

**National Council on Disability  
Council Meeting  
May 12, 2022  
12:00 PM- 4:00 PM (ET)**

**ATTENDANCE**

**Members**

Andres Gallegos, Chairman  
James Brett, Vice-Chairman  
David D’Arcangelo  
Munr Kazmir, M.D.  
Daniel Schreck  
Mary Vought

**Staff**

Anne Sommers, McIntosh  
Joan Durocher  
Lisa Grubb  
Nick Sabula  
Keith Woods  
Amy Nicholas  
Ana Torres-Davies  
Amged Soliman  
Kimie Eacobacci  
Netterie Lewis  
Stacey Brown

**Absent**

James Brett, Vice-Chairman  
Jim Baldwin  
Dr. Rick Rader MD, FAAIDD, DL (Hon)  
Neil Romano

**NCD Contractors & Intern**

Anthony Simpson  
Kadedra Walters  
John Naliwajko

**Guests**

Leola Abraham, Senior Project Manager, Institute for Public Research, CNA; Dr. Mark Roberts, Research Analyst, Institute for Public research, CNA; Susan Molloy, M A, Disability Policy, Arizona, USA; Magda Havas, PhD, Environmental Toxicologist and EMF researcher; Professor Emerita, Trent University, Ontario Canada; Sheena Symington MA, Director, Electrosensitive Society, Ontario Canada; Elizabeth Kelly MA, Executive Director, Electromagnetic Safety Alliance Inc., Arizona, USA; Rocco Iacullo, Disability Rights Pennsylvania, Attorney; Odette Wilkens, president and general counsel, Wired Broadband; Eva Bortnik; Marcie Roth, executive director and CEO World Institute on Disability; Shelly Wright, director of Canadian Educators for Safe Technology; Priya Penner, Partnership for Inclusive Disaster Strategies; Zen Honeycutt, director of Moms Across America

### **A. Welcome and Call to Order**

Chairman Andres Gallegos called the meeting to order at 12:00 PM (ET) and welcomed Council members, staff, and the general public.

### **B. Roll Call**

Chairman Gallegos conducted a roll call of Council members, staff and contractors.

### **C. Acceptance of the Agenda**

**MOTION:** Daniel Schreck moved to accept the agenda as presented.

**SECONDED:** David D’Arcangelo

#### **Roll Call Vote:**

Andrés Gallegos, Chairman

David D’Arcangelo: Aye

Dr. Munr Kazmir: Aye

Daniel Schreck: Aye

Mary Vought: Aye

**Motion Passed Unanimously**

### **D. Acceptance of the May 12, 2022, Council Meeting Minutes**

**MOTION:** Daniel Schreck moved to accept the draft minutes of the January 27, 2022, quarterly minutes with the corrections by Mary Vought and Chairman Gallegos.

**SECONDED:** Mary Vought

#### **Roll Call Vote:**

Andrés Gallegos, Chairman

David D’Arcangelo: Aye

Dr. Munr Kazmir: Aye

Daniel Schreck: Aye

Mary Vought: Aye

**Motion Passed Unanimously**

### **E. Chairman’s Report**

Chairman Gallegos reported the following:

- Communications was sent to the Massachusetts legislature regarding impending healthcare anti-discrimination bill;
- CMS regarding request for information regarding request for information on organ transplantation bill; and organs Medicaid waiver application with a respect to use of quality adjusted life years when making certain coverage decisions;
- The council has two interns from the University of Illinois at Chiago law school Jack Ottenwest and Jack Nalawajco;

- The Council presented its framework for health equity for people with disabilities, February 14<sup>th</sup>;
- The executive director met with the leadership team of the American Council of the Blind as well as the deaf and hard of hearing and deafblind community and will be updating the framework to incorporate the feedback received from those communities and present such at the July quarterly Council meeting;
- Commended the policy and legislative affairs teams for their diligence in arranging and moving critical important issues;
- Commended the Dream Team-Dr Lisa Lezzoni, Kristy Kirchner, Margaret Turk and McKee as well as Dr. Radar for their continued valuable input Amged Soliman and Anne McIntosh;
- Prioritized our outreach to various territories and tribal lands to ensure that we are capturing their needs and concerns in NCD's work;
- U.S. Supreme Court decision of Cummings v. Premier;
- Joan and the senior attorney advisor of the Council met with the Disability Rights Bar Association and the National Disability Rights Network.

## **F. Finance Report**

Mr. Schreck stated that the finance committee needs to review and approve the appropriated budget as well as the approve the status of funds through March 31, 2022.

Mr. Schreck stated the following:

- FY '22 appropriated budget is \$3.5 million approved October 7, 2021;
- \$20,000 for the National Archive Records Administration Project;
- \$16,000 for additional funding for awards for full-time staff;
- \$5,000 for technical assistance for the tax policy project;
- \$5,000 for website;
- \$15,000 additional funding for policy work to be determined.

Mr. Schreck stated after reconciliation of the actual costs, the following reallocations in the FY'22 budget were discussed and recommended and approved by the Executive Committee.

They were as follows:

- Additional funding for the legislative team during Anne's tenure as executive director;
- \$43,000 additional for conferences and training;
- \$22,000 for website project TA and hosting;
- Close out of fiscal year with 2 deliverables of additional funding of \$2,000 for cloud storage of all NCD media content.

**MOTION:** Chairman Gallegos moved to accept the budget as presented.

**SECONDED:** Mary Vought

Andrés Gallegos, Chairman

David D'Arcangelo: Aye

Dr. Munr Kazmir: Aye  
Daniel Schreck: Aye  
Mary Vought: Aye

Mr. Schreck asked if there were a motion to approve the status of funds through March 31, 2022.

**MOTION:** Chairman Gallegos moved to approve the status of funds through March 31, 2022.

**SECONDED:** David D’Arcangelo  
Andrés Gallegos, Chairman  
David D’Arcangelo: Aye  
Dr. Munr Kazmir: Aye  
Daniel Schreck: Aye  
Mary Vought: Aye

### **G. Progress Report**

Ms. Amy Nicholas introduced the team from CNA Institute for Public Researching that will be working on this project. Leola Abrham and Dr. Mark Roberts.

Ms. Leola Abrahams stated that the project will look at healthcare and health in general as well as access to healthcare. She stated the report will also cover the following:

- Housing;
- Employment;
- Education;
- Community and transportation;
- Emergency management as it relates to preparedness response;
- Environmental scan;
- Extreme weather and the factors that impact people with disabilities, analyzing and synthesizing the information from research and coupling it with what has been submitted from stakeholders in the field.

Dr. Mark Roberts reported the following:

- Goal to understand where and in what manner people with disabilities are disproportionately affected by extreme weather events;
- Used multi-step geospatial analysis to show how increasing Extreme weather events and environmental injustice threats people with disabilities.

Dr. Roberts presented maps. They reflected the following data:

- FEMA National Index of all hazards;
- Locating people with disabilities in the United States by county;

- Combing the hazards information with the people with disabilities status.

Ms. Abraham stated they have had a with NGO experts and organizations that represent individuals with disabilities. Experts in attendance were from EPA, NOAA, DHS, HHS, FEMA , HUD and other agencies, as well as state and local individuals from the states of California, Colorado and Texas.

Ms. Abraham stated the initial findings were as follows:

- Number if people with disabilities is increasing, which strains on different support systems;
- Healthcare;
- Housing;
- Transportation;
- Aging populations;
- Increases in chronic health conditions;
- Increased poverty correlating with people with disabilities.

Ms. Abraham stated the emergency management in general is really failing to account for people with disabilities. Therefore, disability organizations, people with disabilities, and those with access and functional needs are often not included into emergency management planning, policy development, decision making, and leadership roles.

Ms. Abraham said in terms of healthcare, outside of a disaster, people with disabilities have existing barriers to access to healthcare. They experience disparities, discriminations, and systematic barriers to care and treatment. People with disabilities in rural communities and tribal national specifically have less access to healthcare and treatment, limited access to broadband and the internet.

Ms. Abraham stated since COVID there has been a shortage of workers and other essential personnel leaving people with disabilities without caregivers and essentially being at risk for losing their independence. Loss of power supply as result of a power outage which Disability rights Texas provided stated 75% of people lost power. Life - saving medications that require refrigeration were spoiled as a result of the power loss, reliance of breathing devices and mobility equipment were loss.

Ms. Abraham stated in terms of housing, they found that shelter registries really give people a false sense of security. In shelters service providers are to remain during disasters. People with disabilities are to bring their own equipment, i.e., hospital beds, wheelchairs and personal care assistants to the shelters. When shelters cannot provide accommodations and safe care, they will transfer an individual to a hospital of other facility. FEMA's disaster disability integration specialists are critical in a response situation to bring all groups and pieces together to support people with disabilities.

Ms. Abraham stated in terms of employment, we have found during extreme weather events and disasters that mental health issues that were not previously required or need to disclose.

In regard to education, which is complex, as an example in Puerto Rico, hurricanes Irma and Maria caused extensive damage to the education infrastructure, decline in enrollment, schools faced closures but upon reopening there was limited functionality.

#### **H. Administrative Finance and Operations Team**

Ms. Lisa Grubb spoke upon the changes of the agency's travel policy and procedures in accordance with FTR.

Ms. Grubb stated the following:

- Requester completes and submits the travel form. They will take the necessary steps to obtain costs to complete his/her travel request;
- Contract fare rates for air travel;
- Contact Adventure Travel (Ad Trav) for travel options;
- Complete travel request form;
- Submit the completed travel request packet to Netterie Lewis;
- Fund availability is verified.

After completion of the above process, this occurs:

- Fund availability is verified;
- If funds are available travel specialist (Netterie Lewis), amends the draft travel authorization, adding authorization number, signing the travel authorization and returns the travel packet to requester notifying traveler that funds have been certified and that traveler can proceed to send travel packet to his/her approval authority and proceed to secure travel arrangements;
- Confirm travel plans;
- Review and approval by approving authority;
- Final review and approval;
- If travel request is approved, the requester finalizes travel arrangements consistent with details included in the travel authorization and provides the travel specialist a copy of all travel documentation.
- Reimbursement-reviewed by travel specialist and completes the reimbursement,
- Once approved and signed by approval authority, voucher is sent to the agency's financial service provider for processing.

#### **I. Policy report Proposal Review Discussion and Vote**

Ms. Joan Durocher submitted spoke on the current housing projects and vote for the new policy projects. She asked that Council members and staff to give a brief update on each project.

The projects are as follows:

- Housing;
- Quality of Medicaid programs
- 2022 Progress Report on Climate change;
- IVV Medicaid Dental Reimbursement;
- Asset limitations;
- Transition home and community-based services
- Toolkit;
- AA Program;
- Direct Service Professional workforce;
- Transportation;
- Persons with disabilities living in territories

Ms. Mary Vought stated that the 2022 project of QALY and to create a report to examine how states, their Medicaid programs use cost effectiveness reports and coverage determinations, as well as to come up with and describe alternatives to quality.

Mr. David D’Arcangelo spoke on the IVV Medicaid Dental Reimbursement Project. He stated that approximately 60% of the people in the United States with intellectual and developmental disabilities rely upon Medicaid for their health insurance coverage. Finding oral healthcare providers willing to participate in Medicaid, dental reimbursement is very difficult. The Council seeks to scan oral healthcare providers to determine why there is a significant portion decide not to participate and what incentives might encourage them to participate. The report will build off of the Council’s FY’21 report that determined that the return on investment in Medicaid, that oral healthcare benefits for adults with intellectual, developmental disabilities create. This report would explore analysis of return investment (ROI) by exploring that ROI created goes beyond healthcare cost savings. The Council has contracted the Medicare Medicaid Chip Services Administration to assist in this project.

Mr. Daniel Schreck reported on the transition home and community-based services study and stated the Council has contracted with Dr. Kara Ahers and received the final draft in April. The report builds off the 2021 Progress Report that speaks about the severe problems caused by those in congregate settings, transitioning to community living during the pandemic as well as the disproportionate amount of deaths in that population.

Ms. Joan Durocher stated that the toolkit update does not include any recommendations or findings. It is just an update of the existing document.

Ms. Durocher stated that the SBA draft letter from Ms. Nicholas to the administrator requesting a meeting to discuss additional people with disabilities to the AA program.

Chairman Gallegos stated that votes from each council member on their top three and the top three will be the slate of projects.

Mr. D'Arcangelo stated that the Council is trying to understand various federal government income and asset limitations as it related to benefit programs for people with disabilities (SSI, SSDI). The Council has a great role to be able to advise Congress to put together a listing of all the various laws.

Ms. Vought spoke in Dr. Rader's stead and stated on "The Fetus as a Person" and said that unprecedented technology, fetal testing and monitoring and diagnostic tools have resulted in a new specialty of fetal medicine. Dr. Rader proposes to convene a panel of experts and produce a paper that presents all the concepts, rationale, history, arguments, science, consequences, technologies, economic impacts, challenges, and the necessary reorienting of values and beliefs and practices. Therefore, it is the role of the Council not to just confront the current challenges that are seen infecting individuals with disabilities but to identify, anticipate and address emerging ones for future scenarios.

Chairman Gallegos introduced a policy on the unrecognized disability as it relates to chemical fragrance and electro sensitivities. He stated that addressing health equity for people with disabilities would be incomplete without addressing neglected need of those that suffer from chemical and electro sensitivities. He added that fragrance and chemical sensitivities have been recognized in the workplace and federal government and guidelines to employers through the Job Accommodation Network supported by the United States Department of Labor Office of Disability Employment Policy to accommodate employees with these sensitivities.

Mr. Schreck presented on behalf of Dr. Rader his suggestions for the inclusion of people with disabilities in clinical trials. He stated disabled patients show high engagement with healthcare services and that one-quarter of healthcare expenditures in the U.S. and this group remains under-represented in clinical research trails. Reports will specifically provide a framework for including persons with disabilities in clinical trials, new drugs, etc. It also will help to end the discrimination of people with disabilities in the scientific community and the report will move people with disabilities further into the realm of total societal inclusion and acceptance.

Chairman Gallegos spoke on sustainable healthcare payment models. As the Council continues to work on the healthcare equity framework for people across of categories with disabilities, he stated that it is critical that the Council examine and devise policy recommendations to finance the delivery of accessible healthcare for persons across all categories of disabilities to ensure the sustainability of that care relying solely upon Medicaid and Medicare to finance delivery of healthcare for people with disabilities which is not sustainable.

Mr. D'Arcangelo stated that to ensure that people with disabilities who rely on the direct service professional workforce rely upon these services for their independence which



will allow them to live in a community setting. The administration's focus on equity as well as the expansion of money follows the person to expand access to home and community-based services are unable to be a reality if there are not enough direct service providers to serve those who need it. The alternative is in increase in group homes, an increased census in those homes as well as institutionalization, unfortunately, the limited data available shows a census increase in group homes popping up in locations that have historically had eliminated them. As it relates to the Council's strategic plan, a person with a disability relies on a direct service provider and does not have access to one may lose the ability to live independently within the community be employed and independent.

Chairman Gallegos stated that persons with disabilities living in territories is directly in line with the Council's strategic plan in which we want to be deliberate in our outreach to capture the experiences and address the needs of people with disabilities that do don't live in the continental United States. He added the Council is finalizing the project of what it means to a be person with a disability living in Puerto Rico and are addressing the needs of those living in other territories such as the Virgin Islands, Guam, American Samoa and the Mariana Islands.

Mr. Schreck provided the basic objectives as they relate to transportation. They are as follows:

- a description of the state of transportation;
- Changes as they relate to air travel, rail, taxi and ridesharing;
- Municipal and public transportation;
- Autonomous vehicles

The report will describe a legal basis for accessible transportation, progress in each subject area, identify the current state of accessible transportation, identify the current state of accessible transportation and describe salient and emerging transportation issues that require the Council's attention and finally make recommendations to the federal and local levels.

Chairman Gallegos asked Council members to pick their top three proposal preferences for vote and approval.

They were as follows:

Mary Vought            Income and asset limitations (1); Fetus as a person (2); People with disabilities in clinical trials (3)

Dan Schreck            Fetus as a person (1); Sustainable healthcare payment models (2); People with disabilities in critical trials (3)

David D'Arcangelo    Asset limitations (1); Inclusion (2); Fetus as a person (3)

Chairman Gallegos Unrecognized disabilities (1); sustainable healthcare payment (2); Experiences of persons with disabilities in territories (3)

Neil Romano  
(Proxy) Income and assets limitations (1); Fetus as a person (2); Inclusion of people with disabilities in clinical trials (3)

Dr. Rick Rader  
(Proxy) Inclusion of people with disabilities in clinical trials (1); Fetus as a person (2); Income and asset limitations (3)

Munr Kazmir Income and assets limitations (1); Sustainable healthcare (2); Experiences of persons with disabilities in territories (3)

**MOTION:** Mr. D’Arcangelo moved to vote and approve the top three project proposals.

**SECONDED:** Mary Vought

Roll Call Vote:

Andrés Gallegos, Chairman

David D’Arcangelo: Aye

Dr. Munr Kazmir: Aye

Daniel Schreck: Aye

Mary Vought: Aye

**Note: Chairman Gallegos on behalf of Neil Romano and, who did not designate a specific person to vote his proxy, as chair, he did so on his behalf. David D’Arcangelo voted on behalf of Rick Rader.**

**Motion Passed Unanimously**

## **J. Executive Director’s Report**

Ms. Anne McIntosh reported the following:

- Commended work of NCD staff;
- White House, Domestic Policy Council, Disability Policy has a new director;
- Presidential Memorandum addressing calling for government approach to COVID; NCD has been asked to participate in interagency workgroup;
- Conduct a proposed 90-minute outreach (virtual town hall) to update outreach to territories.
- Anticipated release report on the disparate treatment of Puerto Rico residents with disabilities in federal programs and benefits.

## **K. Legislative and Public Affairs Report**

Ms. Eacobacci reported the following:

- President signed the Consolidated Appropriations Act for FY ’22;

- Committee reports and joint explanatory statements are available for public viewing;
- NCD encourages Centers for Medicare and Medicaid Services to study alternatives to quality adjusted life to report to Congress in 180 days;
- Reached out to House Appropriations Committee to confirm language is appropriate to CMS to provide a report in a timely fashion consistent with the Council's 2009 report;
- Monitoring HR6075 which would designate people with intellectual and developmental disabilities as a specifically medically underserved population;
- Watching Moulton's reintroduction of the Head's Up Act;
- Scheduled meeting with Moulton's office;
- HR4853 -Medical Device Nonvisual Act which represents Illinois and require The Food and Drug Administration to enforce nonvisual accessibility standards for class 2 and 3 of medical devices; 49 cosponsors in house, no senate support;
- HR7634-Healthcare for All Bill was introduced by Rep. Cathy McMorris Rodgers;
- NCD submitted to the Seate Finance Committee regarding hearing entitled, *"Prescription Drug Pricing and the Effects of Inflation on Prescription Drug Pricing."*
- NCD received a request from Senate Budget Committee regarding QALYS report.

#### **L. Electromagnetic and Chemical Sensitivity – Access to Care and Treatment at Medical Facilities**

Ms. Eacobacci introduced the panel to discuss the need for federal policy and guidance to address environmental toxins existing in the healthcare facilities and in housing.

Ms. Susan Molloy presented a historical overview of electro smog and electropersensitivity. With each invention there are health effects that generated similar symptoms with various names. She submitted the following:

- Neurasthenia, weaking of the nervous system with switchboard operators. Radio wave sickness experienced by radar operators during WWII;
- Electromagnetic radiation -form of air pollution;
- Electro smog exposures acts as a neurotoxin;
- Impaired immune system common among the elderly, very young and those taking certain medications;
- Exposure increases if Wi-Fi is everywhere, smart meters, smart appliance,5G, smart homes, driverless cars;
- Elements of equity in healthcare-eliminate fragrance in all forms and adopt a fragrance-free cleaning product for medical facilities;
- Install signage and pictograms to designate safe areas for wheelchair users;
- Accessible parking and all path of travel areas; including entryways, halls, waiting rooms, classrooms, examination rooms, and the wired telephones;
- Do not install new Wi-Fi devices for they detect air pollution;
- During construction or renovation, install separate electrical wiring with kill switches to safer areas;
- Install metal-free fiber optics and ethernet connections on EMF-safe areas;

- Transportation-designers and manufacturers of vehicles and terminals should shield electrical components of all vehicles designed for easy adaptation and retrofitting, facilitate removal of electronic and Wi-Fi components;
- Designate low EMF fragrance-free seating for passengers in airplanes, trains, Metro and buses;
- Request that training procedures be put in place for HUD decision makers and staff as to what constitutes accessible housing and modifications, appropriate funding opportunities and enforcement mechanisms under the federal Fair Housing Act.
- Urge for accessible housing for all low-income people with disabilities especially for those with chemical sensitivities and EMS exposures.

Ms. Symington stated that the accessibility for Ontarians with Disabilities Act requires a fully accessible Ontario by 2025. This includes environmentally induced disabilities such as EHS and chemical sensitivity.

Ms. Symington stated that it is important to treat the environment in order to provide access, electro smog needs to be eliminated to effectively reduce exposure. She suggested visiting her website, [www.ElectroSensitiveSociety.com](http://www.ElectroSensitiveSociety.com) for tips to electromagnetic hygiene.

Ms. Symington stated that there needs to be low EMF and chemical friendly and mold-free housing by maintaining service area and where there are no cell towers, keep them free from them. Many people with environmental sensitivities would prefer mobile housing for they can be easily moved from areas with cell towers.

Ms. Elizabeth Kelley said that she is pleased that the Council and Access Board has recognized that the environment can induce chemical and electromagnetic sensitivities that are disabling. She recommends that the Council asks the Access Board to find the US National Institute Building Sciences, to revise the 2005 indoor environmental; quality report. EIEQ to barriers to access and accommodation for people with chemical or electromagnetic sensitivities.

Ms. Kelley stated the EPA's environmental protection plan supports wireless sensors to control lighting, heating and cooling levels in new buildings and to regulate chemical levels in new buildings. The FCC's digital equity plan includes new rules to combat digital discrimination and to promote equal access to broadband across the country. She added that these policy proposals with all good solutions have not taken into account what the Council's health policy framework is about and will create systematic barriers to access and accommodation for people who are chemically and electromagnetically sensitive to electricity and wireless technologies.

Ms. Kelley stated that they encourage the Council join in for an independent sustained federally sponsored EMF research program. The FDA is presently authorized to be the lead federal agency for regulating electronic products as well as developing radio frequency radiation safety limits until it was defunded in 1995. She added that

Congress should reauthorize and fund federal agencies to conduct ongoing EMF research and investigations that serves the needs of all categories of disability and to ensure the safety and well-being of workers and the public.

Ms. Kelley stated that they have the federal health agencies work with the FCC and National Institute of Standards and Technology to prepare radio frequency radiation human exposure guidelines that are biologically based on the ALARA principle which means as low as reasonably achievable on an interim basis until more is known through science.

Ms. Susan Molloy summarized the recommendations that were presented by her colleagues. They were as follows:

- Revise the indoor environmental quality, IEQ Report;
- Work with those with disabilities that have chemical and electromagnetic field sensitivities;
- Plans of the EPA and FCC regarding their proposed wireless infrastructure that will create new systematic barriers for electromagnetic field hypersensitivities;
- Create a sustainable federally sponsored EMF research program.

#### **M. Public Comment on Climate Change/Extreme Weather Events**

Mr. Rocco Iacullo, staff attorney, Disability Rights Pennsylvania. He spoke to the importance of ensuring that emergency programs and response systems are accessible to people with disabilities. It is critical to ensuring that the needs of people with disabilities are accommodated in the event of extreme weather events, and to ensuring their safety during an emergency which applies to all areas of emergency response, including notification, evacuation, emergency transportation, sheltering, access to medications, refrigeration and backup power during such emergencies. Access to mobility devices or service animals while in transit or at emergency shelters and access to information. He stated the other areas of concern as being the following:

- Ensure the notification methods are accessible to or usable by people who are deaf or hard of hearing; cannot hear radio, television, sirens or other audible signalers; blind or have low vision and unable to see flashing lights;
- Combine audible alerts to people with visual and hearing disabilities; using plain language for people with cognitive and intellectual disabilities;
- Getting accessible information to people with disabilities;
- Ensure people with mobility disabilities have access to accessible transportation in event of an evacuation;
- Sheltering in advance of an extreme weather event, ensuring architectural accessibility for wheelchair users and other mobility devices;
- Making sure people have access to their medications; ensuring backup power for those who rely on assistive and mobility devices.

Ms. Odette Wilken, president and general counsel of Wired Broadband, New York City. She addressed the EMS disabled with respect to disaster preparedness. EMS would require hard wired infrastructure, fiber, cable or copper wire in event of emergency or natural disaster.

She stated that the hardwired infrastructure is a necessity for EMS disabled and would provide the best capacity for reliable access to medical and other services in the event of emergencies or severe weather. She added that some federal agencies are creating barriers to relief for the EMS disabled. They are being ignored by the FCC, FDA, HUD, EPA and others. The FCC is claiming total preemption against health claims that wireless radiation is dangerous, and they are ignoring all health claims, with clear evidence.

Ms. Eva Bortnik stated the FCC is address the issue of radiation on the environment including whether in the atmosphere and upper atmosphere. The US Court of Appeals instructed the FCC to address the impact of RF radiation on children, the health implications of long-term exposure to RF radiation, the ubiquity of wireless devices and other technological developments that have occurred since the Commission last updated its guidelines and address the impacts of RF radiation on the environment.

She added the impact of radiation on weather is needed to be addressed along with the climate problems to protect the disabled from disasters.

Ms. Marcie Roth, executive director and CEO, World Institute on Disability stated that they still continue to address the planning, mitigation, strategies for response and recoveries short-term and long-term. Ms. Roth said the realities of extreme weather and the injustices in environmental in climate are disproportion largely impacting people in BIPOC, people of variety of intersectional exclusions, and a massive failure in monitoring and enforcing the laws.

Ms. Roth stated she hopes the Council will train their focus on what the administration has promised and that is for significant enforcement improvements.

Ms. Sylvia Wright, director, Canadian Educators for Safe Technology asked that the Council educate all levels of government to create e public education and to work with the industry to promote fiber optics so that EMS disabled people can access Wi-Fi absent shelters during weather events.

Ms. Priya Penner, Partnership for Inclusive Disaster Strategies spoke to the issue of barriers accessing federal and state funding after a disaster. She stated that this is being worked on by the disability rights advocates across the nation. An easy solution is the Ready for Disaster Act which addresses these issues and ensures that Centers for Independent Living and other disability-related organizations are able to receive FEMA funding.

Ms. Zen Honeycutt, director of Moms Across America shared her son's story as result of being a victim to a router that was in his school. She suggested the Council take action and do things hat will protect more people from becoming disabled.

**N. Old Business/New Business**

Chairman Gallegos asked Ms. Eacobacci to submit her state legislative updates electronically.

There are proposed 2023 Council meeting dates and location and based on the recommendations received from staff there's combination of in-person and zoom virtual meetings.

**O. Adjournment**

**MOTION:** David D'Arcangelo moved to adjourn the Council meeting.

**SECONDED:** Mary Vought

Roll Call Vote:

Andrés Gallegos, Chairman

David D'Arcangelo: Aye

Dr. Munr Kazmir: Aye

Daniel Schreck: Aye

Mary Vought: Aye

**Motion Passed Unanimously**

The meeting adjourned at 4:10 p.m. (ET)

Date Approved by the Council:



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Signature

Andrés J. Gallegos, Chairman

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Printed Name