H. R. 3925

To require rulemaking by the Administrator of the Federal Emergency Management Agency to address considerations in evaluating the need for public and individual disaster assistance, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2014

Mr. RODNEY DAVIS of Illinois (for himself, Mr. SCHOCK, Mr. SHIMKUS, Mr. KINZINGER of Illinois, Mr. ENYART, and Mrs. BUSTOS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To require rulemaking by the Administrator of the Federal Emergency Management Agency to address considerations in evaluating the need for public and individual disaster assistance, 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 “Fairness in Federal
5 Disaster Declarations Act of 2014”.

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SECTION 1. SHORT TITLE.

This Act may be cited as the “Fairness in Federal Disaster Declarations Act of 2014”.
SEC. 2. REGULATORY ACTION REQUIRED.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency (in this Act referred to as the “Administrator” and “FEMA”, respectively) shall amend the rules of the Administrator under section 206.48 of title 44, Code of Federal Regulations, as in effect on the date of enactment of this Act, in accordance with the provisions of this Act.

(b) NEW CRITERIA REQUIRED.—The amended rules issued under subsection (a) shall provide for the following:

1. PUBLIC ASSISTANCE PROGRAM.—Such rules shall provide that, with respect to the evaluation of the need for public assistance—

   (A) specific weighted valuations shall be assigned to each criterion, as follows—

   (i) estimated cost of the assistance, 10 percent;

   (ii) localized impacts, 40 percent;

   (iii) insurance coverage in force, 10 percent;

   (iv) hazard mitigation, 10 percent;

   (v) recent multiple disasters, 10 percent;

   (vi) programs of other Federal assistance, 10 percent; and
(vii) economic circumstances described

in subparagraph (B), 10 percent; and

(B) FEMA shall consider the economic cir-
cumstances of—

(i) the local economy of the affected
area, including factors such as the local as-
seSSable tax base and local sales tax, the
median income as it compares to that of
the State, and the poverty rate as it com-
pares to that of the State; and

(ii) the economy of the State, includ-
ing factors such as the unemployment rate
of the State, as compared to the national
unemployment rate.

(2) INDIVIDUAL ASSISTANCE PROGRAM.—Such
rules shall provide that, with respect to the evalua-
tion of the severity, magnitude, and impact of the
disaster and the evaluation of the need for assistance to individuals—

(A) specific weighted valuations shall be
assigned to each criterion, as follows—

(i) concentration of damages, 20 per-
cent;

(ii) trauma, 20 percent;

(iii) special populations, 20 percent;
(iv) voluntary agency assistance, 10 percent;

(v) insurance, 20 percent;

(vi) average amount of individual assistance by State, 5 percent; and

(vii) economic considerations described in subparagraph (B), 5 percent;

and

(B) FEMA shall consider the economic circumstances of the affected area, including factors such as the local assessable tax base and local sales tax, the median income as it compares to that of the State, and the poverty rate as it compares to that of the State.

(c) EFFECTIVE DATE.—The amended rules referred to in this section shall apply to any major disaster declared on or after January 1, 2013.