

116TH CONGRESS
1ST SESSION

H. R. 2914

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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Housing Survivors of
5 Major Disasters Act of 2019”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act, the terms “Agency” and “Administrator”
8 mean the Federal Emergency Management Agency and
9 the Administrator thereof, respectively.

1 **SEC. 3. ELIGIBILITY FOR AND USE OF DISASTER ASSIST-**
2 **ANCE.**

3 (a) **ELIGIBILITY.**—Notwithstanding any other provi-
4 sion of law, individuals and households described in sub-
5 section (c) shall be eligible for assistance made available
6 under section 408 of the Robert T. Stafford Disaster Re-
7 lief and Emergency Assistance Act (42 U.S.C. 5170) in
8 connection with a major disaster declared by the President
9 under such section 408, including Hurricane Maria of
10 2017.

11 (b) **USE.**—In the case of any assistance described in
12 subsection (a) that is made available in connection with
13 a major disaster declared by the President under section
14 408 of the Robert T. Stafford Disaster Relief and Emer-
15 gency Assistance Act (42 U.S.C. 5170), including Hurri-
16 cane Maria of 2017, such assistance may be used on be-
17 half of an individual or household described in subsection
18 (c) for costs relating to obtaining title for that individual
19 or household to a property described in such subsection,
20 including the cost of land surveys and any other taxes or
21 fees associated with transfer of the property.

22 (c) **ELIGIBILITY.**—

23 (1) **IN GENERAL.**—With respect to a major dis-
24 aster declared by the President under section 408 of
25 the Robert T. Stafford Disaster Relief and Emer-
26 gency Assistance Act (42 U.S.C. 5170), an indi-

vidual 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 (1) IN GENERAL.—In determining if an indi-
2 vidual or household is eligible for assistance under
3 this Act, the Administrator shall accept a declarative
4 statement or the presentation of one of alternative
5 evidence, including the following:

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

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

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

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

15 (E) The deed or title for the property.

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

18 (G) Property title of mobile home certifi-
19 cate of title.

20 (H) Real estate property tax receipts.

21 (I) A school registration containing the ad-
22 dress of self, child, or children.

23 (J) A will and testament with the name
24 and address of the individual.

1 (K) Medical records that list the name and
2 address of the individual.

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

5 (M) Any other documentation, certifica-
6 tion, identification, or proof of occupancy or
7 ownership not included on this list that can rea-
8 sonably link the individual requesting assistance
9 to the damaged property.

10 **SEC. 4. DECLARATIVE STATEMENT.**

11 (a) DEVELOPMENT OF DECLARATIVE STATEMENT.—

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

17 (2) PROHIBITION OF NOTARIZATION.—The Ad-
18 ministrator may not require declarative statements
19 developed and implemented under this Act to be no-
20 tarized.

21 (3) EVIDENCE SUPPORTING DECLARATIVE
22 STATEMENTS.—All declarative statements developed
23 and implemented under this Act shall not require
24 evidence beyond the scope of section 3(d).

1 (b) EXEMPTIONS.—All declarative statements devel-
2 oped and implemented pursuant to this Act are exempted
3 from publication notice, public comment periods, and
4 agency information collection review and approval by the
5 Office of Management and Budget required by the Paper-
6 work Reduction Act (44 U.S.C. 3501 et seq.).

7 (c) GUIDANCE.—Not later than 30 days after the
8 date of enactment of this Act, the Administrator shall pro-
9 vide written notification and guidance to employees of the
10 Agency regarding the requirements of this Act.

11 (d) PUBLICATION.—Not later than 30 days after the
12 date of enactment of this Act, the Administrator shall
13 make declarative statements available in Spanish and
14 English at all active Disaster Recovery Centers and pub-
15 lish in English, Spanish, and any other locally predomi-
16 nant languages on the Agency’s website and social media
17 the declarative statement and instructions on how appli-
18 cants can reopen or seek further appeal of relevant deter-
19 minations.

20 (e) PAST DISASTERS.—For applicants of assistance
21 provided under this Act pursuant to any major disaster
22 declared by the President under section 408 of the Robert
23 T. Stafford Disaster Relief and Emergency Assistance Act
24 (42 U.S.C. 5170) occurring in 2018 or 2017, the Adminis-
25 trator shall provide an applicant not fewer than 180 days

1 to submit the declarative statement to reopen or appeal
2 a case after such applicant has received notice of the right
3 to do so.

4 **SEC. 5. FEMA DHAP AGREEMENTS.**

5 (a) 2017 AND 2018 DISASTERS.—Not later than 60
6 days after the date of enactment of this Act, the Adminis-
7 trator shall enter into an interagency agreement or agree-
8 ments with the Secretary of Housing and Urban Develop-
9 ment as may be necessary to ensure the implementation
10 of a Disaster Housing Assistance Program under section
11 408 of the Robert T. Stafford Disaster Relief and Emer-
12 gency Assistance Act (42 U.S.C. 5170) to provide tem-
13 porary rental assistance to individuals and households dis-
14 placed from their residences by any major disaster de-
15 clared by the President under such section 408 during
16 2017 and 2018 (including Hurricane Maria), including in-
17 dividuals and households eligible for such assistance under
18 section 3(a) of this Act.

19 (b) FUTURE DISASTERS.—In the case of any major
20 disaster declared by the President under section 408 of
21 the Robert T. Stafford Disaster Relief and Emergency As-
22 sistance Act (42 U.S.C. 5170) on or after the date of en-
23 actment of this Act, not later than 60 days after a declara-
24 tion of such major disaster, the Administrator and the
25 Secretary of Housing and Urban Development shall en-

1 gage in consultations regarding the implementation of a
2 Disaster Housing Assistance Program under section 408
3 of the Robert T. Stafford Disaster Relief and Emergency
4 Assistance Act (42 U.S.C. 5170) to provide temporary
5 rental assistance to individuals and households displaced
6 from their residences by such major disaster, including in-
7 dividuals and households eligible for such assistance under
8 section 3(a) of this Act.

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