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CHILDREN'S COORDINATING OFFICER FOR DISASTER AREAS

DECEMBER 7, 2001.—Ordered to be printed

Mr. JEFFORDS, from the Committee on Environment and Public
Works, submitted the following

REPORT

[to accompany S. 1623]

[Including cost estimate of the Congressional Budget Office]

The Committee on Environment and Public Works, to which was referred a bill (S. 1623), to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to direct the President to appoint Children's Coordinating Officers for disaster areas in which children have lost 1 or more custodial parents, having considered the same, reports favorably thereon and recommends that the bill do pass.

BACKGROUND

In 1978 President Carter established by executive order the Federal Emergency Management Agency (FEMA). The newly established agency assumed the duties that the Federal Disaster Administration had performed since 1973. Even after FEMA's creation, aspects of the Federal role in disaster response and recovery remained unclear. After years of debate during the mid-1980s and several legislative attempts, Congress reached a compromise and passed the Robert T. Stafford Disaster Relief and Emergency Assistance Act (P.L. 104-707) in 1988. The Stafford Act, last amended in the 106th Congress, (P.L. 106-390) has helped to reshape the role of the Federal government's role in responding to national disasters.

However, the Stafford Act does not provide Federal services for children who lose a custodial parent in a major disaster. The Staf-

ford Act does not provide Federal Services for caregivers of children who have lost a custodial parent in a major disaster.

The needs of these children and their caregivers will be great, and S. 1623 addresses these needs.

SECTION-BY-SECTION ANALYSIS

Section 1. Children's Assistance

SUMMARY

Section 1 amends the Stafford Act and directs the President to appoint a children's coordinating officer when a child loses one or more custodial parents in a major disaster area.

DISCUSSION

S. 1623 amends the Stafford Act by adding a new section 411. This new section directs the President to appoint a children's coordinating officer when a child loses one or more custodial parents in a Presidentially-declared major disaster area. The coordinating officer will provide children with the support and assistance necessary to ensure their immediate care and transition to a permanent family. The officer will coordinate relief efforts by appropriate Federal, state, and local government agencies on behalf of the child. The officer also will coordinate the relief efforts of community-based organizations, foundations, funds, or other organizations providing aid to children.

The coordinating officer also will ensure that children and their caregivers are provided with immediate temporary care services, counseling on long-term permanency planning, legal services for guardianships and adoptions, information on available services and assistance for victims of the disaster, and mental health services.

The committee anticipates that the FEMA Director will appoint a children's coordinating officer as part of the disaster response team for each disaster where a child loses a custodial parent. The committee also anticipates that the children's officer will coordinate and utilize existing resources to aid children.

LEGISLATIVE HISTORY

Senator Hillary Rodham Clinton introduced S. 1623 on November 1, 2001. The Senate Committee on Environment and Public Works held a legislative hearing on the bill on November 1, 2001. The full committee reported the bill on November 8, 2001.

HEARINGS

On November 1, 2001, the committee held a legislative hearing on S. 1623, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to direct the President to appoint Children's Coordinating Officers for disaster areas in which children have lost one or more custodial parents,, receiving testimony from Michael Brown, Deputy Director, Federal Emergency Management Agency; Joe Moravec, Commissioner, Public Building Service, General Services Administration; Dr. David Sampson, Assistant Secretary for Economic Development, Economic Development Ad-

ministration, U.S. Department of Commerce; Richard Meserve, Chairman, Nuclear Regulatory Commission; Herbert Mitchell, Associate Administrator for Disaster Assistance, Small Business Administration; and Marianne L. Horinko, Assistant Administrator, Office of Solid Waste and Emergency Response, Environmental Protection Agency.

ROLLCALL VOTES

The Committee on Environment and Public Works met to consider S. 1623 on November 8, 2001, and reported S. 1623 by voice vote.

REGULATORY IMPACT STATEMENT

In compliance with section 11(b) of rule XXVI of the Standing Rules of the Senate, the committee makes evaluation of the regulatory impact of the reported bill.

The bill does not create any additional regulatory burdens, nor will it cause any adverse impact on the personal privacy of individuals.

MANDATES ASSESSMENT

In compliance with the Unfunded Mandates Reform Act of 1995 (Public Law 104-4), the committee finds that S. 1623 would impose no unfunded mandates on local, State, or tribal governments.

COST OF LEGISLATION

Section 403 of the Congressional Budget and Impoundment control Act requires that a statement of the cost of the reported bill, prepared by the Congressional Budget Office, be included in the report. That statement follows:

S. 1623, A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to direct the President to appoint Children's Coordinating Officers for disaster areas in which children have lost one or more custodial parents, as ordered reported by the Senate Committee on Environment and Public Works on November 8, 2001

S. 1623 would authorize the President to appoint a Children's Coordinating Officer to provide support and assistance to children and their caregivers during disasters. The Children's Coordinating Officer would provide help to victims in obtaining temporary care services, mental health counseling, and legal services for guardianships and adoptions, among other related duties.

Based on information from the Federal Emergency Management Agency (FEMA), CBO estimates that S. 1623 would have no significant impact on the federal budget. FEMA would likely designate the Deputy Federal Coordinating Officer who works in each region to take on the responsibilities of the Children's Coordinating Officer; therefore, new positions would not necessarily be created under the bill.

S. 1623 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. S. 1623 contains no

intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Julie Middleton. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

CHANGES IN EXISTING LAW

In compliance with section 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 [black brackets], new matter is printed in *italic*, existing law in which no change is proposed is shown in roman:

THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT

[As Amended Through P.L. 106–580, December 29, 2000]

AN ACT Entitled the “Disaster Relief Act Amendments of 1974”.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Robert T. Stafford Disaster Relief and Emergency Assistance Act”.

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SEC. 411. CHILDREN’S ASSISTANCE.

(a) *APPOINTMENT OF CHILDREN’S COORDINATING OFFICER.—If the President determines that children have lost 1 or more custodial parents in an area that the President has declared to be a disaster area under this Act, the President shall appoint an individual to serve as a Children’s Coordinating Officer for the area.*

(b) *FUNCTIONS.—A Children’s Coordinating Officer appointed under subsection (a) shall—*

(1) provide necessary support and assistance for children described in subsection (a) to ensure their immediate care and transition to a permanent and loving family;

(2) enter into partnerships with appropriate Federal, State, and local governmental agencies to direct and coordinate the provision of assistance to children described in subsection (a); and

(3) coordinate all efforts by community-based organizations, foundations, funds, or other organizations to provide assistance to children described in subsection (a).

(c) *SERVICES.—A Children’s Coordinating Officer appointed under subsection (a) shall ensure that children and their caregivers are provided with—*

- (1) immediate temporary care services;*
- (2) counseling on long-term permanency planning;*
- (3) legal services for guardianships and adoptions;*

- (4) information on available services and assistance for victims of the disaster; and*
- (5) mental health services.*

