visual alarms in the Capitol, Cannon and Ford Buildings has been completed, and installation in the Rayburn and Longworth is scheduled to be completed by the third quarter of FY2006.

- We also have installed automatic door operators at the New Jersey Avenue entrance of the Cannon Building, at the South Capitol Street entrance and at the Center Court of the Rayburn Building, and at the Third Street entrance in the Ford Building.

- We installed a ramp in the press area in the Cannon Building and at the Second Street entrance of the Ford Building. In addition, we have completed a full design for a new ramp to the Independence Avenue entrance to the Longworth Building.

- ADA issues have been carefully considered in the planning, design, and modernization of all elevators located across the Capitol campus, as well as during the renovation of the food service facilities located in the House Office Buildings.

- Recently, in the House Office Buildings, we have begun a program to remove flag poles, which are a tripping hazard, from the hallways by implementing a new display system for American and state flags.

- We have been installing sprinklers throughout the Capitol and other buildings located in the Capitol complex. The AOC's approach has been to proceed to fully sprinklered buildings rather than construct areas of refuge. To date, the Rayburn Building is 99 percent covered. Sprinklers have been installed and tested and are fully operational. The building is scheduled to be 100 percent covered by the first quarter of Fiscal Year 2006. The Ford Building is anticipated to be 100 percent covered by the end of FY2006; Longworth and Cannon by FY2008, and the Capitol is now 50 percent complete with its design stage. However, as security and evacuation needs evolve, the use of shelter in place mechanisms and the evacuation of physically challenged persons needing some provisional accommodation has necessitated the establishment of "staging areas."

- In addition, we have been working closely with the House Sergeant at Arms and the U.S. Capitol Police to support their efforts to find better, more efficient ways to evacuate buildings during emergencies and to educate Members, staff, and visitors of emergency procedures. Specifically, we are testing certain elevators in the House Office Buildings and Capitol to be used as emergency evacuation elevators. This program, which was piloted in the Senate, designates elevators to be used to evacuate mobility-impaired individuals.

Mr. Chairman, this is a short list of the many projects we have been working on over the past several years. Since September 11, 2001, we have had to take a closer look at a number of issues beyond security; among them were accessibility and the ability to evacuate all people safely and quickly from our buildings in an emergency.

My office is dedicated to providing a safe, healthy, and secure environment for all who work in the Capitol complex and millions of people who visit every year while at the same time preserving and celebrating the historic value and beauty of these national landmarks. I look forward to our continued work together on this important issue. I am happy to answer any questions you may have.

The CHAIRMAN. And the CAO, Mr. Eagen.

STATEMENT OF HON. JAMES M. EAGEN III, CHIEF ADMINISTRATIVE OFFICER

Mr. EAGEN. Good morning, Mr. Chairman, Ranking Member Millender-McDonald, members of the committee. I am pleased to be before you to talk about the CAO's responsibilities in assisting persons with disabilities to have assess to the House campus. In stating that, I would like to be clear that I would also like to speak to other functions that are performed by other House entities, including the House leadership, Member and committee offices, the Architect of the Capitol, the Clerk's Office, the Congressional Special Services Office—and I brought brochures from that particular operation, which is a bicameral service across the House and Senate boundaries—and the Office of the Sergeant at Arms.

With a mandate of accessibiity as cornerstone, the CAO has worked over the last 10 years to assist House offices with making their workplaces more accessible to employees and visitors. In the area of computer accessibility, section 508 of the Rehabilitation Act provides that individuals with disabilities are to have access to Federal Government electronic information comparable to the access available to individuals without disabilities.

The Web Services Branch of House Information Resources, part of the CAO, assists Member and committee offices that use its services to create and maintain accessible Web sites. The CAO also publishes materials that are used as an educational tool about the disability services that are provided throughout the House.

In January of this year, the latest version of HouseSmart was distributed to all House offices. Organized by topic, HouseSmart contains a section on available disability services such as audio, Braille and large-print publication services, and information on how to obtain specially formatted maps and brochures from the Congressional Special Services Office.

HouseSmart also contains information on telecommunications devices, TTYs, available for hearing impaired individuals, and contact information for the Congressional Special Services Office to obtain training on how to use the TTY machines. A TTY is a special device that lets people who are hearing impaired or speech impaired use the telephone to communicate by allowing them to type messages back and forth to one another. Public TTY machines are located in the Rayburn, Longworth, and Ford House office buildings, and in the Capitol.

CAO also publishes the biweekly House Services Bulletin that contains information about House services, including disability services such as the availability of TTY machines and a Federal relay service. The Federal relay service provides for communication assistance to act as intermediaries for telecommunications between hearing individuals and individuals who are hearing impaired or have speech disabilities. It also allows House employees, who have the same disabilities, equal communication access.

As part of the renovation of House committee hearing rooms, CAO is installing state-of-the-art infrared assistive listening devices. These systems employ infrared light that carries the desired sound from the source—a person speaking, or music—via a trans-

mitter to hearing impaired listeners wearing receivers. Sixteen committee hearing rooms and three subcommittee hearing rooms presently have the systems installed. For those hearing rooms that do not contain the infrared assistive listening devices, the Congressional Special Services Office has portable assistive listening devices that may be loaned for short-term use.

Ten House committee witness tables have been modified to accommodate witnesses that use wheelchairs. CAO has two additional tables that comply with height requirements of the Americans with Disabilities Act that may be used by committees, or we can temporarily modify witness tables so that tables are compliant. In fact, the table we are using today is one of those loaner tables.

During the 108th Congress, the Committee on House Administration approved a program to replace existing Member office furniture with modular furniture. Modular furniture has numerous features that can assist those employees with a disability, including data and electrical outlets at desk height, door pulls that are ADA-compliant, and adjustable-height keyboards. In addition, during the office design phase, inquiries were made to determine what accommodations need to be made, and the plans were reviewed to ensure accessibility standards.

ADA Services, which is under the CAO, was created to enhance the awareness of ADA public access issues within House organizations. In furtherance of this, ADA Services provides one-stop service to assist House staff in making their programs accessible to persons with disabilities. ADA Services works with the Congressional Special Services Office to help provide sign language interpreters, brochures, and maps that allow for blind or visually impaired visitors to tour the Capitol.

The CAO also works in conjunction with the Architect of the Capitol to provide inspections to Member and committee offices that center on OSHA safety and ADA compliance. During these inspections, wheelchair accessibility of an office is assessed and suggestions are made to staff on office configurations to provide greater accessibility.

With regard to employment barriers, the CAO administers a contract to provide temporary employment opportunities with the House officers—the CAO, the Clerk of the House and the Sergeant at Arms—for individuals with disabilities. The program is designed to provide these individuals with the necessary job skills that potentially lead to employment with the House. To date, 24 people with disabilities have been placed in the CAO and Sergeant at Arms offices.

To fully realize the goal that Congress mandated when the Congressional Accountability Act was adopted, we see at least three key areas that still have more work to be done. First, while we have made progress, the challenge of the high volume of staff turnover requires a continuous education concerning ADA services by all entities, including the CAO.

Second, we must keep looking for new assistive technologies to further break down the barriers to access. This includes not only physical access but also employment access.

And finally, we need to look for creative partnerships with the Office of Compliance and other similar entities to provide a robust

training program for all House staff so they can assist in providing access to all who work or visit the House.

Thank you for the opportunity to testify, Mr. Chairman, I am happy to answer any questions.

The CHAIRMAN. Thank you, Mr. Eagen.

[The statement of Mr. Eagen follows:]

The Honorable James M. Eagen III
Chief Administrative Officer
July 28, 2005

The Committee on House Administration

Chairman Ney, Ranking Member Millender-McDonald and Members of the Committee, I appreciate having this opportunity to appear before you today to discuss the CAO's roles and responsibilities in supporting access by people with disabilities to services on the House campus.

Many of us take for granted that we can pick up a telephone and speak to a Member's office to express our point of view or visit the Capitol on a sightseeing tour with our families. Yet, for individuals with disabilities, actions that some may take for granted become a challenge unless the barriers are either removed or alternative methods are found.

Through the Congressional Accountability Act in 1995, the House made the requirements of the Americans with Disabilities Act apply across the entire House campus. Prior to this act, efforts had been made to improve services accessibility, but with the passage and implementation of the Congressional Accountability Act barriers to access have been reduced more rapidly.

Making services on the House campus more accessible has taken teamwork among many legislative entities including: Leadership, Member and Committee offices, the Architect of the Capitol, the Clerk's Office, the Congressional Special Services Office, and the Office of the Sergeant at Arms.

With the mandate of accessibility as the cornerstone, the CAO has worked over the last ten years to assist House Offices with making their workplace more accessible to employees and visitors.

In the area of computer accessibility, Section 508 of the Rehabilitation Act provides that individuals with disabilities are to have access to Federal government electronic information comparable to the access available to individuals without disabilities. The Web Services Branch of House Information Resources assists Member and Committee offices that use its services to create and maintain accessible web sites. Among the services offered by House Information Resources are a comprehensive review of Member and Committee office web sites to test for Section 508 compliance; convert 508-non-compliant PDF forms into interactive forms that are 508-compliant; and publishes *e-CyberCongress Connection*, 2 to 3 times each year includes an "Accessible Web Pages" column.

The CAO also publishes other material that are used as an educational tool of the disability services that are provided throughout the House. In January of this year the latest version of HouseSmart was distributed to all House Offices. HouseSmart is the

comprehensive reference guide to all of the services offered in the House of Representatives. Organized by topic, HouseSmart contains a section on available disability services such as audio, Braille and large print publication services and information on how to obtain specially formatted maps and brochures from Congressional Special Services Office.

HouseSmart also contains information on the Telecommunications Devices (TTYs) available for hearing impaired individuals and the contact information for Congressional Special Services Office to obtain training in how to use the TTY machines. A TTY is a special device that lets people who are deaf, hard of hearing, or speech-impaired use the telephone to communicate, by allowing them to type messages back and forth to one another instead of talking and listening. A TTY is required at both ends of the conversation in order to communicate. The TTY machines are located in the Rayburn, Longworth and Ford House Office Buildings and in the Capitol.

The CAO also publishes the bi-weekly House Services Bulletin that contains information about the House Services, including disability services such as the available TTY machines and the Federal Relay system. The Relay Service provides for Communication Assistants who act as intermediaries for telecommunications between hearing individuals and individuals who are deaf, hard-of-hearing, deaf-blind, and/or have speech disabilities. It also allows House employees that have the same disabilities equal communication access. The Federal Relay service was established with the Telecommunications Accessibility Act of 1988.

As part of the renovation of the Committee Hearing Rooms, CAO is installing state-of-the-art Infrared Assistive Listening devices. These systems employ infrared light to carry the desired sound from the source (a person speaking or music) via a transmitter to hearing impaired listeners wearing receivers. In this way, background noise, echoes and other acoustical interference are greatly reduced and the listeners hear a clear reproduction of the desired sound. Sixteen Committee Hearing rooms and three Sub-committee Hearing rooms presently have the systems installed. For those hearing rooms that do not contain the Infrared Assistive Listening device, Congressional Special Services Office has portable assistive listening devices that may be loaned for short-term use.

In addition, ten witness tables have been modified to accommodate witnesses that use wheelchairs. House Support Services has two additional tables that comply with the height requirements of the Americans with Disabilities Act that may be used by Committees or House Support Services can temporarily modify witness tables so that the tables are compliant.

During the 108th Congress, the Committee on House Administration approved a program to replace existing Member office furniture with modular furniture. Modular furniture has numerous features that can assist those employees with a disability including data and electrical outlets at desk height, door pulls that are ADA compliant and adjustable height keyboards. In addition, during the office design phase, inquiries are made to determine

what accommodations need to be made and the plans are reviewed to ensure accessibility standards.

Providing disability services does not fall solely on the CAO. The CAO works in conjunction with other legislative entities to lessen the barriers. ADA Services, which is under the CAO, was created to enhance awareness of ADA public access issues within House organizations. In furtherance of this, ADA Services provides "one-stop" service to assist House staff in making their programs accessible to persons with disabilities. ADA Services works with the Congressional Special Services Office to help provide sign language interpreters, brochures and maps that allow blind or visually impaired visitors to tour the Capitol. ADA Services is also available to assist Committees with obtaining sign language interpreters or Computer Aided Real-time Translation (CART) service for Committee hearings.

The CAO also works in conjunction with the Architect of the Capitol to provide inspections to Member and Committee Offices that center on OSHA Safety and ADA Compliance. During this inspection, wheel chair accessibility of an office is assessed and suggestions are made to staff on office configuration to provide greater accessibility. Other actions that may be taken are the replacement of carpet to alleviate trip hazards or suggesting different pieces of furniture that may provide more space.

In regards to employment barriers, the CAO administers a contract to provide temporary employment opportunities with the House Officers for individuals with disabilities. The program is designed to provide these individuals with the necessary job skills that potentially lead to permanent employment with the House. To date, 24 temporary employees with disabilities have been placed in the CAO and Sergeant-at-Arms Offices. The average assignment has been 9.5 months. According to Diversity Services, persons working under this contract are working a higher average hours per week than the national average, and have had fewer days off than the national average. In each of the two years of the contract, total funds have been expended.

To fully realize the goal the Congress mandated when the Congressional Accountability Act was adopted, we see at least three key areas that still have more work to be done. First, while we have made progress, the challenge of the high volume of staff turnover requires a continuous education concerning ADA services by all entities, including the CAO.

Second, we must keep looking at new assistive technologies to further break down the barriers to access. This includes not only physical access but also employment access.

Finally, we need to look for creative partnerships with the Office of Compliance, and other similar entities, to provide a robust training program for all House staff so that they can assist in providing access to all who work at or visit the House. Through these improvements we will continue to work to ensure all Americans have equal access to their Government and this great institution.

Thank you for the opportunity to testify to the Committee today, I look forward to discussing these remarks with you in more detail.

The CHAIRMAN. Chief Gainer.

STATEMENT OF TERRANCE W. GAINER, CHIEF OF POLICE, UNITED STATES CAPITOL POLICE

Chief GAINER. Thank you, Mr. Chairman, and Ranking Member, and members of the committee, I appreciate the opportunity to appear before the committee. I would ask leave to file my complete remarks, and I have some abbreviated comments.

The recent attacks on London's mass transportation system provides us with a vivid warning to maintain our vigilance and continue to build an emergency preparedness program that will ensure safe access and egress for each of the tens of thousands of employees and visitors who populate this complex every day.

Although we can never be complacent and will always strive to improve, we have made great strides in the almost 4 years since the terrorist attacks of 9/11 in advancing our readiness to respond to emergencies and our ability to protect the occupants of the Congressional complex.

Just in the last year, with the approval and support of this committee, the Capitol Police have created a 10-person Emergency Management Division to address the way in which we prepare for and respond to emergencies. This group consists of planning and training specialists who bring us many years of experience in incident command, hazardous material response, firefighting, public health and disaster assistance, that can be translated into improved contingency plans, better training and exercises that improve the proficiency of our officers in emergency response procedures.

We work closely here with our partners from the House Sergeant at Arms Office and the House Office of Emergency Planning, Preparedness and Operations, as well as the Architect of the Capitol and the Senate Sergeant at Arms Office of Security and Emergency Preparedness.

As an example, we worked closely with the Police Board, the House Sergeant at Arms and his staff on a computerized evacuation model of the Capitol Building that should verify the best evacuation routes and help us move more people safely out of the building in the least amount of time. If this effort is successful, we hope to perform the same type of modeling in other buildings within the Capitol complex.

The partnership amongst the legislative Emergency Preparedness Organization is formalized in the Capitol Hill Emergency Measures Task Force. This group is made up of representatives of the Capitol Police, House, Senate, Architect of the Capitol, D.C. Fire, and other legislative branch entities, such as the GAO, the GPO and the Library of Congress. They meet every 2 weeks to facilitate improvements in our emergency preparedness and life safety programs.

We do take very seriously our responsibilities to assist with the safe evacuation of the building. We treat every building evacuation, whether a drill, unintentional alarm activation, or the actual emergency, as a learning experience and a chance to improve our methods and skills. Observations from many sources are recorded, incor-

porated into our plans and procedures, and shared with all our divisions and shifts.

It is unfortunate that we live in a world where such scenarios may need to be considered, but even the recent air threat evacuations provided lessons and inspired new procedures. Based on these events, we have implemented rally points for evacuees to gather on each side of the complex that are far enough away from the building for safety but close enough for the Capitol Police to provide a measure of security and up-to-date information on the resolution of the incident.

The design and construction of these buildings present difficult challenges that have no easy financial or architectural solutions, but we are committed to providing people with physical disabilities the best possible chance to safely exit these buildings in the event of an emergency. This issue is a priority of the Emergency Measures Task Force, and they have worked closely with advocacy groups for the disabled to help formulate a practical and effective solution.

For the last 18 months, we have been building and testing a prototype emergency elevator evacuation program for the mobility-impaired. If an emergency building evacuation is required, a Capitol Police officer takes control of the designated elevator in each building and visits each floor evacuating people needing assistance. Our officers will continue to perform this function as long as it is reasonably safe to do so, and then in that event, turn this over to the fire department, who are better equipped and armed to do this. In cooperation with the Senate Sergeant at Arms, we have successfully tested this procedure in the Senate office buildings through several rounds of evacuation drills, often using mobility-impaired volunteers from Members' offices and committees and staffs to ensure that the process meets their needs.

The Architect of the Capitol has provided excellent technical support in resolving a number of mechanical issues in the Capitol and the House office buildings. In the next few weeks, in coordination with the emergency planners and the House Sergeant at Arms, we will continue the training of both officers and staff on the procedures, and expect to implement the complete program campus-wide very shortly.

Mr. Chairman, although we still have much to accomplish with our partners from the House, the Senate, the Architect of the Capitol, the Office of Compliance, and most importantly, I think, the advocacy groups, I am proud of what the Capitol Police have accomplished to make this complex safe for everyone.

I again would like to thank you for the opportunity to appear before this committee, and I would be happy to answer any questions that you may have.

[The statement of Chief Gainer follows:]

Statement of
Terrance W. Gainer
Chief of Police, United States Capitol Police
Before the
Committee on House Administration
U.S. House of Representatives

July 28, 2005

Mr. Chairman, thank you for the opportunity to appear before the Committee on House Administration today.

The recent attacks on London's mass transportation system provide us with a vivid warning to maintain our vigilance and continue to build an emergency preparedness program that will assure safe access and egress for each of the tens of thousands of employees and visitors who populate this complex every day. Although we can never be complacent and will always strive to improve, we have made great strides in the almost four years since the terrorist attacks of 9/11 in advancing our readiness to respond to emergencies and our ability to protect the occupants of the Congressional complex.

Just in the last year, with the approval and support of this committee, the Capitol Police have created a ten-person emergency management division to address the way in which we prepare for and respond to emergencies. This group is comprised of planning and training specialists who bring us many years of experience in incident command, hazardous materials response, firefighting, public health and disaster assistance that can be translated into improved contingency plans, better training, and exercises that improve the proficiency of our officers in emergency response procedures. We coordinate closely with our partners from the House Sergeant at Arms and House Office of Emergency Planning, Preparedness and Operations, as well as the Architect of the Capitol and the Senate Sergeant at Arms Office of Security and Emergency Preparedness. As an

example, we are currently working closely with the House Sergeant at Arms and his staff on a computerized evacuation model of the Capitol Building that should verify the best evacuation routes and help us move more people safely out of the building in the least amount of time. If this effort is successful, we hope to perform the same type of modeling in the other buildings within the Capitol Complex.

The partnership amongst the Legislative emergency preparedness organizations is formalized in the Capitol Hill Emergency Measures Task Force. This group is made up of representatives from the Capitol Police, House, Senate, Architect of the Capitol, DC Fire Department and other Legislative Branch entities such as GAO, GPO and the Library of Congress. They meet every two weeks to facilitate improvements in our emergency preparedness and life-safety programs such as recommending improvements in our building evacuation drill program, advocating the installation of photo-luminescent exit signs in interior corridors and trying to standardize the information provided to staff and visitors on how to react in the event of an emergency.

We take very seriously the responsibility of Capitol Police to assist with the safe evacuation of building occupants. We treat every building evacuation, whether a drill, unintentional alarm activation, or an actual emergency, as a learning experience and a chance to improve our methods and skills. Observations from many sources are recorded, incorporated into our plans and procedures and shared with all of our divisions and shifts. It is unfortunate that we live in a world where such scenarios need to be considered, but even the recent Air Threat evacuations provided lessons and inspired new procedures. Based on those two events, we have implemented rally points for evacuees to

gather on each side of the complex that are far enough away from the buildings for safety, but close enough that the Capitol Police can provide a measure of security and up to date information on the resolution of the incident.

The design and construction of these buildings present difficult challenges that have no easy financial or architectural solutions. While this affects all of the people who come and go from these buildings, it has the most significant impact on people with mobility-impairments. The Capitol Police are committed to providing persons with disabilities the best possible chance to safely exit these buildings in the event of an emergency. This issue is a priority for the Emergency Measures Task Force and they have worked closely with advocacy groups for persons with disabilities to help formulate a practical and effective solution. For the last eighteen months, we have been building and testing a prototype emergency elevator evacuation program for persons with mobility-impairments. If an emergency building evacuation is required, a Capitol Police Officer takes control of a designated elevator in each building and visits each floor, evacuating people needing assistance. Our officers will continue to perform this function as long as it is reasonably safe to do so. In cooperation with the Senate Sergeant at Arms, we have successfully tested this procedure in the Senate Office Buildings through several rounds of evacuation drills, often using volunteers with mobility-impairments from Member offices and Committee staffs to ensure that the process meets their needs. The Architect of the Capitol has provided excellent technical support in resolving a number of mechanical issues in the Capitol and House Office Buildings. In the next few weeks, in coordination with OEPPO and the House Sergeant at Arms, we expect to start

training both police officers and staff on the procedure and expect to implement the program campus wide very shortly.

Mr. Chairman, although we still have much to accomplish with our partners from the House, Senate and AOC, I am proud of what the Capitol Police have accomplished to make this complex safer for everyone. I would again like to thank you for the opportunity to appear before you and the Committee this afternoon and would be very happy to answer any questions you might have.

The CHAIRMAN. I want to thank all members of the panel. I have a few questions I just wanted to go through; I will start with the Capitol Hill Police Chief.

How are offices notified of locations of the mustering stations for persons on the floors? By mustering, I mean the gathering areas where people would go to that need assistance.

Chief GAINER. That would be part of the training program conducted by both the Capitol Police and the Office of Emergency Preparedness of the House Sergeant at Arms Office. We know we have a lot more work to do there. For assistance, I have a brochure that was designed and we developed for the Senate side, and it would be our intention to have this for the House side also. It does require further training.

The CHAIRMAN. What can we do about emergency warnings for people who are deaf? We struggled here with the audio signals, and of course, we couldn't get it all wired, so I think you made a good choice in the temporary, with the plug-in signals—I forget what you call them.

Mr. HANTMAN. I think, Mr. Chairman, you are talking about strobes?

Mr. CHAIRMAN. Yes, for the signal you can hear. We couldn't wire the whole building, so we went to the plug-ins that would give the emergency signal audibly—annunciators. Thank you. What about visuals?

Chief GAINER. The strobe lights is what would be used.

And if I can, Mr. Chairman, an important part of any of these emergency procedures is that the plan in the individual office and the office's responsibility in buddies, especially when it comes to people with disabilities, is to make sure that they have a buddy system and work together with that buddy.

The CHAIRMAN. Who is responsible, in a fire emergency, for evacuating persons who have special needs, United States Capitol Police or the Metro D.C. Fire?

Chief GAINER. The first responders, we presume, are going to be the United States Capitol Police. And again, based on the—just recently completed on the House side—the designation of the emergency elevators, and then the training that will be done over the next 30 to 60 days, the individual offices and the evacuees would go to the designated spots. And we are training our officers, who will take responsibility for the operation of the elevators at those rallying points. They will stay and do that until everybody is evacuated, unless the situation in the building, whether it is fire or smoke, precludes them from taking further action; then we will turn that over to D.C. Fire.

As soon as D.C. Fire comes, working with the fire marshal of the Capitol complex, we set up a joint command post, and we would turn that evacuation procedure over to the fire department.

The CHAIRMAN. If D.C. Fire cannot get here for some reason, what do we do? I know that the United States Capitol Police respond, but what do we do fire-wise to begin? We don't have anything that would——

Chief GAINER. We do not have fire trucks or firefighting equipment. So in the event of a fire, we would sound the alarm, begin

the evacuation, and we would continue to evacuate until it is no longer physically possible for us to do that.

The CHAIRMAN. I just wanted to note one thing about the morning—I had arrived here very early in the morning to go through e-mails, 4 o'clock or something. And then around 4:10 the alarm went off; they caught something on fire on the balcony. I am assuming that as D.C. came up the barrier was dropped and they came in. I was just wondering if there was some kind of problem—not that you can solve every problem—but what would happen to us fire-wise? We don't even have one vehicle on hand for the fire side.

I think as far as still evacuating, we would still be able to perform that. United States Capitol Police would go look for all persons and also persons that have some special needs, but fire-wise, we are kind of on our own until D.C. Metro gets here.

Chief GAINER. In many respects, except we are in the midst of certifying and training our officers in the use of the fire extinguishers, but that is not the primary response. But there is a process that we need to—and I think we have been working with the Office of Compliance to make sure that we use those minimum capabilities. But we think the relationship and the communication we have with D.C. Fire is that they are here as quickly as possible.

We have our own procedures for removing the barriers to get them in. We work and we drill that.

The CHAIRMAN. Thank you. And for the Architect, do you have any "most difficult" stories that are the most difficult things to do, or one building is more difficult than another; or does it tend to be difficult all over the place?

Mr. HANTMAN. Well, the issue of historic preservation that you prefaced your remarks with earlier on, is really a tremendous challenge. As you know, there are ramps all over the Capitol, there are changes of elevation. Congressman Langevin was talking about differences in elevation and access to the House Chamber. The specific door he was talking about, for instance, was the main door leading right into the House Chamber, and there is a 20-inch differential in height over there with those three steps. According to ADA, we should have a 20-foot-long ramp accessing that if we were to meet the ADA criteria.

What the Congressman was talking about was basically we are looking at doing a 7-foot ramp that can pull out, doesn't meet ADA, but it does, in fact, give you the ability to move somebody quickly through there and down and out of the Chamber.

So it is really the elevational changes that become so difficult all around the building, whether it is the Cannon Building, which is specifically fairly difficult because of the changes in grade around the outside of the building. The West Front of the Capitol, for instance, with the amazing number of steps that we have over there; it is not very practical, in fact, to have ramps.

One of the things we looked at, in fact, for the last Presidential Inaugural is that we redesigned the stands for the inauguration ceremonies to put lifts and ramps in so that people could get down to the Presidential platform, and to the congressional platforms, to give it as much accessibility as we could. And we try to do that on a case-by-case basis.

Chief GAINER. Mr. Chairman, forgive me, would you mind—lest I leave the impression that we are powerless until the fire department comes—there has been, under the Architect's direction, the installation of the sprinkler system throughout the campus, which I think is very important in mitigating fire damage or smoke damage. So it is an important part of the process that is ongoing.

The CHAIRMAN. Someone said we ought to have a fire department, and I believe that. We have to use the availability of the Metro D.C., but having a fire department is a great point when trying to think about every contingency. I know all three of you gentlemen, and we have worked for years to try to think of every single thing you can think of, and then think of something more. And I understand that nothing is perfect. But that day I was just thinking if there was some scenario or some type of bombs on different sides of the streets, where it would be good to have one piece of equipment on hand. But in terms of the evacuation, we would be intact and able to continue to do what we do, with or without the arrival of the fire department.

The other question I had was to the architect. Does it make more sense to pursue some of these issues, hearing rooms, et cetera, one at a time as they come, several improvements at once, or in groups? Is there any strategy to that.

Mr. HANTMAN. Not only in hearing rooms, Mr. Chairman, but in Members' offices. We have been dealing with them on a one-at-a-time basis. It is very expensive, very difficult with the tight quarters and the number of people who sit at a dais, for instance. The new hearing room that will be used for Homeland Security, which you talked about earlier, used to be the Small Business room in Cannon 311. There will be a new lower dais that will be installed inside this kind of a horseshoe, and that will be fully accessible to any Members who would sit over there. And again, Veterans Affairs has been tailored specifically to the needs of Representative Langevin, his getting in there, and we have done that for his office, for other offices as individuals come in. We certainly have specific door openers, easy accessibility for that and make sure that we address their specific needs. The cost of doing it across the campus would be simply astronomical.

The CHAIRMAN. The last question I have of the architect is, do we have any time frame for the completion date for hearing rooms?

Mr. HANTMAN. In terms of ADA criteria? We, again, Mr. Chairman, are dealing with them on a one-by-one basis as needed, as members have that accessibility, as members of the staff serving that committee have those needs. So we are doing surveys of each of the individual rooms in determining what would have to be done.

The CHAIRMAN. So we will have a guesstimate idea at some point in time. It will take 3 years at this amount of money or 4 years at that amount of money.

Mr. HANTMAN. That certainly could be developed.

The CHAIRMAN. If we could develop guesstimate, I think that would be a good idea.

Thank you.

Mr. Eagen, do you have sufficient funding for the accessibility services to be carried out? This is a softball that is a very important softball.

Mr. EAGEN. Mr. Chairman, the one key program——

The CHAIRMAN. Thank you for your no, Mr. Eagen. Go ahead.

Mr. EAGEN. Never is there enough funding. One key program that I mentioned earlier in my testimony that does have a direct link to ADA accessible improvements is the modular furniture program for Members' offices. And we began a program last year, and it is going to take us some amount of time to accomplish it. We are literally trying to cover 10,000 desktops. The schedule is directly correlated to the amount of funding that is available, because the funding drives how much we can do on a yearly basis. So I would answer that somewhat politely to say, we can do it more quickly if there is more funding available. How quickly we do it is dictated by the funding to a large point.

The CHAIRMAN. I had another question about modular furniture. I think modular furniture has to help in these terrible, terrible tight spaces in the personal offices. At least modular furniture gives a little bit more room. And you know how the offices are. If you have another foot of space, it is a good thing. I would assume that you have been really good about doing that project.

In all seriousness, I threw that money question out there because you get people, Members, staff, and the public that want certain things done. And they are right in wanting those things done. But in order to get those certain things done, it takes a certain amount of money to do it. So I just think, somewhere along the line, if we look at, what we want to do and the space requirements, how we want to change things in personal offices, these committee rooms, if we get some guesstimates, at least we know, here it is, and then we as authorizers can work with the appropriators. And the appropriators have done a good job in talking to Mr. Lewis and people on the staff, and we try to take it in increments.

I think the money question is a big one. I think we do have to say there are certain things we will not be able to continue to do unless we have a certain amount of money. We still have to put the effort through, whether it is ADA or other issues. And with that, I have one final question, and I will yield to my colleagues who have been so patient. If anybody will answer. I want to go back to a point that was brought up in previous hearings. There are so many things in the hallways of these buildings, and I know one group said, "Well, you know, those are our signs on the deficit". I am not saying I disagree with them for putting that sign up there, by the way. And then there are other people that have things in the hallways that are actually desks, and they haven't even marked them, "Take it away" or "Just leave it here". In an emergency we have to somehow come to terms with these. Perhaps Members could place them on the wall. But I still think, in an emergency, all these things in the hallways, especially the racks, could be tripped over.

Any comments on it? Let me take it away from an emergency for a second. With situations of having citizens or staff or Members in the building that have special needs, we have devices that have to drive through the hallways. If there is an emergency of an actual

plane headed here, what happens on that basis with people with special needs? Would anybody like to comment?

Mr. HANTMAN. In line with the issues that are really clearly obstructions in the corridor, Mr. Chairman, one of the things we would like to do is outside of many Members' offices, there are state flags. We even have a program to take those flags off the floors and have wall mounted elements on them so that nobody would trip if they were sight impaired coming down the corridor. So anything that really obstructs activity going down the corridor is something that really needs to be taken care of and looked at.

Mr. EAGEN. With regard to the hallway policies, Mr. Chairman, you asked a similar question at the first hearing on this subject. The Architect and the Chief Administrative Officer have proposed a comprehensive set of hallway policies. They are intended to not only address the appearance issues that we talked about at the last hearing, but also the safety issues of egress and to make the hallways compliant with the Americans with Disabilities Act. I think the sensitivity that is confronting them is exactly what you referenced in that a few members have some artifacts that have been placed, and it has been a challenge to find a way to address those.

The CHAIRMAN. The appearance is one thing that we could debate. I mean, a lot of people do care about the appearance. But to me, the appearance is secondary. If you have people going down hallways, and there are desks and furniture in those hallways, and you are trying to take a motorized device down there, that's a problem. If you are a blind person, walking on the right side of the hallways as you exit, and there are all these things ahead of you, that's a problem too. With thousands of people coming down hallways, I think that has to be the number one thought in our mind.

Anyone else?

With that, I want to thank you for your patience, both members.

Yield to the gentlelady.

Ms. MILLENDER-MCDONALD. Thank you, Mr. Chairman.

Thank you all for being here, all three of you, and we commend you for the work that you have done. You have done just exceptional work in trying to meet the requirements and the provisions of the ADA. And it is not an easy task, I know, but all the—but it is an important task none the least. I will start with our Capitol Police Chief.

And Mr. Chief, you spoke about the rallying points, especially given the aftermath of May 11th evacuations. Have the existence of those rallying points been communicated to the Members and staff? How have you done that communication? Because still, at the last one, there were folks who were uncertain. I was in the Capitol. I was concerned about my staff in the House. How do those House Members, have they been communicated enough, those rallying points?

Chief GAINER. Probably not, ma'am. We have just completed a revised air evacuation plan. It was given to the—it was shared with the House officers as recently as this week, and we are working with planning office, office of planning to complete that training during this August recess so that we hope, when everybody returns after the August recess, the training hopefully will be complete with all the offices and everybody will be aware of rally points.

Ms. MILLENDER-MCDONALD. So during our being away from the place, you will be training the staff.

Chief GAINER. Yes, ma'am.

Ms. MILLENDER-MCDONALD. That would be good. However, I would like to think—would that 1 month be sufficient or should that be an ongoing type of thing?

Chief GAINER. Clearly, as Mr. Eagen said, it really needs to be an ongoing event given the turnover and the fact just that practice does make perfect, and we need to keep re-emphasizing that.

Ms. MILLENDER-MCDONALD. And that is true. And as you mention, new staff, hopefully you are cognizant of new staff coming on, all three of you. So whatever you are training this present staff, when new staff comes on, I hope you have something in place so that new staff then can come up to date with the communications of the evacuation plans and programs.

Chief GAINER. Yes, ma'am.

Ms. MILLENDER-MCDONALD. And I hope that is in place. How do you—persons who are visually and hearing disabled, how do you warn them, staff and visitors? How do you warn them? I think the architect spoke about the strobe light, and it lights up at the time of an emergency. My question will be to you, but is there any place or any plan that tells them where to go? It is one thing for a light to light up, and things are sparkling. But it is another thing for people to know which direction to go at the time of that emergency.

So, Mr. Hantman?

Mr. HANTMAN. Thank you for that question. The issue of the type of emergency also becomes important. If you are talking about something that is an evacuation because it is a fire in the building, people need to come out of the building. If we are talking about a shelter-in-place type of situation because there is some other type of issue out there, you really need to have a sound system that talks, annunciator system that gives people specific directions: Go to the exit; go immediately out of the building; go to your rallying point; or get as far away from the building as you can; or whatever the nature of it is.

Ms. MILLENDER-MCDONALD. Yes, audible. We have to have something that is audible as well as direction pointing. I mean this is an education for Members of Congress as well as the public as well. We are learning as you are learning, and so it is important for me to know those—how, in fact, the Chief of Police, how do we warn visually and hearing disabled staff and visitors during the time of an evacuation?

Chief GAINER. Well, it really is a combination of things. And it is probably easier for staff because you can have pre-planning and work with each office to set that up and establish a buddy system so you would do it through a combination of the audible, which would either be the annunciator or the—as we just complete the PA system around the campus and the other means with which we send the messaging out. So for the visually impaired, we would be using the strobe light.

Now, I think the challenge to us is how we identify those visitors to the building who haven't had the benefit of our planning. So we have discussed and are working on the notion that, where possible—and again, we are still working through the ying and yang

of this—where possible, we would have a 1-page laminated sheet or something that we give to those people who we could identify, people with disabilities, to give them some further guidance.

But, frankly, I think that is what we need to work with the community on so that we who aren't, don't have the insight—we like to believe we do—but we need to work with people who understand the problem to see how we best communicate with the individuals as they enter our building.

In addition, then, we have to make, as the Architect and others are doing, is put the signage up. And you will see both visiting the Senate side, and we are completing the House side, the signage to those who can see the signage and the blue and white signs as to which way to go and what way not—or excuse me, which way to go, positive signs, as well as the marking of exits and other areas.

Now there are discussions in these working groups whether there ought to be, you know, markings on the floor or the wall. And I think we are debating all those things in light of the architectural impact of those issues. So it is a work in progress.

Ms. MILLENDER-MCDONALD. You know, Mr. Chairman, as I listen to them, and they are holding up their various pamphlets and things that they are doing, because you will have to do this and you will have to do it where it is a person who needs Braille, you have to accommodate them. There is a need to re-look at some budgetary issues here because you are having to do and go beyond what you normally do in terms of your budget to do things that are just, that must be done for those who have special needs.

And as I hear you, certainly the Chairman kind of said it in jest, but I think it is important that there is a reviewing of budget in terms of what they are having to do.

Mr. Chief, you spoke of the elevator that the Congressman spoke about and that you have officers directing people to that elevator with special needs. Did I hear that clearly? And officers are there to direct them into this elevator? Will the present operator be operating that elevator at the time of the evacuation, or will we have those officers doing that? How is that done during the evacuation period?

Chief GAINER. Yes, ma'am. The plan is to mirror what we have now in practice on the Senate side, and that is that, ideally, we would like to have all the House officers, for instance, trained to operate the designated emergency elevators. But that takes some time. So what we are doing is identifying officers who normally work, as a rule, near those emergency designated elevators. And they will be trained by our own personnel as well as the House Office of Emergency Planning, Preparedness and Operations. They will have the keys to operate those, and they have a temporary breathing apparatus to assist them to try to stop at each floor, step off the elevator, look up and down the hallway to see who is coming, get the people on the elevator and get them out. But they will do that for as long as it is physically safe for them and then, eventually, turn it over to the Fire Department.

Ms. MILLENDER-MCDONALD. Mr. Architect, I think you spoke to it. Sometimes we are speaking to staff as you are speaking, so it is not to be rude; it is just to kind of clarify what I am hearing you said the last time to get to them. The Congressman expressed con-

cerns about the lack of accessible ramps from the House Chamber, and I think you were speaking somewhat on that. How do you address those concerns and address the deficiencies in the House Office Buildings as well with respect to the specific emergency evacuation requirements for all employees, visitors with limited mobility?

Mr. HANTMAN. We have identified, Congresswoman, two exits from every building. In fact what we could do is show you some boards right now.

Ms. MILLENDER-MCDONALD. And you know what, at some point when I get back, I want to physically walk with you guys, and you show me what you are talking about so that I can kind of internalize it as well.

Mr. HANTMAN. Each of the House Office Buildings, with the exception of the Cannon Building, right now has two means of exiting safely out of the building. Here we see the Cannon building. And the main means of access and egress is really along New Jersey Avenue over here, so there is a ramp coming in over here. We have a fundamental problem again with elevation dropping off very strongly on First Street and down New Jersey Avenue. And we had been discussing at one time the possibility of having a second means of egress out through the truck dock area over here. That is really not an ideal situation because, again, you are having people come out kind of in the middle of the block, and it really doesn't—they are next to the truck dock. They have got to cross the street in the middle over there, so it is not good. But in terms of air con and evacuation, maybe it is time that we looked at that again and had some mitigating circumstances so that we can have a second means out of the Cannon Building itself. And if we could see another—and again, you will see here two elevators that are on basically emergency power. And the administrative solutions that the chief has will work with one of those elevators as a primary and another as a secondary.

Ms. MILLENDER-MCDONALD. Each one of the buildings?

Mr. HANTMAN. Each one of the buildings will have two elevators on the emergency power. So if main power goes off, we have emergency generators that those elevators are hooked up to so that we can bring people out. Here we see the Rayburn Building, and there is an exit in the courtyard over here. You can see that there is the exit symbol for the handicapped in both areas. And you will see that it also occurs on South Capitol Street. You have a way to get out from this direction as well. So we really have two means of getting out of the building: over here on the courtyard and then over here on C Street. So that is the Rayburn Building. And by the way, one of the things that the Chief said before relative to our philosophy in terms of life safety, the Rayburn Building is 99 percent sprinklered at this point in time. It will be fully sprinklered by the end of this year. And that really gives us the ability not necessarily to have the areas of refuge, because the code doesn't call for that if you have a fully sprinklered building. So that is our philosophy, to make sure we go in, and we do the high-end security solution for all of our buildings.

Here we see the Ford House Office Building, two exits on Third Street. And on Second Street, we have installed ramps over there

so people can get in from both of those sides as well. And here, you will see two other elevators again identified on the emergency power system so that they can be used in an emergency situation.

On the next board over here, we see for the Longworth Building, we have an exit out at the front and another exit on the side over here on South Capitol Street. Again, two To elevator locations that would serve that function.

And on the last board, here we see the Capitol Building itself which we had referred to earlier on. And this shows of course the ramp way at the south. There is also a means of egress by way of a ramp by the Memorial door over here out to the plaza, with an elevator over here on the east side which would lead right from the floor level down to this level to come on out. And there is another on the Senate side as well.

Ms. MILLENDER-MCDONALD. You know, and thank you so much for that. It has certainly shown, to some extent, just what the accommodations are. In listening to the Congressman, and I was asking staff, how does he get into the Capitol to vote? Of course, he has to go through the document door or another door they were telling me to come in. But it takes time. A lot of us are running in 5 minutes to get to an elevator to get down to vote. But they almost have to leave before the vote starts in order to get to all of this and do all of that and do all of this to get to the floor. Is there any way we can accommodate them where it is, the time element is, has lessened to what it seems to me it would take 15 minutes for them to do all of this?

Mr. HANTMAN. Congresswoman, we have physical issues of distance. Clearly, as Congressman Langevin indicated, he has a first floor office to enable him to shorten any trip. He is not on the sixth floor of a building, so he doesn't have to take an elevator necessarily in that building to come out. He can exit the building directly, which I think was a wonderful accommodation by the House itself. But distance is distance. And if you are using a wheelchair and you are coming up on a ramp on the south entrance, that will lead you directly to the elevators that will take you up to the House floor. And it takes a certain amount of time to traverse that area.

Ms. MILLENDER-MCDONALD. Is there any way you see that, in the future, near future, that that might be shortened some, or will there never be because of just the way this place is—

Mr. HANTMAN. Well, one of the things we have done, we have expanded something to the amount of $20 million on elevator renovations to increase the speed of elevators and the——

Ms. MILLENDER-MCDONALD. Thank you. Speed.

Mr. HANTMAN. In fact, we have some 66 elevators through the House Office Buildings and the Capitol as well; 40 of the 62 elevators in the House Office Buildings have been updated so far, and 26 of the 27 in the Capitol have been updated so far. So, again, the speed on that has been improved, and the accessibility and the compliance with ADA has also been improved on all of those elevators.

Ms. MILLENDER-MCDONALD. Are we mandated to meet the requirements that are outlined in the ADA by a date specific, Mr. Hantman?

Mr. HANTMAN. I am not aware of any date specific. What we do is we have an annual plan, and we look out a number of years, and we try to—as indicated before, budget is always an issue. And what we are trying to do is ask for reasonable amounts of money in increments so that we can do two things, again, not bust the budget and, number two, also not inconvenience the Members. One of the challenges that we have, for instance, even in putting in sprinkler systems in the Rayburn Building is, because Members are there, every space is really taken. We go in at night when the office is empty. We do our work. We come back. We clean the office so people can be in it the next day. We do the same thing the following night. So space, as you know, Congresswoman, is at a tremendous premium over here. The level of inconvenience that the Members have really is negative from the perspective of what jobs they can do. So working around those schedules and doing things on premium time is something that we find that we must do many, many times.

Ms. MILLENDER-MCDONALD. Well, let me thank those who, the workers, because of the times we are in our offices until midnight or early mornings, frankly. I try to get out no later than midnight, after the floor has closed and we can go back and finally get to some of the paper work. And they are just so accommodating. They won't come in and disturb us. And sometimes, I say come on in and get what you need. Do whatever, work around me. So they are trained very well to try not to hinder us or come in while we are there. So we thank you for that.

Mr. Eagen thank you so much for this. This is very nice.

And the Chief held up one of his, and I suppose I will get one of yours as well.

But this is very nice.

You mentioned the availability of the TTY system. And I read some of the information here about that. What about the TTY system? Do we have that for visitors who want to go to the hearing rooms and hear the various hearings that we have? Are those accommodated for them?

Mr. EAGEN. The TTY is more usable in an office environment. It wouldn't, I don't believe, be an effective tool in a case like this. Alternatively, there is a system called CART that a committee can have brought in at its expense for a hearing that would basically create a text rendition of the discussion that is going on in the hearing. Those are available. We have made arrangements for that service on occasion for committees, and it is the committees' discretion if they determine that they have a need for the particular hearing that they are holding.

Ms. MILLENDER-MCDONALD. I know when I was the vice mayor of a city, and we had—we asked for those who were coming in to make sure that we had accommodations for those with special needs. And I was just wondering if we have accommodations for those coming in to hear, all be it the floor or the hearing rooms, if we had accommodations for them.

Mr. EAGEN. Well, in my testimony, I made reference to the assistive listening devices that are being installed in the committee rooms. It is an infrared system. We have done 16 full committee rooms and three subcommittee rooms, and as we continue to up-

grade the audio and visual capabilities in the rest of the committee rooms, those kind of devices will be installed.

Ms. MILLENDER-MCDONALD. Okay.

The training programs, are the training programs and software adjusted for staff with functional impairment?

Mr. EAGEN. You are referring to the learning center in the Longworth Building I assume by that question.

Ms. MILLENDER-MCDONALD. Yes.

Mr. EAGEN. Primarily, this is where we do most of our training. The facility is relatively new, and it was constructed in terms of the furniture to make it accessible for mobility issues. There are special desktops that accommodate wheelchairs and so forth. In the cases where we do have a hearing-impaired individual, we will bring in an interpreter that will be able to assist the trainer to be able to share the information in that manner. I think that the intention of creating those learning center capabilities was to train all staff, whether they have a disability or not. And I think that we need to take another look at it, quite candidly, and make sure that we are meeting that standard.

I talked to the director of the program last night in fact, and I said, I think it is time for us to take a better look at the facility and see if there are some enhancements we need to do. So I will commit to you that we are going to take a look at that, and we will do it promptly.

Ms. MILLENDER-MCDONALD. Good. I would like to hear back from you as to what your findings are once you have done that.

Mr. EAGEN. I will be happy to do that.

Ms. MILLENDER-MCDONALD. And do you have special equipment or other provisions for seeing-eye dogs?

Mr. EAGEN. That is something I will have to research for you. I cannot answer that question off the top of my head.

Ms. MILLENDER-MCDONALD. Okay. Well, you know, like I say, we are all getting into this and experiencing things that are needed. But as we look at those special needs for special people, certainly get back with me on that and let us know what we can do to help in accommodating those who also will have seeing-eye dogs here.

Mr. EAGEN. Congresswoman, if I could make one point relative to the Americans with Disabilities Act and the House situation that I think might be informing as you consider these issues: The House is a bit of a unique entity in comparison to many organizations where there is a single employing authority. In the House of Representatives, instead, we have about 600 employing authorities. In fact, you are one of them. Mr. Ney is another, so forth and so on. I am one of them. And in that regard, it is a bit of a challenge to create that partnership, if you will.

Under the law, the employing authority is responsible for the accommodations within their office space. And at the same time, we also have institutional services that are provided by organizations like mine or the Architect and so forth and so on. And sometimes, I perceive some gray areas where that bridge needs to be more clearly built to understand where the responsibility is.

To give you an example of this, we, the Chief Administrative Officer is responsible for providing carpet to Members' offices. Members' offices don't have to pay for that carpet. Well, under the

Americans with Disabilities Act, the carpet pile has to be a certain density to be wheelchair acceptable. So it is my responsibility to make sure that, when we install carpet, it is ADA compliant.

Conversely, the responsibility, the authority for equipment within a Members' office, the computers and other kinds of devices, are actually the responsibility of the Member. It requires a Member's signature to buy something. We may go buy it for you and purchase the good for you, but in reality, the authority to buy that particular piece of equipment is the Member's responsibility. And if an accommodation were required for a particular employee, the responsibility lies with the Member to make the call that I need that piece of equipment. I think our role and our challenge is to try to provide the advice, the access to merchants and commercial entities to come up with those kinds of equipment.

And an example of that was a few years ago, for the minority staff on the Committee on House Administration, the Democratic staff, they brought in an intern who was visually impaired. They came to us and identified a special need for a telephone device. We were able to work with Avaya, one of the providers, and they came up with a unique piece of equipment that worked for that particular individual. So that is an example of the partnership that I think we need to try to undertake working with 600 employing entities in the House.

Ms. MILLENDER-MCDONALD. You are absolutely right. And how you have laid that out is indeed correct. But when I made reference to the seeing-eye dogs I am talking about visitors, not necessarily the Members themselves; because certainly the Members are, I would think, have an obligation to some of this. And all of us are grappling with how we better meet the needs and accommodations for those with special needs.

And so, certainly, none of us are perfect in trying to do that. But it does take a partnership. And I grant you that I am here to work with all of you on how we can help to accommodate those needs.

The last one I have, Mr. Chairman is one that a California colleague of mine, Congressman Sam Farr last year asked, he had an intern who happens to have used a wheelchair—and this is more or less for the architect. And he requested two automatic door openers for his office to accommodate this intern, but cancelled the request more than 7 weeks later when the internship was about to end, and the door openers still had not been installed. And I guess the question is, how long do projects usually take compared to other high-priority projects?

Mr. HANTMAN. I think each individual project is fairly unique. I can certainly check with the Superintendent of the House and find out the history. In terms of automatic door openers, we have installed them to several buildings as well as to individual suites when they are called for. We installed them at the New Jersey Avenue entrance to the Cannon Building and the South Capitol Street entrance of the center court of the Rayburn Building, at the Ford Office building on the Third Street entrance and in individual offices as requested as the need occurs. We don't stockpile the equipment. We have to order it. Depending on the long lead and nascent nature of it from the individual vendor, we try to get to that as quickly as we can.

Ms. MILLENDER-MCDONALD. And I certainly do understand that. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Gentlelady from California Ms. Lofgren.

Ms. LOFGREN. Just a few simple questions since I think we have covered a lot of ground this morning. Do you do—after an evacuation, do we do surveys of staff who are either in a wheelchair or visually impaired—we have, you know, a very diverse staff—to find out what they have actually run into? Because one of the things that I really believe is that you don't really understand the barriers until you live them. And I have certainly found that, with my own staff, things that I just never would have thought of. Have we done that?

Chief GAINER. We conduct after-action reports but I can't say that we have talked to individuals.

Ms. LOFGREN. Can I suggest that we do that?

Chief GAINER. I think it is a very good idea ma'am, yes.

Ms. LOFGREN. Thank you very much.

The other question I wanted to mention, I already mentioned the jersey barriers, and I hope that that is easy to do. Today, we can go out and measure them and make sure that they actually work for people in a wheelchair. On the issue, this is not an evacuation issue, but I am on the Homeland Security Committee as well, and we don't have a hearing room. And it seems to me that it would help, I mean, the issue that Congressman Langevin faces is different than the public and staff because he has to get up to the dais, and other people generally don't. So I think that if we could arrive at a room and make it accessible, it would be a huge help rather than to have—I mean, ultimately, all the rooms should be made accessible, but if we could prioritize, if we could just get a hearing room for that committee, because Mr. Langevin serves on that committee, that would be very useful. I don't know. Maybe Mr.—I guess the committee, this committee helps with those assignments. Maybe I should direct this suggestion to the chairman. But I think it would save us money.

The CHAIRMAN. If the gentlelady would yield. Just for clarification for you, now 311 would be transferred from Small Business to Homeland Security September 11, right?

Mr. HANTMAN. Yes.

Ms. LOFGREN. Okay.

The CHAIRMAN. There are still going to be some issues; the Subcommittee and some other staff on both sides of the aisle still need to determine where they are going to be. But I think the renovation of room 311 will be up to speed this August and then September 1 is the actual transfer and Small Business transfers it.

Mr. HANTMAN. Right. And as I indicated earlier, there will be more dais seats on a lower level directly accessible for wheelchairs.

Ms. LOFGREN. I would suggest that, perhaps, I mean, we will have in the future other Members of Congress who are in wheelchairs, but right now, we just have one. And so we should ask Jim, you know, he is Ranking Member of one of the subcommittees. If we could just hone in on, prioritize that, I think it would help focus our finances as we move forward. And we have got to start some-

place and then ultimately the whole Congress. But that is just a suggestion.

The other thing I wanted to mention has to do with people who are not disabled but who are frail. And one of the things I noticed at the last evacuation, there were some staffers in the Capitol who are very elderly and who have been there a very long time. And I saw them, I mean, they were really in terrible shape. And I think, I mean, how some of those elderly people actually ran is beyond me. And that, in addition to what we are doing in terms of evacuation plans for people in wheelchairs or sight impaired or whatever, we ought to give some thought to some of the people who we know are really quite elderly and frail and how—I don't want to mention anybody's name—but we need to have a plan so that they don't drop dead running down the street. If I can suggest that.

Chief GAINER. Yes, ma'am.

Ms. LOFGREN. And finally, on the issue of hallways, I will just make a prediction. We are going to have a huge fight if we try to take our American flags away. I don't think that is going to happen. And——

The CHAIRMAN. Will the gentlelady yield? They will still be there. I had the same question. Could you explain that for the gentlelady? I am sorry to interrupt.

Mr. HANTMAN. Congresswoman, the concept was not to eliminate the flags. But right now, they are sitting in bases on the floor which would be tripping hazards in an evacuation type of situation, especially for the sight impaired. So the design now will be that we will have wall-mounted brackets so the flags can be outside the office, but they will eliminate tripping hazards on the floor.

Ms. LOFGREN. So they would basically be out, but just not on the floor. Okay. I understand that better. And not just one. I have many flags. I have a county flag, a city flag, a State flag.

The CHAIRMAN. We talked about that.

Ms. LOFGREN. Missing in Action flag. And I—just a point of view, Members, I don't, but Members on both sides of the aisle on a variety of issues have displays expressing their viewpoint, and I think that we are going to have a huge issue there. I think we ought to postpone that fight until all the desks and chairs are removed, and that could be quite some time.

But I yield back and thank the gentleman for recognizing me.

The CHAIRMAN. The question you asked was the first thing I asked on the flags. I also couldn't envision how those flags fit that way in the hallway. But I saw a model, and they actually, stand just as our current flags do. You just don't have the base. I know some Members have eight, nine flags. We can work with that to accommodate them. But I just wanted to make it clear that they would still be there. You just don't have the bottom wooden part with the base.

Ms. LOFGREN. That would work.

The CHAIRMAN. I have no further questions. I just wanted to show for an example the infrared devices up there that Mr. Eagen was talking about. And these are the devices that we referred to in the Dear Colleague that Congresswoman Millender-McDonald and I distributed. We say on there: If you have any special requests, call us and this would be the device which we have here.

And if you have a hearing impairment problem, infrared may help to increase it.

With that, I want to thank all three of you for being here. Our Sergeant of Arms, Mr. Livinggood, is here. We thank him for all his due diligence over the years working with the issues.

STATEMENTS OF HILARY C. STYRON, ACTING DIRECTOR, EMERGENCY PREPAREDNESS INITIATIVE, NATIONAL ORGANIZATION ON DISABILITY; ELIZABETH A. DAVIS, J.D., Ed.M., EAD & ASSOCIATES, LLC., EMERGENCY MANAGEMENT & SPECIAL NEEDS CONSULTANTS; AND JACK J. MURPHY, MANAGING DIRECTOR, JJM & ASSOCIATES, LLC.

The CHAIRMAN. And we will go on to the next panel. Thank you very much. I want to welcome the third and last panel for today.

First, we have Hilary Styron, an EPI acting director. She currently serves as acting director for the National Organization on Disability's Emergency Preparedness Initiative. She has extensive experience in all hazards emergency management, emergency medical services, and implementation of long-range strategic planning. She participates in preparedness and planning efforts undertaken across the country. In 1991, she began developing disaster-related plans for training exercises and operational procedures, and conducted studies related to emergency preparedness. After September 11, she relocated to Washington, D.C., where she has been actively engaged in preparedness planning for the National Capitol Region as well as a wide variety of places, including the U.S. Senate Office of Security. So we want to welcome you here.

And the next witness is Elizabeth Davis. Elizabeth Davis is an emergency management consultant specializing in special needs planning. She received her J.D. from Boston University School of Law and her Educational Master's from Boston University School of Education with a degree in the socio-bicultural study of deafness and American Sign Language. She holds an undergraduate degree with a major in sociology and a minor in political science from Columbia University. After many years as an advocate in the disability area, she began public service after law school with the New York City Mayor's Office for People With Disabilities as an assistant to the council and senior policy advisor. She is also an accomplished public speaker and has a reputation for creating solutions. She is considered one of the Nation's go-to sources for emergency management and special needs.

And our last witness is Mr. Jack Murphy. He established a business enterprise for consulting in the field of fire and life safety emergency action plans and preparedness, incident management systems, fire litigation disaster code analysis, building cost surveys and various fire-service-related training programs. As a retired fire marshall, former deputy chief, he is responsible for the operational budget code enforcement and inspection procedures, pre-incident planning, and has organized, coordinated and promoted community fire-safety awareness campaigns. And he is also corporate vice president of a Fortune 50 company for the global fire emergency preparedness department that provides technical expertise and fire protection and crisis management for domestic and international facilities.

I want to welcome all three witnesses, and we will begin with Ms. Styron.

STATEMENT OF HILARY C. STYRON

Ms. STYRON. Good morning, Mr. Chairman, and members of the committee.

I am Hilary Styron, acting director of the National Organization on Disability's Emergency Preparedness Initiative. Prior to joining NOD, as you have just stated, I had the honor and privilege to work on Capitol Hill as an emergency management practitioner with the Library of Congress and the Senate Sergeant at Arms Office of Security and Emergency Preparedness. On behalf of the NOD, founder Alan Reich and President and Chairman Michael Deland, thank you for the opportunity to appear before you today to discuss these very important issues.

I would also like to thank Congressman Langevin for his remarks here today and for continuing to be a NOD congressional sponsor. The National Organization on Disability launched its Emergency Preparedness Initiative in the wake of the September 11, 2001, terrorist attacks. NOD recognized that people with disabilities have a great stake in the effectiveness of public programs aimed at preparing for and responding to all types of disasters.

Now in its fourth year, EPI continues its national education outreach and awareness programs with three primary goals in mind: The first is to make sure that the special needs of people with disabilities are adequately addressed prior to an emergency in order to minimize the adverse impact on people with disabilities in their communities. Second is to ensure that people with disabilities are included in the emergency planning process at all levels of government and the private sector so they can offer their insights, knowledge and resourcefulness. Third, is to ensure that people with disabilities take an active role in their personal preparedness at home and in the workplace. People with disabilities can contribute greatly to the effectiveness of local emergency management planning. Continued education and outreach for both first responders and people with disabilities will help increase the level of their preparedness for all people across the country.

As you know, on Tuesday of this week, many of us here today celebrated the 15th anniversary of the passing of the Americans with Disabilities Act. Even with 15 years of progress, the results show from a 2004 NOD Harris Poll Survey of Americans with Disabilities that there are wide gaps in major life areas of people with disabilities as compared to their peers without disabilities, and we remain pervasively disadvantaged in 10 key indicator areas. An area or gap that has not been discussed in that particular survey is the sometimes inconsistent, inadequate or ineffective emergency preparedness planning for people with disabilities. In 2001 and in 2003, NOD surveyed emergency preparedness in people with disabilities, and the results show that 58 percent of people with disabilities did not know whom to contact about emergency plans in their community; 61 percent have not made home preparedness plans or plans to quickly and safely evacuate their home.

The CHAIRMAN. I am sorry. Was this a nationwide survey, you say?

Ms. STYRON. This was a national survey, yes. The 2003 survey did find a noteworthy improvement however in workplace preparedness. With people with disabilities that are employed, 68 percent of those people indicate that they have made plans to quickly and safely evacuate from their jobs. It is a dramatic increase from the 45 percent in 2001. This suggests that efforts to design and implement disabilities-specific disaster planning are making an impact where people work. It is also an indicator that when appropriate, effective plans are made, all people can be prepared.

A 2004 survey by NOD funded by the U.S. Department of Homeland Security polled emergency managers in States, large, midsized and small cities across the country and with regards to preparedness for people with disabilities. The results showed that 22 percent of emergency managers have a plan under development that will incorporate special needs into emergency plans; 76 percent did not have a paid expert to address the issues of emergency preparedness and disabilities; 73 percent said no funding had been received to address emergency planning for people with disabilities or special needs; 42 percent of emergency managers self-affirmed in this survey that they had a public awareness campaign directed as providing emergency information to people with disabilities with only 16 percent of those 42 percent making that campaign available in an accessible format, which would be Braille, large print or cassette.

I know that the House has worked diligently to improve accessibility for Members, staff and visitors due in large part to the hard work and guidance of this Committee. There have been improvements in communications equipment, building modifications and review of occupant emergency plans. However, even with these improvements, there is still much work to be done. It is also important to acknowledge the work of the Office of Emergency Planning and Preparedness, the AOC, the Chief Administrative Office, and the Capitol Police and what they have accomplished thus far. I appreciate their willingness to further address critical issues by being here today. Recognition of these issues by House planners and Capitol Police is a positive first step towards developing an effective strategy that both maximizes resources and creates emergency preparedness plans that are operationally sound during real-time implementation.

OEPPO and the Capitol Police recognize special needs issues by including a reference to, quote, be prepared to assist persons with disabilities, in the publication, Responding to Special Emergencies Guide for the United States Capitol Complex, released April 3, 2003. However, within that document, there was no further instruction on how to deliver the assistance or what that assistance might entail. In exercise drills, some scenarios written for the chamber did specify inclusion of, quote, at least one person in a wheelchair. However, evaluation forms only requested feedback on handicapped persons' transportation issues. Incidentally, the term "handicapped person" is outdated and has been replaced with people with disabilities. At that time, exercises were not evaluated for the accessibility of alerts and notifications, for communications equipment, facility infrastructure or situation briefings for staffers with disabilities. The after-action report on one of these exercises

indicated multiple problems, such as: The wheelchair escort got lost on the tunnel route; an emergency wheelchair was used incorrectly; too few storage areas for evacuation chairs near the chamber; and the wheelchair aid designated to an individual to relocate left that individual after he moved him to another location.

The continuing challenge will be to prioritize life-safety issues over physical security perimeter measures. While a strategic security goal may be to keep the wrong people from entering the building, these same goals may keep all people from leaving the building in an emergency. The Strategic Plan of the Capitol Police to augment the prevention, response and support capabilities of the department does acknowledge and does include that staff and the public have a heightened awareness of their personal security and safety and would enhance the department's ability to educate staff, gain cooperation and allow for the building of partnerships amongst the congressional community.

This concept can and should reach beyond physical security in the traditional sense and be utilized across all life-safety issues, including emergency preparedness for people with disabilities.

Inconsistent planning for people with disabilities does not solely rest in the hands of OEPPO or the Capitol Police. In the December 2003 "Bulletin" published by the Office of Compliance, there was no mention of people with disabilities.

The CHAIRMAN. I am sorry. Could you repeat that again?

Ms. STYRON. Sure, in the December 2003 "Bulletin" published by the Office of Compliance, there is no mention of people with disabilities. The current Web-based template that the House offices are encouraged to use to complete emergency action plans is dated from 1997, and that does not include considerations for staffers or visitors with disabilities. It also focuses on fire as the cause of evacuation and does not reference the all-hazards planning approach to develop emergency plans.

While the instructions on the Web do indicate that the template is a guide, template-based planning obviously omits very critical information and ignores the special needs of people with disabilities in emergencies. For instance, if there is no staffer in the office with a known or visible disability, it seems likely that the office emergency coordinator writing their plan as a collateral duty may not know how to or if they should plan for people with disabilities thereby being unprepared for a staffer or visitor and their needs during an emergency. Out of sight, out of mind.

Not having a qualified expert or guidance on how to plan for disabilities during emergencies that is readily available to the office emergency coordinators, the Capitol Police, OEPPO, Architect of the Capitol, the CAO and the Sergeant at Arms has had a negative impact on the ultimate level of preparedness and safety for the House complex. To further illustrate the need, the Capitol Buildings Occupant Emergency Plan published in 2000 indicated that persons needing assistance even if only due to a temporary condition or who cannot otherwise use the stairs or steps to evacuate a building should follow the specific instructions indicated in each Capitol Building Occupant Emergency Plan, the published emergency evacuation procedures brochures or the posted instructions within the building. I have already indicated that the templates for

these plans did not account for disability needs, and yet part of the larger complex plan refers the person back to the incomplete occupant evacuation plans. It is like a vicious circle.

Just imagine people with disabilities in the chaotic environments of an emergency thumbing frantically through paperwork for instructions rather than proceeding to an evacuation area or reaching a designated area of safe haven. A person with a disability would be far better served by live communication and real-time instructions combined with comprehensive training and education.

While working on Capitol Hill, much of my time was spent increasing the efforts to address emergency preparedness and evacuation planning for people with disabilities. Even though some of my efforts were met with hesitation and resistance, positive results were achieved that included establishing a Capitol Hill Emergency Management Working Group that was a Hill-wide emergency management group; distribution of a National Organization on Disability's Emergency Preparedness Initiative Guide on the Special Needs of People with Disabilities in the fall of 2002 to emergency managers and police officials across the Hill complex, including the House. A training seminar was hosted by the Senate Sergeant at Arms on April 16, 2003 on emergency preparedness for people with disabilities. It should be noted that the seminar was open and invited parties were encouraged to attend. My records do not indicate however that emergency managers or disability specialists from the House were able to attend. However, House personnel with disabilities did attend that seminar.

Ms. STYRON. And finally, we were able to establish an internal working group of emergency managers, disability leadership and Senate staff with disabilities interested in developing a plan to address their needs and the needs of thousands of visitors with disabilities. And as you have heard today from previous testimony, the Senate has done some things with their elevators and different training protocols with the House and the Architect of the Capitol and the Capitol Police. So they are certainly moving forward, and that might be a good reference point for the committee to consider as far as an internal working group is concerned.

In a recent discussion of the Emergency Measures Task Force members from across the Hill complex, concerns were raised over the issue of evacuations and the use of elevators. This was also mentioned at today's hearing and the hearing on June 9th of this Committee. It is clear that even if every single elevator functioned the same way and were ready tomorrow, there would still be an inconsistent approach to how and when to use them and who would have priority use of elevators.

During this discussion, it was not apparent that any House personnel specifically representing disability issues were participating on this Emergency Measures Task Force.

Recently, I spoke with several House offices that might be responsible for emergency preparedness planning for the special needs population but was unable to confirm what office has the ultimate authority.

I cannot confirm if the instructions given in 2003 have been revised or clarified. I cannot tell you if current emergency action plans or occupant evacuation plans include disability consider-

ations or if the staff have been appropriately and effectively educated and trained on these considerations.

Recent events, press statements and prior hearing testimony, and testimony given today to this Committee suggest, at best, a very disjointed, confusing and inconsistent approach to emergency planning for people with disabilities for the House complex. Because of these issues being so critical to protecting and saving lives, the officials here today and the Committee, I encourage you to change the emergency management system and your planning priorities.

We have just heard testimony today about what new plans are being developed, and in addition to those plans, there are some following recommendations for this committee to consider: The House should establish an internal disability preparedness working group that consists of emergency management officials, disability leadership and House staffers with disabilities. They should try to identify what House personnel have disabilities that are known and unknown. They should develop a comprehensive training and education program and exercise these plans on a regular basis.

An internal working group such as this, as I have already said, has been reasonably successful on the Senate side as well as several Federal agencies here in Washington, including the Department of Labor, the U.S. Department of Agriculture and FEMA.

The House should retain a qualified recognized expert to address disability-related issues for all House buildings, plans and procedures as well as help the House facilitate the aforementioned working group. This expert should be qualified to address disability-related issues, as well as have emergency management experience that includes response-and-recovery operations involving the special needs of people with disabilities.

Continuing to review plans from a one-sided perspective of either the emergency manager or the disability coordinator, respectfully, will further perpetuate the inconsistent planning efforts taking place throughout the House complex. The expert should assist this Committee, the working group, the Capitol Police and the Architect of the Capitol in conducting a very detailed review of all House emergency action plans and occupant evacuation planning materials for the appropriate and effective inclusion of disability-related issues. This person should help the Committee and the Capitol Police develop the education curriculum and the training materials, as well as police protocols for response and recovery.

Successful response-and-recovery plans that have this dynamic part included are available in New York, New Jersey, Illinois, Florida and several other agencies here within the Washington Federal sector.

The House should implement a comprehensive training education program. Awareness and education are the keys to be prepared. EPI is currently providing outreach and awareness across the country on this very issue. We have partnered with several organizations, including the International Association of Emergency Managers (IAEM), to develop a special needs committee for emergency managers who are members of this organization. EPI's national awareness campaign, "Partners in Preparedness", will be launched for the National Preparedness Month in September and includes

IAEM, the International Association of Fire Chiefs and the National Center on Independent Living. EPI continues to expand its role in Federal partnerships with DHS, FEMA, the National Capitol Region, Red Cross and National Citizen Corps. Education and outreach was a huge success at the National Capitol Region sponsored conference last fall, and many of the over 400 attendees continue to expand disability preparedness within their organization. I can tell you affirmatively that the Capitol Police and the Architect of the Capitol did have representatives at that conference last fall.

Partnerships for Education to both first responders and the disability community will help turn the tide for emergency preparedness for people with disabilities. It will help the House as well. And this Committee can provide the much-needed leadership and support to this very important accessibility issue for the House complex.

The House should seek to have representation of disability-related issues on the Emergency Measures Task Force meetings as a regular member of that group.

Disability emergency preparedness issues are dynamic, with very specific nuances. Not having representation at the table with emergency management leaders from across the Hill sets the tone for continued exclusion rather than inclusion.

In closing, I would like to recognize the Capitol Police and House Emergency Management officials for the very hard work that they have done to make the complex safer and more secure. The police have a tremendous responsibility and are to be commended for staying on the front lines, even when someone like myself comes along to say, "the plans need some work".

I thank the committee for their time today and for recognizing the importance of planning for the needs of people with disabilities. And I am pleased to answer any questions the committee may have.

[The statement of Ms. Styron follows:]

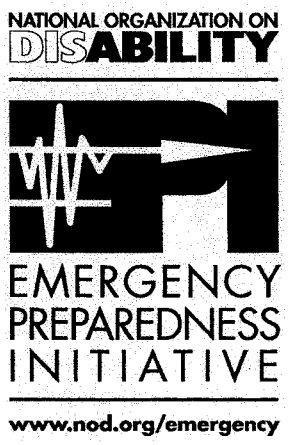
Testimony of Hilary C. Styron

Before the Committee on House Administration
United States House of Representatives

Hearing on Accessibility Issues

Specific to the House Complex for Persons with Special Needs

July 28, 2005



***Embargoed until released by the Committee on House Administration*

Mr. Chairman, Members of the Committee, I am Hilary Styron, Acting Director of the National Organization on Disability's Emergency Preparedness Initiative. On behalf of N.O.D. Founder Alan Reich and President and Chairman Michael Deland, thank you for the opportunity to appear before you today to discuss these very important issues.

I would also like to thank Congressman Langevin for his remarks here today and for continuing to be a N.O.D. Congressional sponsor.

The National Organization on Disability (N.O.D.) launched its Emergency Preparedness Initiative (EPI) in the wake of the September 11, 2001 terrorist attacks. N.O.D. recognized that people with disabilities have a great stake in the effectiveness of public programs aimed at preparing for and responding to all types of disasters. Now in its fourth year, EPI continues its national education, outreach, and awareness programs with three primary goals in mind:

The first is to make sure that the special needs of people with disabilities are adequately addressed prior to an emergency in order to minimize the adverse impact on people with disabilities and their communities. This enables emergency responders to make informed decisions for the best use of available resources during emergencies.

The second is to ensure that people with disabilities are included in the emergency planning process at all levels of government and the private sector so they can offer their insights, knowledge, and resourcefulness. This includes volunteer opportunities with local CERT teams and other community based efforts.

The third is to ensure that people with disabilities take an active role in their personal preparedness at home and in the workplace. People with disabilities can contribute greatly to the effectiveness of local emergency management planning. Continued education and outreach to both first responders and people with disabilities will help increase the levels of preparedness for all people across the country.

***Embargoed until released by the Committee on House Administration*

On Tuesday of this week many of us here today celebrated the fifteenth anniversary of the passing of the Americans with Disabilities Act. On June 24, 2004, Mr. Reich appeared before the House Government Reform Subcommittee on Human Rights and Wellness and shared N.O.D./Harris Poll survey results indicating the gaps in major life areas between those with and without disabilities. The results show that in 2004, these gaps were wide, and we remain pervasively disadvantaged in ten key indicator areas. An area or "gap" that was not discussed on that day is the sometimes inconsistent, inadequate, or unsuitable emergency preparedness planning for people with disabilities. Results from surveys conducted by N.O.D./Harris Poll indicated that there is cause for concern regarding emergency preparedness for people with disabilities.

In 2001 and 2003, a survey of people with disabilities showed that:

- 58 percent did not know whom to contact about emergency plans in their community
- 61 percent have not made home preparedness plans or plans to quickly and safely evacuate their homes

A 2004 survey funded by the U.S. Department of Homeland Security, of emergency managers in states, large, mid-size and small cities throughout the nation, showed the following as it relates to people with disabilities:

- 22% have a plan under development that will incorporate special needs into emergency plans
- 50% did not have a special needs registry
- 76% did not have a paid expert to address the issues of emergency preparedness and disabilities
- 73% said no funding had been received to address emergency planning
- 42% of emergency managers self-affirmed that they had a public awareness campaign directed at providing emergency information to people with disabilities - with only 16% of

those with a campaign making the plan available in accessible formats (i.e. Braille, cassette, large type, etc.).

The 2003 survey found a noteworthy improvement, however, in the workplace preparedness of people with disabilities who are employed. Sixty-eight percent now say that plans have been made to quickly and safely evacuate from their jobs, a dramatic increase from 45 percent in 2001. This suggests that efforts to design and implement disability-specific disaster planning are making an impact where people work. It's also an indicator that when appropriate, effective plans are made, all people can be prepared.

Prior to joining N.O.D., I had the honor and privilege to work on Capitol Hill as an emergency management practitioner for the Library of Congress and the Senate Sergeant at Arms. I know that the House has worked diligently to improve accessibility for the Members, staff, and visitors, due in large part to the hard work and guidance of this Committee. There have been improvements in communications equipment, building modifications, and review of occupant emergency plans. However, even with these improvements being implemented, there is still much work to be done.

Perhaps, a brief account of my experience dealing with emergency management planning issues on the Hill would help to understand where some of the breakdown in emergency planning for people with disabilities is occurring. While on the Hill, I spent a great deal of time trying to address emergency preparedness and evacuation planning for people with disabilities. Even though some of my efforts were met with resistance and hesitation, there were small increments of progress that included:

- Distribution of the EPI Guide on the Special Needs of People with Disabilities in the fall of 2002 to emergency managers and police officials across the Hill complex, including the House;

- A training seminar hosted by the Senate Sergeant at Arms on April 16, 2003 on emergency preparedness for people with disabilities. (It should be noted that this was an open seminar and all interested parties were invited or encouraged to attend. My records do not indicate that emergency managers or disability specialists from the House were

present, however House staffers with disabilities were in attendance.); and

- Establishing an internal working group of emergency managers, disability leadership, and Senate staff with disabilities who were interested in developing a plan to address their needs and the needs of the thousands of visitors with disabilities.

During my appointment, I know that the Office of Emergency Planning and Preparedness (OEPPO) and Capitol Police made attempts to recognize special needs issues by including a reference to, " be prepared to assist persons with disabilities" in the *Responding to Special Emergencies: Guide for the United States Capitol Complex* released April 3, 2003. However, there was no further instruction on "how to" or what that "assistance" may in fact entail.

In exercise drills, scenarios written for the Chamber did include, "at least one person is in a wheelchair." However, evaluation forms only referenced "handicapped persons" for transportation issues. Exercises were, at the time, not evaluated for the accessibility of alert and notifications, communication equipment, facility infrastructure, or situation briefings for staffers with disabilities. The after action report on one of these exercises indicated that the wheelchair escort got lost in the tunnel route, an emergency "wheelchair" was used incorrectly, and that there were not enough storage areas for evacuation devices near the Chamber.

The struggle that the House planners and Capitol Police face in planning effectively for these issues is actually a compliment to their recognizing the issue even exists in the first place. I acknowledge the work they have tried to accomplish thus far, and appreciate that they are willing to further address this issue by being here today. However, the continued challenge will be to prioritize life-safety issues over more physical security perimeter measures. A strategic security goal may be to keep the wrong people from entering the building; however, these same goals may keep people from leaving the building in an emergency.

The seemingly inadequate planning for people with disabilities does not just rest in the hands of OEPPO or the Capitol Police. In the December 2003 "Bulletin" from the Office of Compliance, there is no mention of

people with disabilities. The template emergency action plan does not reference special considerations for staffers or visitors with disabilities, and yet this is the template that House Offices are being encouraged to use to complete emergency action plans for their offices, not to mention the version on the website for reference, is dated from 1997.

While the instructions indicate the template is a "guide", template-based planning obviously omits very critical information and ignores the special needs of people with disabilities in emergencies. If there is no staffer in the office with a known or visible disability, it seems likely that the Office Emergency Coordinator writing their office plan as a collateral duty, might not know to plan for disability issues, thereby being unprepared for staff or visitor needs during an emergency. Not having a qualified expert or guidance on how to plan for disabilities during emergencies readily available to the OECs, OEPPO, or the Capitol Police has had a negative impact on the ultimate level of preparedness and safety for the House complex.

To further illustrate the lack of appropriate understanding of the planning required for people with disabilities in emergencies, the Capitol Buildings Occupant Emergency Plan published in 2000, indicated that, "persons needing assistance (even if only due to a temporary condition) or who can not otherwise use stairways or steps to evacuate a building should follow the specific instructions indicated in each Capitol Building Occupant Emergency Plan, the published Emergency Evacuation Procedures brochures, or the posted instructions within the building."

As I have just said to you, disabled persons were supposed to determine their course of action from written plans or brochures. I have already indicated that the templates for these plans did not account for disability needs and yet part of the Complex plan refers the person back to an ineffective, inappropriate, and incomplete OEPs. The efforts seem to resemble a vicious circle, if you will.

I would also express concern over an expectation that a person with a disability is supposed to determine their immediate course of action from a paper brochure rather than live communication with real-time instructions. I envision people with disabilities thumbing through paperwork for instructions rather than trying to evacuate or reach a safe haven.

In a recent discussion with emergency management task force members from across the Hill complex, concerns were raised over the use of elevators for evacuations. This was also mentioned in the June 9th hearing of this committee. Aside from the inconsistent functioning of the elevators and the continuous improvement process by the Architect of the Capitol, it was clear to me that even if every single elevator functioned the same way and were ready tomorrow, there would still be a fragmented approach to how and when to use them and who would have priority use of elevators. It should be noted that during this discussion, I did not observe any personnel specifically representing disability-related issues on this task force on behalf of the House.

Recently, I made an inquiry to several House offices I thought would be responsible for the emergency preparedness planning for the special needs population, and to this day, I cannot confirm what office has the ultimate authority. I cannot confirm if the vague instructions given in 2003 have been revised. I cannot tell you if current EAPs include disability considerations and if staff have been appropriately trained. Based on recent events, press statements, and prior hearing testimony, there has been, at best, a very disjointed, confusing, and inconsistent approach to emergency planning for people with disabilities for the House complex. Because these issues are critical to protecting and saving lives, the officials responsible for emergency management must make changes in the planning system now.

The following are some initial recommendations for this Committee to consider:

- The House should establish an internal disability preparedness working group that consists of emergency management officials, disability leadership, and House staffers with disabilities.

  Goals of this internal working group should be to establish a current and accurate assessment of how many House personnel there are with disabilities that may require assistance during an emergency; the working group should develop training and exercise materials for House personnel and then test these materials with an exercise.

An internal working group such as this has been moderately successful through the Senate's Office of Security and Emergency Preparedness, as well as several Federal agencies here in Washington, including the Department of Labor, US Department of Agriculture, and FEMA.

Last July when the President signed Executive Order 13347 Individuals with Disabilities in Emergency Preparedness, he called for an Interagency Coordination Council (ICC) to be established. The first year report to the President was made last week and includes the template of emergency preparedness guidelines for federal agencies, *Preparing the Workplace for Everyone: Accounting for the Needs of People with Disabilities.* This template would be good reference material for your internal working group, however, remember that it is only a guide. Templates from any source as not the end of the road, as far as what work has to be done.

- The House should retain a recognized qualified expert to conduct a comprehensive review of all House buildings, plans, and procedures, as well as help the House facilitate the aforementioned working group.

  The expert should be qualified to address disability related issues as well as have emergency management experience that includes response and recovery operations involving the special needs of people with disabilities. Continuing to review plans from a one-sided perspective of either the emergency manager or disability coordinator, respectively, will further perpetuate the inconsistent planning efforts taking place in the House complex with these issues.

  The expert should assist this committee, the working group, OEPPO and the Capitol Police in conducting the following: a very detailed review of all House EAP/OEPs for their appropriate and effective inclusion of disability-related issues, developing sound educational, training, and exercise related material, assist the CAO and AOC in selection of and

installation of advanced communications technology, and should work with the AOC to increase wayfinding options, retro-fitting of these historical buildings, and increasing the routes of egress.

Successful response and recovery plans that have included this specific type of expert include New York City, Los Angeles, cities in Florida, and several agencies in the Federal sector to name just a few.

- The House should implement a comprehensive training and education program for disability preparedness-related issues. Awareness and education are the key to being prepared.

  EPI is currently involved in providing outreach and awareness across the country to address this issue. We have partnered with several organizations including the International Association of Emergency Managers (IAEM) to develop a Special Needs Subcommittee for emergency managers who are members to this organization.

  The EPI national awareness campaign "Partners in Preparedness" to be launched for National Preparedness Month includes IAEM, the International Association of Fire Chiefs, and the National Center on Independent Living.

  EPI continues to expand its role with federal partners including DHS, FEMA, American Red Cross, and National Citizen Corps. Education and outreach was a huge success at the NCR sponsored conference last fall and many of the over 400 attendees have continued to expand disability preparedness within their organizations.

  Partnerships for education to both first responders and the disability community will help turn the tide for emergency preparedness for people with disabilities. It will help the House as well, and I am looking at this Committee to provide leadership and support for this very important accessibility issue for the House complex.

- The House should seek to have a qualified disability expert participate in the Emergency Management Task Force meetings as a regular member of that group.

  Disability preparedness issues are dynamic with very specific nuances. Not having representation at the table with emergency management leaders from across the Hill sets the tone for continued EX-clusion rather than IN-clusion.

In closing, I would like to recognize the Capitol Police and House emergency management officials for the very hard work they have done to make the Complex safer and more secure. The Police have a tremendous responsibility and I commend them for staying on the front lines even when someone such as myself comes along to say, " the plans need some work." I thank the Committee for their time today and for recognizing the importance of planning for the special needs of people with disabilities. Thank you.

***Embargoed until released by the Committee on House Administration*

The CHAIRMAN. Mr. Murphy.

STATEMENT OF JACK J. MURPHY

Mr. MURPHY. I am Jack Murphy. I appreciate the opportunity to speak to you today about emergency action plans and accessibility.

In the early winter of 2001, the fire and safety directors of greater New York appointed a task force to address the issue with a view to outlining a number of suggestions that would reflect the insight of our collective experience. Many of these findings have been incorporated into an emergency action plan that was adopted by the City of New York. One emergency action plan feature addresses how to best enhance a full high-rise building evacuation for all occupants, inclusive of people with disabilities.

There are two main accessibility objectives for emergency preparedness. The first is to make sure that special needs of people with disabilities are sufficiently addressed prior to an emergency incident. And second is to ensure that a person with a disability is included in the emergency planning process by simply asking: What can we do to assist with your evacuation?

The accessibility elements that are incorporated into an all hazard emergency evacuation must not only be with a plan of action but must be put into practice so as to reduce the level of probability.

To further understand the impact of accessibility, an emergency action plan needs to address but not limit its scope. A solid foundation for an all-hazard emergency response begins with a dedicated evacuation director whose sole purpose is to direct an evacuation, provide the best practices of life safety and emergency management. To further assist the evacuation director, some internal and/or external threats may require a team approach to perform an effective evacuation or shelter-in-place mode. A building incident command team comprised of the Capitol Police supervisor and a building HVAC supervisor, which is a heat and vent air conditioning person, would further enhance an all-hazard evacuation for a chemical or a bomb threat.

Floor emergency evacuation teams, such as the Capitol staff, must have knowledge and have been drilled on their respective floors as to where each staircase is located, where all street-level exits discharge onto, horizontal transfer corridors, elevators designated for all-hazard evacuation and accountability relocations so that, on specific directions, they know straight forward what to do and where to go.

Trained community emergency response teams, such as CERT, can be adapted by the building management staff that make up the mechanical section of the building. A CERT team who has been selected, organized and trained in emergency preparedness may be a valuable asset, particularly in a city-wide multiple incident emergency.

All-hazard evacuation voice announcements need to be communicated to the occupants for particular types of evacuation so as to meet the needs of a potential threat at hand. For example, a Code Black announcement will direct occupants to use all elevators and all stairs, stairs only, stairs that lead directly to the exterior, internal relocation within the Capitol space, and shelter-in-place.

The accommodations of people with disabilities and special needs, when asked to assist with their evacuation, a support network team may be added to the floor evacuation team. There also may be a need to install a portable Evac on floors identified as one that needs such a chair. The designated primary and secondary areas of assistance must be coordinated with the District of Columbia Fire Department.

The use of elevators—and I emphasize this—for emergencies other than fire can enhance a rapid departure for people with disabilities and expedite a mass evacuation. In many large buildings, the existing 44-inch stair width was not designed to handle a full building evacuation. Elevators, however, can remove 12 percent of the people in these buildings within 5 minutes.

When using an elevator as part of the emergency action plan provision, the following conditions need to be met. All elevator cars must be recalled to the fire department entry floor and be held in place. The elevator is to be manned by a trained Capitol staff person. A two-way voice communication between the evacuation director and each elevator car must be established. And when a person with a disability needs an alternative evacuation, the floor should be recognized and posted at the fire command station.

To assist first responders, a comprehensive building information card must be available at the fire command station. This card will give a description of the building, its support systems and contain a schematic of floor plans. This will also greatly enhance the fire department commanders with the areas of refuge assistance.

Under a unified command structure, all first responders need to cooperate and coordinate the endeavors with EMS, fire, police, the D.C. Office of Emergency Management and, when necessary, the military, to rapidly reduce an incident.

A quick and easy procedure for first responders when assisting people with disabilities is to ask that person how you can best help them before any assistance is given, if they have any limitations or problems that may affect their safety, and when carrying the person, avoid putting pressure on their arms, legs and chest.

The new all-hazard emergency evacuation modes need to be in place so as to assess the various threat levels for an effective evacuation. The recognized strategy will utilize the tactical considerations for a full and/or partial evacuation, internal relocation and/or shelter-in-place with specific directions for the use of elevators and stairs.

An annual evacuation drill will help identify critical coordination activities, the potential behavior of occupants, and communication links for both fire and all-hazard emergencies. Immediately after an exercise, a participant hot wash should be conducted by gathering people together in different functional groups. This information can provide insight into what events happened the way they did or why expected actions did not take place.

In closing, the emergency action plan for accessibility must be a commonsense approach, so as to reassure that life safety is the welfare of all occupants. There are other emergency features that need to be implemented, such as a public accountability knowledge system to assist the incident commander with real-time information on people who have evacuated and assist with critical medical in-

formation and mass casualty incidents. The installation of photoluminous markings within all stair towers will greatly enhance an evacuation in total darkness that must follow a proscribed standard, and elevators which are currently being evaluated by the National Institute of Standards and Technology need to operate in all emergencies, including fire, so as to enhance life safety.

These series of suggestions will give flexibility and more effective applications to a growing need that has, with such menacing suddenness, alerted us to respond to it with a determined purpose.

I would like to thank you today for the opportunity to share these experiences with you.

[The statement of Mr. Murphy follows:]

& Associates, LLC
The Safety Preparedness Group
236 Overlook Ave. Leonia, NJ 07605 201.944.2753 Tel & Fax jjmassociates@nj.rr.com

All-Hazard Emergencies Accessibility for People With Disabilities

Presentation to:
United States Congress - House of Representatives
Committee on House Administration

Presented by:
Jack J. Murphy, Managing Director
JJM & Associates, LLC
July 28, 2005

All-Hazard Emergencies / Accessibility for People With Disabilities

---

Statement for the Record:
The events surrounding the tragedy of September 11, 2001 has brought a heightened level of concern to the matter of public safety in many buildings. This anxiety has manifested itself in the public sector as being a deeply rooted apprehension, a perceived vulnerability. The present codes, as they pertain to fire, have protected the citizens and businesses across America with outstanding results. However, given the new threat concerns we now take into account, considerations that must be in place for protecting and/or evacuating all occupants from many types of buildings, such as the Capital due to triggering events other than fire.

In the early winter of 2001, the Fire Safety Directors Association of Greater New York appointed a task force to address this issue with a view to outlining a number of suggestions that would reflect the insight of our collective experience. Many of these findings have been incorporated into an Emergency Actions Plan [EAP] that was adopted by the City of New York. One EAP feature addresses how to best enhance a full high-rise building evacuation for all occupants inclusive of 'People with Disability'.

There are two main accessibility objectives for Emergency Preparedness the 1st is to make sure that special needs of people with disabilities are sufficiently addressed prior to an emergency incident; and 2nd is to ensure that a person with a disability is included in the emergency planning process by simply asking, "What can we do to assist with your evacuation"..

The accessibility elements that are incorporated into an All-Hazard Emergency Evacuation must not only be a plan for action, but must be put into practice so as to reduce the level of probability.

End of Statement for the Record.

All-Hazard Emergencies / Accessibility for People With Disabilities

All-Hazard Emergency Action Plan:
To further understand the impact of Accessibility, a Emergency Action Plan needs to address, but not limit its scope to:

- A solid foundation for an all-hazard emergency response begins with a dedicated evacuation director whose sole purpose is to direct an evacuation and provide the best practices of life safety and emergency management. To further assist the Evacuation Director, some internal and/or external threats may require a team approach to perform an effective evacuation or shelter-in-place mode, a building incident command team comprised of a Capitol Police Supervisor and the building HVAC engineer will further enhance an all-hazard evacuation for a chemical or bomb threat.

- Floor Emergency Evacuation Teams such as the Capitol staff must have knowledge and have been drilled on their respective floors as to know where each stair well is located, where all street level exits discharge onto, horizontal transfer corridors, elevators designated for an all-hazard evacuation, and accountability relocations, so that when given specific evacuation directions they know straight forward what to do and where to go.

- Trained Community Emergency Response Teams [CERT] can be adopted for building management staff that makes up the mechanical section of the building. The CERT team who have been selected, organized, and trained in emergency preparedness may be a valuable asset particularly for a citywide multi-event incident.

- All-Hazard evacuation voice announcements need to be communicated to the occupants for particular types of evacuation so as to meet the needs of a potential threat at hand. A Code Black announcement will direct occupants to use: all elevators and stairs; stairs only, stairs that lead directly to the exterior; internal relocation within the Capital Building space, and shelter-in-place.

Accommodations for Persons with Disabilities and Special Emergency Needs:
The accommodations for persons with disabilities and special emergency needs when asked to assist with their evacuation a "support network team" may be added to the floor evacuation team. There may also be a need to install portable evacuation chairs on floors identified as one that needs such a chair. The designated primary and secondary Areas of Rescue Assistance [ARA] must be coordinated with the District of Columbia Fire Department.

Elevators:
The use of elevators for emergencies other than fire, can enhance a rapid departure for people with disabilities and expedite a mass evacuation. In many large buildings the existing 44-inch stair width was not designed to handle a full building evacuation. Elevators, however, can remove 12% of people in these buildings within 5-minutes.

When elevator use is part of an EAP provision, the following conditions need to be addressed: ALL elevator cars MUST be recalled to the Fire Department entry floor and be held in place; the elevator is to be manned by a trained Capitol staff person; a two-way voice communication between the Evacuation Director and each elevator car must established; and when a person with a disability needing alternative evacuation, the floor should be recognized and posted at the Fire Command Station.

1st Responders:
To assist the 1st responders, a comprehensive Building Information Card must be available at the Fire Command Station. This Information Card will have a description of the building, its support systems and contain a schematic of floor plans. This will also greatly assist DC Fire Commanders with the areas of rescue assistance.

Under a Unified Command Structure, all 1st responders need to operate in a cooperative and coordinated endeavor with EMS, Fire, Police, the DC Office of Emergency Management, and when necessary the military to rapidly mitigate an incident.

A quick easy-to-use procedure for 1st responders when assisting persons with disabilities is to ask that person how you can best help before attempting any assistance, if they have limitations or problems that may affect their safety and when carrying the person, avoid putting pressure on their arms, legs or chest.

All-Hazard Emergency Evacuation Modes:
New all-hazard emergency evacuation modes need to be in place, so as to assess the various threat levels for an effective evacuation. The recognized strategy will utilize the tactical considerations for a full and/or partial building evacuation, internal relocation and/or shelter-in-place with specific directions for the use of stairs and elevators.

Training:
An annual EAP evacuation drill will help identify crucial coordination activities, the potential behavior of the occupants and communication links for both fire and all-hazard emergencies.

Immediately after an exercise, a participant Hot Wash should be conducted by gathering people together in different function groups. This information can provide insight into why events happened the way they did or why some expected actions did not take place.

Closing Statement:
In closing, the Emergency Action Plan for Accessibility must be a common sense approach so as to reassure that life safety is the welfare of all building occupants.

There are other emergency features that need to be implemented such as: a Public Accountability Knowledge System to assist the Incident Commander with real time information on people who have been evacuated and to assist with critical medical information in a mass casualty incident; the installation of photo-luminous markings within stair towers will greatly enhance an evacuation in total darkness; and elevators, which are currently being evaluated by the National Institute of Standards and Technology [NIST], need to operate in all emergencies including fire so as to further enhance life safety.

This series of suggestions will give flexibility and more effective applications to a growing need that has, with such menacing suddenness, alerted us to respond with a determined purpose and meet the needs of the Presidential Executive Order 13337 – Individuals with Disabilities in Emergency Preparedness.

Thank you for allowing me to share these experiences with you.

Respectfully submitted,

Jack. J. Murphy
Managing Director
JJM & Associates, LLC

All-Hazard Emergencies / Accessibility for People With Disabilities

References:

Area of Rescue Assistance (ARA):
An area of rescue must be accessible from the space it serves by an accessible means of egress. An area of rescue assistance is an enclosure area equipped with a two-way communication, raised lettering instructions for the use of space and communication, and identification signage.

All-Hazard Emergency:
An all-hazard emergency is an emergency other than fire such as a natural or man-made emergency; the emergency may include, but not limited too, blizzard, flooding, tornado, hurricane, utility failure, bomb threats, workplace violence, chemical release, neighboring area threats, etc.

CERT – Community Emergency Response Team:
The CERT team is a Federal Emergency Management Agency [FEMA] program to assist with community home and workplace preparedness for hazard mitigation.

Evacuation Action Plan (EAP):
A written plan, designed and certified by the building owner, or his/her representative, which enumerates procedures for the complete removal of all people from a building, safely and expeditiously in the event of a non- fire emergency. During activation of EAP, a representative from Building HVAC Engineering and Capital Police shall report to the Building Fire Command Station to assist the Evacuation Director.

HVAC:
A building heating, ventilation and air-conditioning system [HVAC]

Hot Wash:
At the end of an exercise, a participant hot wash will be conducted with the participants and resource support personnel. A hot wash is a facilitated meeting that allows players to participate in a self-assessment of the exercise play. It provides a general assessment of how participating agencies performed the exercise. The hot wash also provided the controllers and data collectors with opportunity to clarify points and collect any missing information from the players before thy leave the area. To supplement the information collected during the player hot wash, the analysis team should distribute exercise critique forms to get feedback from participants on their perception of the exercise and how well their unit performed. This information can provide insight into why events happened the way the did or why some expected actions did not take place. The analysis team should review the forms and record any useful information.

Internal Relocation:
Internal relocation is the controlled movement of building occupants from an endangered area of a building to an internal relocation area within the same building in response to an EAP emergency.

Shelter-In-Place:
Shelter-in-Place is the precaution of directing all building occupants to remain inside the building at their locations, in response to an EAP emergency. A Shelter-in-Place mode may arise from an external treat such as a tornado, police action, etc.

Support Network:
A '*Support Network*' is usually a group of persons voluntarily identified by an individual with a disability to assist that person with their emergency-related needs. While at the personal level this can include network members to communicate emergency information, assist with preparedness planning and personal plan activations, etc., in the Mall context this is more of an expanded version of the older "buddy system" concept. In this situation, rather than having a regular workforce member with a disability and certain designated coworkers assigned and trained to help with physical evacuation procedures, for example, in this EAP personnel and tenant representatives will provide emergency evacuation instruction and direction to any person with special needs during an emergency.

The CHAIRMAN. Thank you, Mr. Murphy.
Ms. Davis.

STATEMENT OF ELIZABETH A. DAVIS, J.D., Ed.M.

Ms. DAVIS. Mr. Chairman, and members of the committee, let me be the first one today to say good afternoon instead of good morning, and that I thank you very much for the opportunity to appear before you to continue our conversation.

Since my practice is based in New York City, I wish to actually look there for an example, but I want to go back some time in history to the afternoon of March 25, 1911, as a fire broke out on the top floors of the building that housed the Triangle Shirtwaist Company, one of the most tragic fires in American history. And by the time the fire was extinguished, nearly 20 minutes after it had begun, 146 were dead. These were working immigrant women, some as young as 15 years old.

What the fire did was to draw attention to a horrific tragedy that was just waiting to happen; it spotlighted the following fact: The building itself faired well. The terra cotta encased support beams actually held under the fire's intense heat. The human condition, however, was devastating. The fire inspections and precautions were woefully inadequate. This was one of the first times in our history when the resulting outcry was heard: People in buildings must be more valued than the buildings themselves. What followed, therefore, was a State Review Commission, legislated fireproofing, mainstreamed use of sprinkler systems and new safety standards.

Here, now, no matter what the event that churns our review process, we have an opportunity to learn from our past. Allow me to state the obvious: The disability community is not a homogeneous group, and as such, one-size-fits-all safety solutions will not work. Incidentally, this is also why a template solution without adaptation fails at that point as well.

We must account for those persons with disabilities known to us as planners, those whom we can reasonably assume exist, as well as those unknown to us at the onset of planning. In total, this includes visible and invisible disabilities, episodic and chronic, motor, sensory, cognitive—in fact, the entire spectrum of difference. And our focus today, while it seems to be on getting out of a structure, in fact will have an application to the general population at large as it must be acknowledged that disability is in some ways an equalized factor: At any time, anyone can find themselves newly entering this group.

Examine a few general examples, if you would, of both low- and high-tech solutions established initially for the benefit of just persons with disabilities but which in fact have had a significant safety impact on all persons. Audible way findings signage, perhaps installed for those with low or no vision, in heavy smoke conditions, this tool can assist anyone to locate an exit or an escape route.

Exit door highly-visible color designation, perhaps painted for a person with cognitive disabilities, in a time of high anxiety or confusion, this immediately recognizable distinction assists anyone in locating the correct exit door.

Stairlanding intercoms, perhaps installed for persons with mobility disabilities but usable by anyone unable to negotiate stairs due perhaps to a heart or respiratory condition or even pregnancy.

The placement of an interactive communication system connects directly from that enclosed Area of Rescue Assistance to the building command post meaning immediate notification of needs to rescue personnel.

Stair evacuation devices and equipment, perhaps purchased with a specific employee in mind, strategic placement of several of these devices can be used to remove anyone from a dangerous area, including those, perhaps, impacted by the initial triggering event.

But no matter the event or the equipment available, the single most important emergency planning factor in survival remains practice. Two examples: A local service provider with offices just blocks from the World Trade Center in Manhattan, after the first World Trade Center bombings in 1993 worked with the Office of Emergency Management and with the Fire Department of New York City to develop a building evacuation plan specifically for its staff, most of whom had limited or no vision themselves. Their proactive approach and practice, in fact, paid off during the events of 9/11 when the entire staff was able to calmly and safely self-evacuate from the 9th floor of their office building. They recount hearing other underprepared building occupants yell, "Follow the blind people, they seem to be know where they are going!"

A second example: A manager who uses a wheelchair was physically carried down 65-plus flights of stairs in 1993, but after that event, the agency purchased an evacuation chair for that manager and trained an entire team of co-workers in its use. While they certainly had to transverse several staircases to exit the building, the group of nine persons made it out in just under one hour, as compared to the 5-plus hours it had taken them in 1993. This time lapse quite literally was the difference between life and death.

Prior to the events of September 11th, many members of the disability community, when asked to honestly articulate their own emergency plans, would state in very clear and certain terms, they would likely be left to last and only hope that help would reach them. The answer then moved from this to the realm of acknowledging a co-worker, a neighbor or perhaps a stranger who could take on the role of "buddy." Incidentally, the buddy concept has evolved into a concept of "network of assistance." But now the disability community, as just illustrated, is saying more loudly that we have an active role to play in our own survival, and that none of these past solutions alone appear to be acceptable.

For now these tools should include not only actual devices and rehearsed drills, but also egress modelling, taking people with disabilities into account as well as a review of some of those entrenched standard protocols. The most apparent gaps existing today are in the following categories: 1. Notification and warning. No consistent use of technology and multiple mediums in the built environment to provide immediate, consistent and critical emergency information to all persons effectively. 2. Evacuation——

The CHAIRMAN. Could you say that one more time?

Ms. DAVIS. Certainly. My point with regard to notification and warning is that the gap appears to be that we have not agreed

upon a consistent use of technology. We have not recognized the use of multiple mediums within a built environment. And this, therefore, I would suggest, means that we have eliminated consistent critical information from reaching all persons.

If I might add, by example, multiple medium use—we talked about some of the higher-tech technologies, some of the infrared systems, perhaps some of the dual-communications systems in certain areas. I would be happy to provide, after this hearing, to all Members a communication picture board, a pictorial opportunity to convey emergency or evacuation information with persons, including those who are non-English speaking. This was provided to the Sergeant at Arms two years ago, and it might, in fact, offer some answers or certainly spur some thought, and I will get that copy to you.

Other areas include two evacuation devices. Here, again, are gap areas where no usability standards, no review standards and no comparison standards currently exist. The sad reality remains—and I have said this many times—is that I can find out more on the internet today about a TV or a VCR before I buy one than I can about life safety equipment purposely designed to assist persons with disabilities.

Until we do a better job at pointing out that many solutions already exist, those with specific purposes as well as new applications, we lose out on the ability right now to put things in place that can make a difference. I would suggest that this is not dissimilar from the new sprinkler regulations post-1911, even though that tool existed since the late 1870s.

Today's hearing adds to the discourse now underway within the emergency professional community, the academic community, the regulatory community and the disability community itself. Attitudes that emergency needs of people with disabilities are somehow less important a priority as they impact only a few certainly must be dispelled. Attitudes that solutions cannot be realized must be dispelled. And attitudes that what is developed or changed for a person with a disability in this area does not have broader application must also be dispelled. And this committee hearing I believe is helping in this process.

The Capitol Police, the House Emergency Management officials and other planners have an incredible responsibility and have done certainly a Herculean job at balancing many competing interests. I submit that the legacy of this Committee and the tangible outcomes of this hearing could be the establishment of a Special Needs Emergency Working Group, not dissimilar from many now created by State and local governments and many private businesses. This group would be a cross-disciplinary membership of multiple stakeholders working with, not for, people with disabilities and acting in support and in an advisory role to the members who are actually tasked with the responsibility of planning. This group would be in the position to look to our colleagues here at the USDA, U.S. DOT, DOL and U.S. Access Board, to name a few. We can look to them for recommendations based on their internal efforts and planning for these same issues.

And with such an effort, this committee moves the process along in a meaningful way. The planners find new and innovative sup-

port and subject knowledge, and the country sees the House leading by example, a wonderful message to coincide this week with the 15th anniversary of the signing of the ADA and all of the efforts over the past year since the signing of Executive Order 13347.

And in closing, I offer a call to action. If people with disabilities are not taken into account before an event, the issues will not be addressed properly during a disaster, and this will certainly have a huge impact not just on that individual, but on the entire community after the emergency.

I thank you very much for permitting me to summarize what is certainly a broader and more complex topic. In the interest of time, I have submitted an abbreviated resource listing, this I should point out, with many empirical studies currently funded with Federal dollars. Several actually use studies of full movement models and include the component of "capability" or "special need" to evaluate evacuation procedure and protocol.

I want to thank you and persons in attendance for your sincere interest in and your hard work on this very important issue.

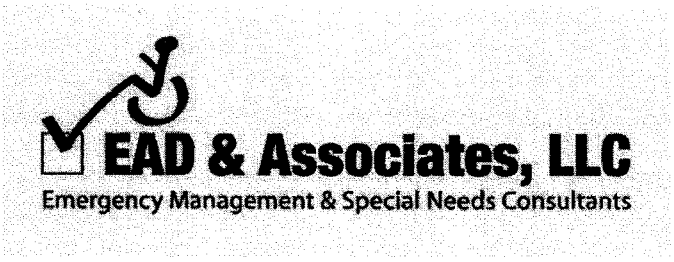
[The statement of Ms. Davis follows:]

Congress of the United States
House of Representatives

Committee on House Administration
Hearing on Accessibility Issues:
Specific to the House Complex for People with Special Needs

28 July 2005

Respectfully submitted by Elizabeth A. Davis – JD, EdM



****** *Embargoed until released by the Committee on House Administration* *****

Mr. Chairman, Members of the Committee, good morning. I am Elizabeth Davis and I thank you for the opportunity to appear before you and continue a conversation about the very important issues being explored here today.

As I begin, I wish to list a few points:

1. As requested, I will limit my statement to the very particular topic of emergency evacuation for people with disabilities from a built environment and, thus, my comments will not explore other related points such as shelter-in-place protocol and the like.
2. For those of us who focus on this specialized area within the field of emergency management – these issues are **not** new. Evacuation protocols for people with disabilities (PwD), the rules and regulations to support safety measures for PwD and the equipment to execute an evacuation of PwD have been discussed for decades. And for some time now we have been trying to raise the issues to a higher level of awareness as we hope this hearing will afford.
3. It is the very fact that hearings like this are now taking place and that we have the chance to tie all the pieces together that there is hope we might finally be at a point when opportunity permits real and viable solution.

Since my practice is based in New York City – let's look there are an example. But let's go back some time in history to a Saturday afternoon March 25, 1911 as a fire broke out on the top floors of a building housing the Triangle Shirtwaist Company. One of the most tragic fires in American history and by the time the fire was over only about 20 minutes after it began, 146 had died. These were working immigrant woman some as young as 15. What this fire did was to draw attention to a horrific tragedy that was just waiting to happen. It spotlighted the following facts.

- The building itself fared well. The terracotta encased support beams held under the fire's heat.
- The human condition, however, was devastating. Fire inspections and precautions were woefully inadequate. The stairway doors were locked. The fire escape buckled under the weight of factory workers fleeing an inferno of combustible materials. Firefighters' ladders were too short and hose water couldn't reach the fire floor.
- This was one of the first times in our history when the resulting outcry was heard: people in buildings must be **more valued** then the buildings themselves. What followed was a state review commission, legislated fire-proofing, mainstream use of sprinkler systems, and new safety standards.

Now fast forward to the just near past and present. Here now, no matter what the triggering event churning our review process, we have an opportunity to learn from the past. And learn we must!

Allow me to state the obvious. The disability community is not a homogeneous group and as such a "one size fits all" safety solution will not work. (Incidentally, this is also why a template solution without adaptation fails as well.) We must account for those persons with disabilities known to us as planners, those whom we can reasonably assume exist and also those unknown at the planning onset. In total this includes visible and invisible disabilities; episodic and chronic conditions; motor, sensory, cognitive, psychiatric, and respiratory disabilities - - the full spectrum of differences. But by the very focus of the request for comment today, this gathering will consider very specifically at this time disabilities and the conditions of **getting out** of a **structure**. And while the focus may be on a work environment - - any built environment can be examined using the same considerations such as residential, commercial, places of recreation, transportation, worship, and the like. I further submit that the results, in fact, will have application to the general population at large as it must be acknowledged that disability is, in many ways, an equalizing factor. At any time anyone can find themselves newly entering this group.

Examine a few general examples of both low- and high-tech solutions established initially for the benefit of just PwD but which in fact have had a significant safety impact on all people – with and without disabilities.

- Audible way-finding signals: perhaps installed for those with low or no vision, in heavy smoke conditions this tool can assist everyone locate exit/escape routes
- Exit door highly visible color designation: perhaps painted for persons with cognitive disabilities, in time of high anxiety and confusion, this immediately recognizable distinction assists everyone locate the correct exit doors
- Stair landing intercoms: perhaps installed for persons with mobility disabilities but usable by anyone unable to negotiate stairs due to a heart or respiratory condition or even pregnancy, the placement of an interactive communications system connects those in an enclosed Area of Rescue Assistance to the building command post meaning immediate notification of needs to rescue personnel
- Stair evacuation devices and equipment (i.e. evacuation chair): perhaps purchased with a specific employee in mind, strategic placement of several of these can be used to move anyone from a dangerous area, again even those with heart or respiratory conditions strained by an event and/or those impacted by the initial trigging event

But no matter the event or the equipment available, the single most important emergency planning factor in survival remains practice. And PwD are taking this lesson as seriously as everyone else as evidenced by these two accounts.

1. The Executive Director of The Associated Blind, a local service provider with offices just blocks from the World Trade Center in Manhattan, contacted me after the first WTC bombings in 1993 and through the Office

of Emergency Management along with FDNY, a building evacuation plan was developed for the staff, most of whom had limited or no vision themselves. Their proactive approach paid off on 9/11 when the entire staff was able to calmly and safely self evacuate from their 9th floor offices. They recount hearing other under prepared building tenants yell "follow the blind people – they seem to know where they are going!"

2. A Port Authority of New York & New Jersey manager who uses a wheelchair was physically carried down 65 plus flights of stairs in 1993 by dedicated co-workers. After that experience, the agency purchased an evacuation chair for their manager and trained an entire team of coworkers on its use. While they had to transverse several staircases to exit, the group made it our in just under one hour as compared with the five plus hours they took in 1993. This time lapse was quite literally the difference between life and death.

While it remains the most frequently exercised and activated trigger, it is no longer realistic in today's world to assume that only a fire model is a hazard we need to design our planning around. The elements that must be considered at the onset are the individuals (both with and without disabilities), the structure itself, and the hazard trigger. Prior to the events of 9/11, many members of the disability community, when asked to honestly articulate their own emergency plan, would state in very certain terms that they would likely be left to last and only hope help to reach them in time. Not dissimilar to the garment workers of nearly a century ago and the experience of Congressman Langevin prior mentioned. Then the answer moved into the realm of acknowledging the Good Samaritan's role (a co-worker, a neighbor, or even a stranger) who would take on the role of a "buddy". But now the disability community, as just illustrated, is saying more loudly that we will have an active role to play in our own survival and that none of these past solutions **alone** are acceptable. Just as the emergency management community include redundancies in their resource calculations, so too must all possible life safety tools and protocols be available to people with disabilities.

For now these tools should include not only actual devices but also rehearsed drills and egress modeling taking people with disabilities into account as well as review of entrenched standard protocols such as the non-use of elevators as an evacuation tool even when the mechanical integrity has not been impacted. The most apparent gaps existing today include:

- Notification and Warning: no consistent use of technology and multiple medium in the built environment to provide immediate, consistent, and critical emergency information to all persons effectively.
- Evacuation devices: no usability standards, no review standards, no comparison standards. The sad reality remains, as I have often stated, that I can find out more on the internet about TVs and VCRs before I purchase one than I can about life safety equipment for

people with disabilities. I am sure many companies today would welcome such standards as ways of strengthening their product line in the market place.

- The "mainsteam" acceptance and utilization of equipment: Without the inclusion of people with disabilities and their unique emergency needs in every drill or evacuation model, the results will only be realized piece-meal with no real hope of being widely reviewed.
- And until we do a better job of pointing out that many solutions already exist – those with specific purposes as well as some with new applications – we loose out on what is available right now and could make a difference. This is not dissimilar from the new sprinkler regulations post 1911 even though that tool existed since the late 1870's.

Today's hearing adds to the discourse now under way within the emergency professional community, the academic community, the regulatory community and the disability community itself. We are witness to a paradigm shift but this culture change is in need of an accelerated jumpstart to really make a difference to people with disabilities (and all others for that matter) in the event of an emergency. We must acknowledge what real events have demonstrated. For example: the behavior of some during emergencies demonstrate certain people will remain at their own risk to help others (PwD) so why not maximize <u>everyone's</u> chances of survivability with well crafted plans, appropriate protocols and all the tools possibly available?

Attitudes that the emergency needs of PwD are somehow **less** important a priority as they impact only a few must be dispelled. Attitudes that solutions can **not** be realized must be dispelled. Attitudes that what is developed or changed for PwD in this area **doesn't** have broader application must be dispelled. And the fact that in response to an N.O.D. Harris survey in Nov of 2001 over 50% of PwD employed full or part time answered that no plans were in place for a safe evacuation from their workplace with that answer improving in the re-survey released in Jan 2004 means that we are moving **slowly** in the right direction but we must keep these concerns and issues an upfront goal across all our professions.

The Capital Police, House emergency management officials and other planners have incredible responsibilities and have done a Herculean job at balancing many completing interests. I submit that the <u>legacy of this Committee</u> and the tangible outcome of this hearing be the establishment of a <u>Special Needs emergency working group</u> not dissimilar to many now created by state and local governments and many private businesses. This group would be a cross disciplinary membership of the multiple stakeholders working **with** and not **for** people with disabilities and acting in a support and advisory role to those members actually tasked with the professional responsibility of planning. The

group would be in a position to look to our colleagues at the USDA, USDOT, DOL and US Access Board, to name a few, for recommendation based on their internal efforts and planning for these same issues. Examination of the new DHS web-portal "Disabilities & Emergency Preparedness Resource Center "is also worthwhile (www.dhs.gov/disabilitypreparedness). With such an effort, this Committee moves the process along in a meaningful way, the planners find new and innovate support and subject knowledge, and the country sees the House leading by example – a wonderful message to coincide this week with the 15th anniversary of the signing of the Americans with Disabilities Act and all the efforts over the past year since the signing of Executive Order 13347.

In closing, I offer a *Call to action*:
If people with disabilities are not taken into account before an emergency, the issues will not be addressed properly during a disaster, and this will have a huge impact on not just that person but the entire community after the event.

Thank you for permitting me to merely summarize what is certainly a broader and more complex topic. In the interest of time, I have submitted an abbreviated resource section (including reference to several empirical studies funded with federal dollars under way now) not read into the record now.

And I thank each member of the Committee for your sincere interest in and hard work on these very critical issues.

Resource Section

While not intended to be an exhaustive authority and listing, the following information is submitted for the Committee's review and consideration. This information either further details points read into the record by this speaker or lists the websites of existing research on the topic. These are merely samples of the state of the art at this point.

New Programs & Studies: Several of the below listed new initiatives are actually funded by grants from the CDC, the Department of Education, the Department of Commerce, to name a few. Others are supported as public/private initiatives or by membership dues.

- Project Safe EV-AC: http://evac.icdi.wvu.edu/
- Access Alerts: http://ncam.wgbh.org/alerts/
- Nobody Left Behind: http://www.rtcil.org/NLB_home.htm

- S.a.f.e.t.y First: www.easterseals.com/site/PageServer?pagename=ntl_safety_first
- EPI: www.nod.org/emergency
- International Association of Emergency Managers (IAEM) established a SN Committee & dedicated both the March and April 2005 newsletters exclusively to emergency management and special needs issues: www.iaem.com

Academic and Professional Studies: Several funded studies are starting to address the gap of empirical data to finally support much of the antidotal evidence collected via oral interview of disaster survivals with disabilities.

- International Organization for Standardization (ISO) – exploring the viability of device standards and the use of external evacuation technology: www.iso.org
- American Society of Mechanical Engineers (ASME) – reviewing the sound use of elevators for emergency evacuation by firefighters and occupants in the US; expedited evacuation from tall buildings as is the case currently in Europe with the existence of dedicated firefighter elevators: www.asme.org
- National Fire Protection Agency (NFPA) – reviewing all fire codes to identify the impact on or by disability issues: www.nfpa.org
- WTC Studies – some behavior studies with inclusion of people with disabilities:
  - National Institute of Standards & Technology: WTC Report #7: http://wtc.nist.gov/
  - Columbia University, Mailman School for Public Health, The Center for Public Health Preparedness: http://cpmcnet.columbia.edu/dept/sph/CPHP/
  - UK: www.wtc-evacuation.com

Existing Materials:

- FEMA G197 Emergency Planning and Special Needs Populations: a course to be run by emergency management training offices
- FEMA IS197: an independent study course available to the public is currently under development for release in the near future
- FEMA/USFA (publication FA-154) – Emergency Procedures for Employees with Disabilities in Office Occupancies
- FEMA/USFA (publication FA-235) – Orientation Manual for First Responders on the Evacuation of People with Disabilities

Precedence:

- **Americans With Disabilities Act of 1990**
  - ADAAG requirements address the concepts of accessible routes, proper signage and the concept of an Area of Rescue Assistance
- **2004 Decisions in Maryland** (Savage Case)
  - Circuit Court rules that places of public accommodation (in this case malls and retail stores) must take the unique evacuation needs of people with disabilities into account in their planning; the first such interpretation of programmatic access under the ADA
- **Executive Order 13347**
  - Establishes an Interagency Council under the direction on DHS to address the inclusion of people with disabilities in emergency efforts at the federal level
- **FCC**
  - Using enforcement authority, the Commission levies fines against media outlets for the lack of accessible emergency information in the case of the 2003 California wildfires and the 2005 D.C. Severe Weather warning
- **DOJ**
  - new guidance issued about the legal requirements of local governments under ADA Title II for emergency planning including people with disabilities
- **Local Laws/Ordinances**
  - Chicago 80 foot rule for an EAP; San Francisco purchase of evacuation devices; New York City Local Law 26 EAP language

Inclusive emergency planning:

- Must be **Ability** focused
- Must be based on a **functional** approach rather than medical model
- Must be "Consumer" driven to get participation and buy-in
- Must be "all hazards" in scope
- Must require collaboration among emergency management, disability community, aging networks, and health support systems
- Must consider the difference between institutional planning vs. individual planning

Planning complexities:

- Unique resources
- Skilled personnel
- Time intensive efforts
- Buy-in necessary
- Cross-disciplinary collaboration

Include PwD as part of the planning process: don't plan ***for*** but plan ***with*** and the results…

- Creative solutions
- New visions
- Subject matter experts
- Knowledge & experience
- Non-traditional resources

Points to consider in more detail:

To make a life safety system real and viable if the bottom line truly is to save **all** lives, at a minimum the following general points must be considered. The general concepts are as follows (in no particular order of priority):

- Tools and the use of them for people with disabilities must be a research priority.
  - Which evacuation stair devices (devices) are best for certain users in different conditions?
  - Who can safely use a specific device in a specific condition?
  - If a device can descend can it ascend or even move on a level plane to move away from a condition safely thus solving the problem of a user's wheelchair, for example, not making it out and no alternative available for a secondary transfer.
  - How do, if at all, the use of devices impact other evacuation efforts or even response efforts?
  - All research must be user-centered but developed with the experience of first responders.
- All devices must be held to consistent and reputable design standards.
  - Self-certification statements, while accurate by manufacturers, may be confusing to the less informed purchaser.
  - An evaluation comparison of features across task rather than make and model would be most useful.
- Equipment and procedures must be practiced by everyone.
  - Intended users must know their equipment and be part of its selection process.
  - Other persons who might use the equipment must be familiar with it as the time to read the instructions is not as you are using it in real-time.
  - Professionals called in to the scene must be familiar with the various pieces of equipment, their location, their use and correct application as well as the need to follow direction, to the extent possible, from the PwD him/herself.
  - But procedures need to be so well crafted that the use of areas of rescue assistance or even the need for help from first responders is only a last resort when all else has failed.

- Costs must be reasonable.
    - If not the case, purchasing officers unaware of the nuances between and among makes and models of devices will continue to look for the cheapest product vs. the most appropriate.
    - If not the case, devices will not see a widespread placement and the respect as a necessary life safety measure will not be realized.
    - And what about replacement of or integration of newer devices to take out of circulation of older pieces (used or not).
- Liability concerns must be addressed in guidance documents.
    - To have or not to have these devices and plans - - that is the question.
    - Then who should use the devices, where are they housed, how are they maintained all follow as questions.
    - Who should develop emergency plans for PwD and how are they supported?
- Legislation, regulation, and codes must address this area of emergency planning in all its stages.
    - Improved workplace safety laws have been put in place over the past 25 years (OSHA), however, currently no federal law exists requiring employers to have emergency evacuation plans.
    - When should devices be used and by whom?
    - Should devices be inspected like the fire extinguisher placed next to them?
    - Is there a mandated or voluntary compliance or phased in responsibility for the purchase of devices and the establishment of evacuation procedures?
    - Who is responsible for plan development: individual employers, building managers, or a collaboration?
    - Any oversight must be developed in such a way as to keep up with the ever-changing technology.
    - And with code changes why not make it standard operating procedure to incorporate elements of universal design? After all, wider staircases or single direction stairways help everyone during an evacuation; ramped entrances and exits and wider routes of travel can benefit everyone during an evacuation; larger stair landings designated as areas of rescue assistance help anyone *including response personnel.*
- Without requirement inclusion spelled out in the language of program funding and grants directly calling for proper training and/or the deployment of appropriate equipment *coupled with* the subject matter experts as reviewers to evaluate the submitted applications or RFPs, these concerns will continue to be sacrificed in an effort to prioritize tight and hard found dollars in both the public and private sectors.

######

The CHAIRMAN. A vote is coming up, but I do have a question. I have a little more work to do based on the testimony involved in all three, the wonderful testimony of all three of you.

Is there anything in your mind that stands out, public or private sector, in terms of a building that has been updated and equipped for a person that has a disability? And in conjunction with that, have you seen any particularly innovative planning processes?

Mr. MURPHY. There are some buildings that have been retrofitted to a degree, taking a look at, for example, a building that has stairwells, open stairwells. While you may enclose the corridor, put up fire doors, that will close automatically. If that can't be done, take a look at a room near the staircase that can be designated as a disabled place, for assistance, that has an exit to the street side. We at least can get the individual out. That would be equipped with a voice box that you push the button that would go down to the fire command and tell the person where they are in that particular building. And to do that in a stack effect, if you do it on the floors, as long it is in reach of a ladder, you might be able to use that as a long alternative to get out. So there are buildings out there that are looking at that.

Ms. DAVIS. I think I would add that we can consider not just the actual hardening of physical structural, (or not just the equipment, but also the practiced protocol for the change in our standard of emergency planning). All three of those areas creates an opportunity for us to look readily for creative solutions, even if they don't appear to be readily available to us in a building environment.

The CHAIRMAN. Let me ask one other question, if I could, and that is, do you have any comments on anything in these buildings?

Mr. MURPHY. Any obstruction in the hallway from the fire service is an impediment, no matter if it is temporary or permanent. The hallways are designed for a reason. This is a very large building. The width of the hallways are 8 to 10 feet. You see them in schools. If you have narrow ones, it gets even worse.

The aspect here that we talk about buildings being fully strengthened, but what it needs is a balanced approach. Buildings full of sprinklers, will it put the whole fire out? Once that sprinkler goes off, that hot smoke and gas banks down to the floor real quick. If it gets out into the hallways, it might not be hot smoke or heat, but you still have a blindness of finding where the stairs are. Any buildings that have open stairwells or flues, chimney flues, if you have a fire in the basement, this will override a building and make it a hazard to get out within several minutes.

When the sprinkler does go off, how is the smoke being contained? If that smoke is traversing down from the heat and everything at a thousand degrees, and maybe you can move through, you might get disorientation, where are the stairwells? If I compartmentalize that, it gets out into the hallway. That smoke, which is now banked down to the floor, you might not be able to see those staircases. As a fire fighter in a sprinkler building, I listen to the sound of the water flowing to get me to the scene of the fire.

The CHAIRMAN. So to summarize that, if you have to get down and you can't see, you are going to be knocking these down, and they are going to go across each other, and now you have a real hazard, of all these things that are on these tripods crossed with

each other. Now you not only have potential hitting them, they are filling the hallways, both sides, and you couldn't possibly get out if you had to, is that correct?

Mr. MURPHY. Yes. A lot of things that we did, Mr. Chairman, in schools, we have taken out stands and everything else. We let them put display boards on the wall. While it isn't friendly, it at least cuts down on the obstructions.

Ms. STYRON. I only suggest that as the committee moves forward to egress routes, to be clear of all obstacles; that will certainly increase the chances of survival of all other people in these buildings as well.

Ms. DAVIS. I would just add, when we talk about individual preparedness and planning—whether we do this through reminders, fliers, announcements—attention must be brought back to those points every so often. We look to ourselves and also take into account our own environment; have things changed? Is there an office that is moving? Is there a temporary blockage? Things that will impact us today if we need to traverse the same hallway. So I think we need to raise the level of personal preparedness to the point, with or without disability, that we have done our own checklist on a daily basis of the environment we encounter for work, or as you suggested, as a guest member here as well.

Mrs. MILLER of Michigan. Thank you, Mr. Chairman.

Regarding some of the things you expressed—we would be able to ask our experts questions, but two of them have left already.

But have any of you reviewed some of the areas that we have improved upon due to ADA? Have any of you gone through and reviewed any of this?

Ms. STYRON. We have not been given an opportunity to review buildings or the ADA reports that are being released prior to this testimony. Other than my previous experience having worked on the Hill, we haven't been able to physically see the upgrades other than that what we hear in the testimony or that we might be aware of otherwise. We have not been able to do that prior to today.

Mrs. MILLER of Michigan. And it seems, as I said to the second panel, who are the officials of this place overseeing different offices and organizations, that I need to physically go through and see, too; because people can say one thing, but until you have seen what they have done is another thing, and to see whether or not that is adequate for what we are trying to get and to put in place.

It seems to me, Mr. Chairman, that we need to convene a meeting just with the experts and our head persons, who were on the second panel, to have an informal discussion—it doesn't have to be a hearing—so that we can exchange these, and then we will be able to walk and physically see this. That is the only way we are going to get down to the crux of what we are really trying to convey and trying to put in place for our folks who have special needs.

And so, it is not enough to just talk back and forth here. I think it is time for three experts—or whoever the designee experts are—to get with the members who preceded you to talk about that.

Mr. Murphy talked about—sometimes when you see me speaking to the staff, I want to know, do we have such things in place, so I am trying to see who is communicating what. And it seems that

there is not communication flowing enough, because if you have a fire drill, that should be a different drill than an evacuation drill, because it seems to me they are not congruent, in my opinion. An evacuation drill should then tell folks where to go. And then there should be groups of folks there to say, are all persons in my group here, and if they are not here, who do I need to tell that they are not here?Communication has to flow.

So, Mr. Murphy, you said that all elevators should be operating in an emergency. And that is what I am saying—if I was trapped on the fourth floor, I would just wait for an elevator. I am going to take the elevator and get out of this building. And so that is what I have heard you say, and expand on that, if you would.

Mr. MURPHY. What we are working on, and we are trying to do it through several groups, I am a member of the National Fire Protection Association High-Rise Task Force, we met recent with NIST on elevators and how to work them into the overall fold of not only all-hazards, but for fires. We are looking at compartmentalizing elevators, separating them from the building itself—enclosing it.

What we did in New York City is, all elevators above the first floor must be enclosed. What we are trying to do is stop the smoke from traveling up and spreading out to all the floors. You can have a very small fire and still have the smoke travel throughout the building. They are doing that now. We have some guidelines on that, and World Trade Center Seven, that type of elevator is going in. We also asked when we got a World Seven elevator dedicated to the fire service that will be used only for the fire service, but we encourage VIP use, so it is used every day. We see this in the British codes, where they have elevators, lifts to the fire service. Elevators, if we can run them outside of the building on the rain, snow, hail, why can't we get one or two that will run on adverse conditions in a building? So that initiative has gotten all the elevator people together to take a look at that.

What can we do right now? Right now is just, don't rely on one elevator. What if that is the area that you have to evacuate? And if you use the elevator, if there is some type of contaminant, that is a piston that will drive that product up into the building.

The Capitol Building is a low-rise building. However, I call it a hazard high-rise. It is over 700-feet long. How do you get from one end of the building to the other end of the building? Break it down, not to a full building. What if you are left with one stairwell to evacuate? That is the bottom line of that. How do I direct people when they leave?

In our training aspect in New York high-rises, we train the staff first, get them comfortable. We drop them down, all the way down. They will see what horizontal corridors are. On the 15th floor, you traverse over and go all the way down. We take them to the outside of the street and say, where are you? The only day we mark A, B, C and D on the stairs. We walk them around and say, if you are given specific directions—attention, attention, this is the fire safety threat, we have a Code Black, police, evacuate the stairs, and color green. When they get down to the bottom, they know they are at J Street. What direction do you have to go if we tell you north, south, east or west? So those are the things we are trying to define a little bit more. It has been thrust upon us.

I agree with the architects here; every building is grandfathered. They were never designed to be fully evacuated like this. So we are trying to work in the confines of what we have existing. Now, however, going forward, how do we make these things better? Because if they weren't designed that way, all of these stair towers would be 6-feet wide. There would be 15 exit discharges at the bottom at the street level as you have at the MCI Center and things like that.

Mrs. MILLER of Michigan. And they were not designed to carry as many folks who are in here, too. So you have all of those things now that have just expanded beyond the capacity of what we have now.

There are so many questions to raise here. There are so many things. They are telling us the vote is going to go off, and we don't want to be in the middle of that.

Ms. Styron has suggested a working group. I think there should be some type of a meeting with our experts and those who are responsible, because after all, with all these things they are trying to grapple with, we have to rely on the experts. And there should be an informal meeting just around the table where we all talk and then we all go and review what we talked about and see what is best.

Mrs. MILLER of Michigan. The last thing is this EvacuTrack. This is something that it seems like we need to invest in as well, where those that do not have the capacity to get to an elevator can go downstairs.

Ms. STYRON. We are looking at evacuation assistive devices. There are many different ones on the market to address different needs for different individuals, and when you are looking at possibly appropriating different pieces of equipment, we really need to have done what you said, a working group, and think about the considerations that we are really trying to address and what they can do for the individual.

Ms. DAVIS. Factors that go into taking into account your selection of purchase of equipment would include not just the equipment itself, but the facility in which you intend to use it. Very different than just the type or intent, the user and cost factor need study too. These are all elements that come into play. And there are a number of marketed items now available that would meet these different needs, but it might be a different piece of equipment in one building rather than another or even on different floors of the same building. So as long as you keep that issue open, you will find the most appropriate solutions.

Mrs. MILLER of Michigan. I can accept that.

Mr. Chairman, thank you.

The CHAIRMAN. Let me just close, I just want to summarize a couple of things.

I have learned a lot today. And I was just saying to our Ranking Member, we don't need an act of Congress to make this happen. We can sit down together. The Ranking Member is supportive—we have a bipartisan group here, and we have two staffs. We can work this out. We don't have to pass an act of Congress.

This hearing went in the exact direction we wanted it to go, from the testimony of a Member of Congress himself and then from our

officers who deal with this on a daily basis and then to our experts and advocates for these issues. I think it is healthy that we recognize that we have done a lot of things, with everybody working together in an unusual situation since 9/11. We had to address a lot of different issues. Sometimes we take a broader picture and forget the important things.

You do learn by loss. My cousin and her husband were deaf, and I worked a lot with the blind. When we had a staffer who was blind, the interesting thing is he had a device where he listened. It is for him, but I listened to it and realized, I can use that too. I don't have to read that. I can use it. That is a clear example where we learn. So things we do for persons with special needs will help the whole in a lot of cases.

As I look through your testimony, there are some things you addressed that we aren't up to speed on, but that we can be up to speed on. We will sit down and form some type of a working group—our officers are always open to that—to see how we can make things better.

This, to me, was a very positive hearing. I want to thank Ms. Styron, National Organization on Disability, and all of you for participating.

Mrs. MILLER of Michigan. Thank you, Mr. Chairman, for a great hearing.

Ms. STYRON. Thank you very much.

[Whereupon, at 12:40 p.m., the committee was adjourned.]

○