

FEMA TDA
Office of Rep. Espaillat
Housing Survivors of Major Disasters Act

117TH CONGRESS
1ST SESSION

H. R.

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

IN THE HOUSE OF REPRESENTATIVES

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”.

SEC. 2. DEFINITIONS.

In this Act:

(1) FEMA.—The term “FEMA” means the Federal Emergency Management Agency.

(2) ADMINISTRATOR.—The term “Administrator” means the Administrator of FEMA.

SEC. 3. ELIGIBILITY FOR AND USE OF DISASTER ASSISTANCE.

(a) EVIDENCE.—

(1) CONSIDERATION.—Where an individual or household does not have documented ownership rights in their predisaster primary residence, in making a determination to provide assistance pursuant to Section 408(c)(2) and (3) of the Stafford Act, the President shall consider an individual or household's claim to having constructive ownership where evidence supports that it is more likely than not the individual or household has such ownership.

(2) FORMS OF EVIDENCE.— The Administrator shall consider all evidence provided by an individual or household of constructive ownership when determining it is more likely than not the individual or household has such ownership including:

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

(F) A mortgage payment booklet or another mortgage document.

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

(H) A real estate property tax receipt.

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

(K) In a State that does not require a will and testament for the transfer of immovable property, a death certificate and birth certificate that establishes an automatic transfer of legal ownership.

(N) 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 applicable property as determined by the President.

(3) DECLARATIVE STATEMENT —Where evidence of constructive ownership is not sufficient, FEMA may require the individual or household to provide a declarative statement, signed under the pains of penalty of perjury, that describes why the individual or household is the constructive owner of the property. The Administrator [may] not require notarization of a declarative statement.

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

(c) EFFECTIVE DATE-- The Administrator will apply the amendment made by this section to applications for housing assistance where the period of assistance is open, and the applicant was denied assistance because of a failure to verify ownership, with respect to disasters declared by the President on or after the date of enactment.

SEC. 4. REPAIR AND REBUILDING.

(a) Section 408(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act ([42 U.S.C. 5174](#)) is amended—

in subsection (b)(1)—

(A) by striking “rendered uninhabitable” and inserting “damaged by a major disaster”; and

(B) by striking “uninhabitable, as a result of damage caused by a major disaster” and inserting “damaged by a major disaster”;

(b) Section 408(c) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act ([42 U.S.C. 5174](#)) is amended—

in paragraph (4) by striking “in cases in which” and all that follows through the end and inserting “if the President determines such assistance is a cost effective alternative to other housing solutions, including the costs associated with temporary housing provided under this section.”; and

(c) Notwithstanding any other provision of law, including but not limited to section 408(f)(3)(J) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(f)(3)(J)), the Administrator may provide grants to states pursuant to section 408(f)(1)(A) of such Act (42 U.S.C. 5174(f)(1)(A)) as a pilot program until regulations are promulgated.

(d) **APPLICABILITY.** — This section shall apply to applications received on or after the date of enactment of this Act. Only funds appropriated on or after the date of enactment shall be used to cover implementation costs of this section.

SEC. 6. DETERMINATION OF BUDGETARY EFFECTS.

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