

AMENDMENT TO RULES COMMITTEE PRINT 117-

54

OFFERED BY MR. LIEU OF CALIFORNIA

Add at the end of title LVIII of division E the following:

1 **SEC. 58__.** **CORRECTIONAL FACILITY DISASTER PRE-**
2 **PAREDNESS.**

3 (a) **DEFINITIONS.**—In this section, the term “major
4 disaster” means—

5 (1) a major disaster declared by the President
6 under section 401 of the Robert T. Stafford Disaster
7 Relief and Emergency Assistance Act (42 U.S.C.
8 5170); or

9 (2) any natural disaster or extreme weather or
10 public health emergency event that—

11 (A) would activate the use of any Bureau
12 of Prisons 18 contingency plans; and

13 (B) the Bureau of Prisons determines is a
14 major disaster.

15 (b) **BUREAU OF PRISONS ANNUAL SUMMARY RE-**
16 **PORT OF DISASTER DAMAGE.**—

17 (1) **IN GENERAL.**—The Director of the Bureau
18 of Prisons shall submit to the Committee on Appro-

1 priations, the Committee on the Judiciary, and the
2 Committee on Homeland Security and Governmental
3 Affairs of the Senate and the Committee on Appro-
4 priations, the Committee on the Judiciary, and the
5 Committee on Homeland Security of the House of
6 Representatives an annual summary report of dis-
7 aster damage on the scope of physical damage from
8 a major disaster in each Bureau of Prisons facility
9 and its contract prisons impacted or struck by a
10 major disaster that explains the effects of the dam-
11 age on inmates and staff, including—

12 (A) data on injury and loss of life of in-
13 mates and staff;

14 (B) access to health and medical care,
15 food, special dietary needs, drinkable water,
16 personal protective equipment, and personal hy-
17 giene products;

18 (C) guidance used to adjudicate early re-
19 lease or home confinement requests, data on
20 early release or home confinement approvals,
21 denials, and justification for denials;

22 (D) an explanation as to whether using
23 home confinement or early release was consid-
24 ered;

1 (E) access to cost-free and uninterrupted
2 visitation with legal counsel and visitors with
3 justifications for facility decisions that resulted
4 in suspended or altered visitations;

5 (F) access to appropriate accommodations
6 for inmates with disabilities;

7 (G) access to educational and work pro-
8 grams;

9 (H) inmate grievances;

10 (I) assessment of the cost of the damage to
11 the facility and estimates for repairs;

12 (J) the impact on staffing, equipment, and
13 financial resources; and

14 (K) other factors relating to the ability of
15 the Bureau of Prisons and any existing contract
16 prison to uphold the health, safety, and civil
17 rights of the correctional population.

18 (2) CORRECTIVE ACTION PLAN.—The report re-
19 quired under paragraph (1) shall include agency cor-
20 rective actions that the Bureau of Prisons will take
21 to improve and modernize emergency preparedness
22 plans, as they relate to natural disasters, extreme
23 weather, and public health emergencies and a
24 timeline to implement the corrective action plan.

1 (3) RECOMMENDATIONS.—The report required
2 under paragraph (1) shall include specific legislative
3 recommendations to Congress for improving emer-
4 gency preparedness plans within the Bureau of Pris-
5 ons.

6 (4) APPOINTMENT.—Not later than 90 days
7 after the enactment of this section, the Director of
8 the Bureau of Prisons shall appoint an official of the
9 Bureau of Prisons responsible for carrying out the
10 corrective action plan.

11 (c) NATIONAL INSTITUTE OF CORRECTIONS.—Sec-
12 tion 4351 of title 18, United States Code, is amended—

13 (1) in subsection (c)—

14 (A) in the matter preceding paragraph (1),
15 by striking “ten” and inserting “13”; and

16 (B) by adding at the end the following:

17 “(3) One shall have served a sentence in either
18 a Federal or State correctional facility or have a
19 professional background advocating on the behalf of
20 formerly incarcerated or incarcerated individuals.

21 “(4) One shall have a background as an emer-
22 gency response coordinator that has created an
23 emergency management accreditation program.

1 “(5) One shall have an educational and profes-
2 sional background in public health working with
3 communicable diseases.”; and

4 (2) by adding at the end the following:

5 “(i) FIELD HEARING.—Not later than 1 year after
6 the date of enactment of this subsection, the National In-
7 stitute of Corrections shall conduct at least one public field
8 hearing on how correctional facilities can incorporate in
9 their emergency preparedness plans and recovery efforts—

10 “(1) inmate access to medical care, food, drink-
11 able water, personal protective equipment, and per-
12 sonal hygiene products;

13 “(2) consideration by staff of using home con-
14 finement or early release;

15 “(3) inmate access to cost-free and uninter-
16 rupted visitation with legal counsel and visitors with
17 clear standards for when facilities may suspend or
18 alter visitations;

19 “(4) inmate access to appropriate accommoda-
20 tions for inmates with disabilities;

21 “(5) use of Federal funding to restore disaster-
22 damaged correctional facilities; and

23 “(6) incorporation by staff of risk management
24 best practices, such as those made available under
25 the relevant agencies of the Federal Emergency

1 Management Administration, Department of Health
2 and Human Services, and the Government Account-
3 ability Office to enhance emergency preparedness
4 plans.”.

