To make available necessary disaster assistance for families affected by major disasters, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2019

Mr. ESPAILLAT (for himself and Miss GONZÁLEZ-COLÓN of Puerto Rico) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To make available necessary disaster assistance for families affected by major disasters, and for other purposes.

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 “Housing Survivors of Major Disasters Act of 2019”.

SEC. 2. DEFINITIONS.

In this Act, the terms “Agency” and “Administrator” mean the Federal Emergency Management Agency and the Administrator thereof, respectively.
SEC. 3. ELIGIBILITY FOR AND USE OF DISASTER ASSISTANCE.

(a) ELIGIBILITY.—Notwithstanding any other provision of law, individuals and households described in subsection (c) shall be eligible for assistance made available under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) in connection with a major disaster declared by the President under such section 408, including Hurricane Maria of 2017.

(b) USE.—In the case of any assistance described in subsection (a) that is made available in connection with a major disaster declared by the President under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), including Hurricane Maria of 2017, such assistance may be used on behalf of an individual or household described in subsection (c) for costs relating to obtaining title for that individual or household to a property described in such subsection, including the cost of land surveys and any other taxes or fees associated with transfer of the property.

(c) ELIGIBILITY.—

(1) IN GENERAL.—With respect to a major disaster declared by the President under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), an individual
individual or household described in this subsection is an individual or household who—

(A) is occupying an otherwise unused or uninhabited property located in the area for which the major disaster was declared but does not have documented ownership rights to and is not renting the property; or

(B) is or was residing in an area for which a major disaster has been declared by the President under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), but who does not have documentation to that effect, including renter households without written or formal leases, unsheltered individuals or persons experiencing homelessness, households residing in any portion of any housing accommodation or property upon which a housing accommodation is located, including any living quarters, boarding-house, bunkhouse, maintenance-of-way car, mobile home, manufactured home, or travel trailer.

(2) CONSIDERATION.—In making a determination for purposes of this Act, the Administrator shall consider a wide range of evidence.

(d) ALTERNATIVE FORMS OF EVIDENCE.—
(1) In general.—In determining if an individual or household is eligible for assistance under this Act, the Administrator shall accept a declarative statement or the presentation of one of alternative evidence, including the following:

(A) A utility (gas, electric, or water) bill with the name and address of the individual.

(B) A merchant’s statement (credit card, delivery notice, or first class mail) with the name and address of the individual.

(C) A pay stub from an employer with the name and address of the individual.

(D) A current driver’s license or State-issued identification card of the individual.

(E) The deed or title for the property.

(F) A mortgage payment booklet or other mortgage documents.

(G) Property title of mobile home certificate of title.

(H) Real estate property tax receipts.

(I) A school registration containing the address of self, child, or children.

(J) A will and testament with the name and address of the individual.
(K) Medical records that list the name and address of the individual.

(L) Charitable donation receipts that list the name and address of the individual.

(M) Any other documentation, certification, identification, or proof of occupancy or ownership not included on this list that can reasonably link the individual requesting assistance to the damaged property.

SEC. 4. DECLARATIVE STATEMENT.

(a) Development of Declarative Statement.—

(1) In General.—Not later than 30 days after the date of enactment of this Act, the Administrator shall create and distribute where necessary a form statement that applicants can use to self-certify their eligibility for assistance under this Act.

(2) Prohibition of Notarization.—The Administrator may not require declarative statements developed and implemented under this Act to be notarized.

(3) Evidence Supporting Declarative Statements.—All declarative statements developed and implemented under this Act shall not require evidence beyond the scope of section 3(d).
(b) EXEMPTIONS.—All declarative statements developed and implemented pursuant to this Act are exempted from publication notice, public comment periods, and agency information collection review and approval by the Office of Management and Budget required by the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

(c) GUIDANCE.—Not later than 30 days after the date of enactment of this Act, the Administrator shall provide written notification and guidance to employees of the Agency regarding the requirements of this Act.

(d) PUBLICATION.—Not later than 30 days after the date of enactment of this Act, the Administrator shall make declarative statements available in Spanish and English at all active Disaster Recovery Centers and publish in English, Spanish, and any other locally predominant languages on the Agency’s website and social media the declarative statement and instructions on how applicants can reopen or seek further appeal of relevant determinations.

(e) PAST DISASTERS.—For applicants of assistance provided under this Act pursuant to any major disaster declared by the President under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) occurring in 2018 or 2017, the Administrator shall provide an applicant not fewer than 180 days
to submit the declarative statement to reopen or appeal
a case after such applicant has received notice of the right
to do so.

SEC. 5. FEMA DHAP AGREEMENTS.

(a) 2017 AND 2018 DISASTERS.—Not later than 60
days after the date of enactment of this Act, the Adminis-
trator shall enter into an interagency agreement or agree-
ments with the Secretary of Housing and Urban Develop-
ment as may be necessary to ensure the implementation
of a Disaster Housing Assistance Program under section
408 of the Robert T. Stafford Disaster Relief and Emer-
gency Assistance Act (42 U.S.C. 5170) to provide tem-
porary rental assistance to individuals and households dis-
placed from their residences by any major disaster de-
clared by the President under such section 408 during
2017 and 2018 (including Hurricane Maria), including in-
dividuals and households eligible for such assistance under
section 3(a) of this Act.

(b) FUTURE DISASTERS.—In the case of any major
disaster declared by the President under section 408 of
the Robert T. Stafford Disaster Relief and Emergency As-
sistance Act (42 U.S.C. 5170) on or after the date of en-
actment of this Act, not later than 60 days after a declara-
tion of such major disaster, the Administrator and the
Secretary of Housing and Urban Development shall en-
gage in consultations regarding the implementation of a Disaster Housing Assistance Program under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) to provide temporary rental assistance to individuals and households displaced from their residences by such major disaster, including individuals and households eligible for such assistance under section 3(a) of this Act.