

117TH CONGRESS
1ST SESSION

H. R. 3037

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

IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2021

Mr. ESPAILLAT (for himself and Miss GONZÁLEZ-COLÓN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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 2021”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

3 (2) ADMINISTRATOR.—The term “Adminis-
4 trator” means the Administrator of FEMA.

5 SEC. 3. ELIGIBILITY FOR AND USE OF DISASTER ASSIST-
6 ANCE.

(a) FINANCIAL ASSISTANCE.—Notwithstanding any other provision of law, individuals and households described in subsection (c) may be eligible for assistance made available under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174) in connection with a major disaster declared by the President under section 401 of such Act (42 U.S.C. 5170), including Hurricane Maria of 2017.

(b) **USE OF FUNDS.**—Any assistance provided pursuant to subsection (a) may include costs relating to obtaining title for a property described in subsection (c)(1), including the cost of land surveys and any other taxes or fees associated with obtaining the title for such property.

(c) ELIGIBLE INDIVIDUALS OR HOUSEHOLDS.—With respect to a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), an individual or household described in this subsection is an individual or household who—

1 (1) is residing on a property located in the area
2 for which the major disaster was declared but does
3 not have documented ownership rights to such prop-
4 erty and is not renting such property; or

5 (2) is or was residing in an area for which a
6 major disaster has been declared by the President
7 under section 401 of the Robert T. Stafford Disaster
8 Relief and Emergency Assistance Act (42 U.S.C.
9 5170), during the designated incident period, includ-
10 ing residing in any housing accommodation or prop-
11 erty upon which a housing accommodation is lo-
12 cated, including any living quarters, boardinghouse,
13 bunkhouse, manufactured home, mobile home, or
14 travel trailer.

15 (d) EVIDENCE.—

16 (1) CONSIDERATION.—In making a determina-
17 tion to provide assistance pursuant to this Act, the
18 Administrator shall consider a wide range of evi-
19 dence.

20 (2) ALTERNATIVE FORMS OF EVIDENCE.—In
21 determining if an individual or household is eligible
22 for assistance pursuant to this Act, the Adminis-
23 trator shall accept either a declarative statement or
24 the presentation of at least one item of alternative
25 evidence, including the following:

1 (A) A utility (including gas, electric, sewer,
2 or water) bill with the name and address of the
3 individual.

4 (B) A merchant's statement (including a
5 credit card, delivery notice, or first class mail)
6 with the name and address of the individual.

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

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

11 (E) The deed or title for the applicable
12 property.

13 (F) A mortgage payment booklet or an-
14 other mortgage document.

15 (G) Property title of mobile home certifi-
16 cate of title.

17 (H) A real estate property tax receipt.

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

20 (J) A will and testament with the name
21 and address of the individual.

22 (K) In a State that does not require a will
23 and testament for the transfer of immovable
24 property, a death certificate and birth certifi-

1 cate that establishes an automatic transfer of
2 legal ownership.

3 (L) Medical records that list the name and
4 address of the individual.

5 (M) A charitable donation receipt that lists
6 the name and address of the individual.

7 (N) Any other documentation, certification,
8 identification, or proof of occupancy or owner-
9 ship not included on this list that can reason-
10 ably link the individual requesting assistance to
11 the applicable property.

12 (e) APPLICABILITY.—This section shall apply to
13 funds appropriated on or after the date of enactment of
14 this Act.

15 **SEC. 4. DECLARATIVE STATEMENT.**

16 (a) DEVELOPMENT OF DECLARATIVE STATEMENT.—

17 (1) IN GENERAL.—Not later than 30 days after
18 the date of enactment of this Act, the Administrator
19 shall create, in coordination with the appropriate au-
20 thorities of the applicable jurisdiction, and dis-
21 tribute, where necessary, a declarative statement
22 form that an applicant for assistance provided pur-
23 suant to section 3 may use to self-certify such appli-
24 cant’s eligibility for assistance pursuant to this Act.

1 (2) PROHIBITION OF NOTARIZATION.—The Ad-
2 ministrator may not require the declarative state-
3 ment form created under paragraph (1) to require
4 notarization by the applicant.

5 (b) EXEMPTIONS.—A declarative statement form cre-
6 ated under subsection (a)(1) is exempt from publication
7 notice, public comment periods, and agency information
8 collection review and approval by the Office of Manage-
9 ment and Budget required by the Paperwork Reduction
10 Act (44 U.S.C. 3501 et seq.).

11 (c) GUIDANCE.—Not later than 30 days after the
12 date of enactment of this Act, the Administrator shall pro-
13 vide written notification and guidance to employees of
14 FEMA regarding the requirements of this Act.

15 (d) PUBLICATION.—Not later than 30 days after the
16 date of enactment of this Act, the Administrator shall—

17 (1) make the declarative statement form cre-
18 ated under subsection (a)(1) available in Spanish
19 and English at all active Disaster Recovery Centers;
20 and

21 (2) publish in English, Spanish, and any other
22 locally predominant languages on the website of
23 FEMA and on social media the declarative state-
24 ment form and instructions on how applicants can

1 reopen or seek further appeal of relevant determina-
2 tions.

3 (e) PAST DISASTERS.—For applicants of assistance
4 provided pursuant to section 3 since January 1, 2017, the
5 Administrator shall provide an applicant not fewer than
6 180 days to submit the declarative statement form to re-
7 open or appeal a case after such applicant has received
8 notice of the right to do so.

9 **SEC. 5. REPAIR AND REBUILDING.**

10 Section 408(c) of the Robert T. Stafford Disaster Re-
11 lief and Emergency Assistance Act (42 U.S.C. 5174) is
12 amended—

13 (1) in paragraph (2)(A)(i) by striking “to a
14 safe and sanitary living or functioning condition”
15 and inserting “to ensure that such residences are
16 habitable during longer term recovery (including
17 through coordination with other sources for repair
18 and rebuilding of such residences)”; and

19 (2) in paragraph (4) by striking “in cases in
20 which” and all that follows through the end and in-
21 serting “if the President determines such assistance
22 is a cost effective alternative to other housing solu-
23 tions, including the costs associated with temporary
24 housing provided under this section.”.

1 **SEC. 6. POST-DISASTER HOUSING ASSISTANCE ANALYSIS**
2 **AND REPORT.**

3 (a) ANALYSIS.—The Administrator, in coordination
4 with the Secretary of Housing and Urban Development,
5 shall conduct an analysis comparing the costs, benefits,
6 and effectiveness of assistance provided under the Disaster
7 Housing Assistance Program, including any case manage-
8 ment services provided, with other temporary housing op-
9 tions provided by the Administrator under the Robert T.
10 Stafford Disaster Relief and Emergency Assistance Act
11 (42 U.S.C. 5121 et seq.).

12 (b) PROVISION OF DATA.—The Administrator shall
13 ensure that public housing authorities engaged in carrying
14 out the Disaster Housing Assistance Program relay data
15 concerning the extent and effectiveness of case manage-
16 ment services in transitioning individuals and households
17 toward self-sufficiency under the Program compared to
18 other alternative disaster assistance programs available
19 under the Robert T. Stafford Disaster Relief and Emer-
20 gency Assistance Act (42 U.S.C. 5121 et seq.).

21 (c) REPORT.—Not later than 180 days after the date
22 of enactment of this Act, the Administrator shall submit
23 to the Committee on Transportation and Infrastructure
24 of the House of Representatives and the Committee on
25 Homeland Security and Governmental Affairs of the Sen-
26 ate a report that contains the analysis required under sub-

1 section (a) and an analysis of the oversight mechanisms,
2 program integrity checks, and financial management
3 measures utilized in carrying out the Program compared
4 to alternative disaster housing assistance programs under
5 the Robert T. Stafford Disaster Relief and Emergency As-
6 sistance Act (42 U.S.C. 5121 et seq.).

7 **SEC. 7. DETERMINATION OF BUDGETARY EFFECTS.**

8 The budgetary effects of this Act, for the purpose of
9 complying with the Statutory Pay-As-You-Go Act of 2010,
10 shall be determined by reference to the latest statement
11 titled “Budgetary Effects of PAYGO Legislation” for this
12 Act, submitted for printing in the Congressional Record
13 by the Chairman of the House Budget Committee, pro-
14 vided that such statement has been submitted prior to the
15 vote on passage.

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