

Administration of Donald J. Trump, 2020

Memorandum on Authorizing the Crisis Counseling Assistance and Training Program for Major Disaster Declarations Related to Coronavirus Disease 2019

April 28, 2020

Memorandum for the Secretary of Homeland Security and the Administrator of the Federal Emergency Management Agency

Subject: Authorizing the Crisis Counseling Assistance and Training Program for Major Disaster Declarations Related to Coronavirus Disease 2019

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5207 (the "Stafford Act"), it is hereby ordered as follows:

Section 1. Policy. It is the policy of the United States to take measures under the Stafford Act to assist State and territorial Governors in their responses to all threats and hazards to the American people in their respective States and territories, including the members of any Indian tribe residing therein. Considering the profound and unique public health risks posed by the ongoing outbreak of COVID–19, the disease caused by the novel (new) coronavirus known as SARS–CoV–2 ("the virus"), the need for close cooperation and mutual assistance between the Federal Government and the States, territories, and tribes is greater than at any time in recent history. In recognizing this serious public health risk, I noted that, on March 11, 2020, the World Health Organization announced that the COVID–19 outbreak can be characterized as a pandemic. On March 13, 2020, I declared a national emergency recognizing the threat that SARS–CoV–2 poses to the Nation's healthcare systems. I also determined that same day that the COVID–19 outbreak constituted an emergency, of nationwide scope, pursuant to section 501(b) of the Stafford Act (42 U.S.C. 5191(b)). All States and territories have activated their Emergency Operations Centers and are working to fight the spread of the virus and attend to those who have symptoms or who are already infected with COVID–19. As of April 18, 2020, I have declared that a major disaster exists in all States and territories as a result of the virus, and have authorized Emergency Protective Measures (Category B) pursuant to section 403 of the Stafford Act (42 U.S.C. 5170b) for each.

Sec. 2. Crisis Counseling Assistance and Training Program. (a) For purposes of this memorandum, "State" includes the District of Columbia, and "Governor" includes the chief executive thereof.

(b) To help meet the needs of the American people during this unprecedented and continuously evolving public health crisis, the Secretary of Homeland Security (Secretary), acting through the Administrator of the Federal Emergency Management Agency (Administrator), is authorized to make available crisis counseling assistance and training services, in accordance with section 416 of the Stafford Act (42 U.S.C. 5183) ("crisis counseling services"), to the people of a State or territory, including the members of any tribe residing therein, if, in response to the virus and before the date of this memorandum, I declared a major disaster pursuant to section 401 of the Stafford Act (42 U.S.C. 5170) with respect to the State or territory, but did not at that time approve crisis counseling services as requested by the Governor, under the following conditions:

- (i) the total number of cases of COVID–19 exceeds 5,000 within the State or territory; or
- (ii) the total of number of cases of COVID–19 exceeds 1,000 per 1 million of the State or territory's population.

(c) In exercising this authority, the Secretary, acting through the Administrator, shall:

- (i) subject to the limitations above, review any request for a major disaster declaration previously submitted by the Governor of a State or territory; and
- (ii) approve crisis counseling services, where the Secretary, acting through the Administrator, determines that the Governor has provided in his or her request sufficient justification to support the provision of crisis counseling services to the people of his or her State or territory, including the members of any tribe residing therein.

(d) The authority vested in the Secretary, acting through the Administrator, to approve crisis counseling services shall not be construed to encompass any authority to approve other forms of assistance.

Sec. 3. General Provisions. (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

NOTE: An original was not available for verification of the content of this memorandum.

Categories: Communications to Federal Agencies : Crisis counseling assistance and training program for major disaster declarations related to coronavirus disease 2019, memorandum on authorization.

Subjects: Diseases : Coronavirus, domestic prevention efforts; Health and medical care : Mental health programs and services; Homeland Security, Department of : Emergency Management Agency, Federal; Homeland Security, Department of : Secretary.

DCPD Number: DCPD202000299.