

POST-DISASTER MENTAL HEALTH
RESPONSE ACT OF 2022

R E P O R T

OF THE

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

TO ACCOMPANY

S. 3677

TO AMEND THE ROBERT T. STAFFORD DISASTER RELIEF AND
EMERGENCY ASSISTANCE ACT TO AUTHORIZE THE PRESIDENT
TO PROVIDE PROFESSIONAL COUNSELING SERVICES TO VICTIMS
OF EMERGENCIES DECLARED UNDER SUCH ACT, AND FOR OTHER
PURPOSES



SEPTEMBER 27, 2022.—Ordered to be printed

U.S. GOVERNMENT PUBLISHING OFFICE

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2d Session }

SENATE

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POST-DISASTER MENTAL HEALTH RESPONSE
ACT OF 2022

SEPTEMBER 27, 2022.—Ordered to be printed

Mr. PETERS, from the Committee on Homeland Security and
Governmental Affairs, submitted the following

R E P O R T

[To accompany S. 3677]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security and Governmental Affairs, to which was referred the bill (S. 3677) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to provide professional counseling services to victims of emergencies declared under such Act, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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I. PURPOSE AND SUMMARY

S. 3677, the *Post-Disaster Mental Health Response Act*, would expand eligibility for the Federal Emergency Management Agency’s (FEMA) Crisis Counseling Assistance and Training Program (CCP), which is part of the agency’s Individual Assistance (IA) suite of programs. Currently, the CCP provides short-term mental health and trauma support resources for survivors in an area that has received a major disaster declaration. This legislation would expand

the CCP by amending the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) to provide states, tribes, or territories with the option to request the program for an area that receives an emergency declaration.

II. BACKGROUND AND NEED FOR THE LEGISLATION

Over the last decade, there have been more than 4,000 emergency declarations across the United States.¹ Individuals, families, and communities often face lasting trauma from emergencies, which range from floods and earthquakes to violent attacks, such as the Boston marathon bombing. Natural disasters can leave lasting impacts on disaster survivors. One study found that after an earthquake, 24 percent of survivors develop post-traumatic stress disorder (PTSD).² The CCP can aid disaster survivors with PTSD by helping them understand their current situation, promoting the use of coping mechanisms, assisting survivors in reviewing their disaster recovery options, and connecting survivors with other people and agencies who can help them in the recovery process.³

Currently, FEMA may provide state, territorial, and tribal mental health authorities with assistance and reimbursement (through the CCP) to address the mental health impacts of major disaster declarations but not emergency declarations.⁴ Emergency declarations are made to protect property and public health and safety and to lessen or avert the threat of a major disaster or catastrophe. In contrast, a major disaster declaration is made as a result of a disaster or catastrophic event and constitutes a broader authority that helps states and local communities, as well as families and individuals, recover from the damage caused by the event. States currently cannot obtain reimbursement for trauma or mental health services delivered after emergency declarations.⁵

Data indicates that this legislation will help to address the long-term mental health impacts of various declared emergencies. For example, following the Boston marathon bombing, 11 percent of marathon attending children showed signs of PTSD, but since the tragedy did not meet the criteria for a major disaster declaration, crisis counseling was not made available through FEMA.⁶ To expand the CCP, this bill amends U.S. code to ensure that mental health resources can be made available to survivors and responders of declared emergencies in addition to major disasters.

III. LEGISLATIVE HISTORY

Senators Richard Durbin (D–IL) and Rob Portman (R–OH) introduced S. 3677, the *Post-Disaster Mental Health Response Act*, on February 17, 2022. The bill was referred to the Committee on Homeland Security and Governmental Affairs. Senator Gary Peters

¹Federal Emergency Management Agency, *OpenFEMA Dataset: Disaster Declarations Summaries—v2* (accessed April 2022).

²Wenjie Dai, Long Chen, et al., *The incidence of post-traumatic stress disorder among survivors after earthquakes: a systematic review and meta-analysis*, BMC Psychiatry (June 7, 2016).

³Substance Abuse and Mental Health Services Administration, Department of Health and Human Services, Crisis Counseling Assistance and Training Program (CCP) (<https://www.samhsa.gov/dtac/ccp>) (accessed May 5, 2022).

⁴Federal Emergency Management Agency, *FACT SHEET: Crisis Counseling Assistance & Training Program* (March 2020).

⁵*Id.*

⁶Jonathan Comer, Annie Dantowitz, et al., *Adjustment among Area Youth after the Boston Marathon Bombing and Subsequent Manhunt*, Pediatrics (July 2014).

(D–MI) later joined as a cosponsor on April 27, 2022. The Committee considered S. 3677 at a business meeting on March 30, 2022. The bill was ordered reported favorably by voice vote *en bloc*. Senators present for the vote on the bill were: Peters, Carper, Hassan, Sinema, Rosen, Padilla, Ossoff, Paul, Lankford, Romney, Scott, and Hawley.

IV. SECTION-BY-SECTION ANALYSIS OF THE BILL, AS REPORTED

Section 1. Short title

This section designates the name of the bill as the “Post-Disaster Mental Health Response Act.”

Section 2. Crisis counseling assistance and training

This section amends section 502(a)(6) of the Stafford Act to allow mental health resources of the CCP to be made available to survivors and responders of declared emergencies in addition to major disasters.

V. EVALUATION OF REGULATORY IMPACT

Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this bill and determined that the bill will have no regulatory impact within the meaning of the rules. The Committee agrees with the Congressional Budget Office’s statement that the bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

VI. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 7, 2022.

Hon. GARY PETERS,
Chairman, Committee on Homeland Security and Governmental Affairs, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 3677, the Post-Disaster Mental Health Response Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Jon Sperl.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

S. 3677, Post-Disaster Mental Health Response Act			
As ordered reported by the Senate Committee on Homeland Security and Governmental Affairs on March 30, 2022			
By Fiscal Year, Millions of Dollars	2022	2022-2027	2022-2032
Direct Spending (Outlays)	0	1	3
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	1	3
Spending Subject to Appropriation (Outlays)	0	*	not estimated
Statutory pay-as-you-go procedures apply?	Yes	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2033?	< \$5 billion	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

* = between zero and \$500,000.

S. 3677 would authorize the Federal Emergency Management Agency (FEMA) to cover the costs of crisis counseling for people affected by emergencies declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act when those services are paid for by local governments. Under current law, such federal assistance is only available in areas where the President has declared a major disaster under that act.

Emergencies are typically declared for events that are less severe than major disasters; accordingly, FEMA approves fewer types of assistance and usually awards smaller amounts for emergencies than for major disasters. Over the 2019–2021 period, the President declared 174 emergencies but in only one of those events did FEMA provide aid (about \$1 million) to individuals and households under the Individual Assistance (IA) Program. Over that same period, the President declared 227 major disasters, and for about half of those events, the agency provided a total of \$6.1 billion to individuals and households under the IA Program. As part of that assistance for major disasters, FEMA provided funding to state and local governments for counseling services, including about \$30 million in 2021.

For this estimate, CBO expects that FEMA would award counseling assistance for emergencies at roughly the same proportion, relative to the total amounts provided under the IA program, as it has for major disasters. On that basis, CBO estimates that, under S. 3677, FEMA would provide an additional \$3 million in crisis counseling assistance over the 2022–2032 period, or about 1 percent of the \$300 million of such assistance that CBO projects the agency will provide for major disasters over the next decade.

Disaster assistance for programs authorized under the Stafford Act is paid from the agency's Disaster Relief Fund (DRF). Because S. 3677 would expand the use of previously appropriated balances from the DRF, some of which CBO estimates would not otherwise spend over the 2022–2032 period, the bill would increase direct spending. That increased spending would be offset by lower spending of the same amount in years after 2032.

In addition, CBO estimates that the agency would incur administrative costs to provide more counseling assistance to state and local governments. CBO estimates that those costs would total less than \$500,000; any spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Jon Sperl. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

VII. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows: (existing law proposed to be omitted is enclosed in brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT

* * * * *

TITLE V—EMERGENCY ASSISTANCE PROGRAMS

* * * * *

SEC. 502. FEDERAL EMERGENCY ASSISTANCE.

(a) SPECIFIED.—In any emergency, the President may—

(1) * * *

* * * * *

(6) provide assistance in accordance with section 408 *and section 416* of this title;

* * * * *

