

**Calendar No. 157**

118TH CONGRESS }  
*1st Session* }

SENATE

{ REPORT  
118-74 }

DISASTER ASSISTANCE DEADLINES  
ALIGNMENT ACT

—  
R E P O R T

OF THE

COMMITTEE ON HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS  
UNITED STATES SENATE

TO ACCOMPANY

S. 1858

TO AMEND THE ROBERT T. STAFFORD DISASTER  
RELIEF AND EMERGENCY ASSISTANCE ACT TO  
ESTABLISH A DEADLINE FOR APPLYING FOR  
DISASTER UNEMPLOYMENT ASSISTANCE



JULY 25, 2023.—Ordered to be printed

—  
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Mr. PETERS, from the Committee on Homeland Security and  
Governmental Affairs, submitted the following

**R E P O R T**

[To accompany S. 1858]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security and Governmental Affairs, to which was referred the bill (S. 1858) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to establish a deadline for applying for disaster unemployment assistance, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

CONTENTS

	Page
I. Purpose and Summary .....	1
II. Background and Need for the Legislation .....	2
III. Legislative History .....	3
IV. Section-by-Section Analysis of the Bill, as Reported .....	3
V. Evaluation of Regulatory Impact .....	3
VI. Congressional Budget Office Cost Estimate .....	4
VII. Changes in Existing Law Made by the Bill, as Reported .....	5

I. PURPOSE AND SUMMARY

S. 1858, the *Disaster Assistance Deadlines Alignment Act*, would amend the Robert T. Stafford Disaster Relief and Emergency Assistance (Stafford) Act to match the deadline for applying for Disaster Unemployment Assistance (DUA) to the Individuals and Households Program (IHP) deadline in declared disasters where both are authorized for survivors. Currently, the DUA application deadline is 30 days after the date the state announces availability of DUA benefits. For IHP, the deadline for applications is generally 60 days from the authorization of the Individual Assistance (IA)

program. This bill would align them to both be 60 days from the date on which assistance is approved.

## II. BACKGROUND AND NEED FOR THE LEGISLATION

FEMA authorizes various types of assistance to help individuals after a disaster. FEMA addresses the issue of disaster unemployment through the DUA program, which is administered by state Unemployment Compensation (UC) programs, and offers unemployment benefits to individuals who have become unemployed as a direct result of a declared major disaster and are not eligible for state UC. For instance, state UC programs generally do not provide UC benefits to the self-employed or to those who are unable to work. State UC programs also generally have a shorter benefit period than DUA, which is available for up to 26 weeks. Therefore, when the President declares a major disaster, some individuals who would not typically be eligible for state UC (or who have exhausted state UC benefits because of shorter state benefit periods) may be eligible for DUA.<sup>1</sup>

The deadline for filing an application for DUA is 30 days after the program first becomes available to applicants in a disaster area.<sup>2</sup> This deadline does not match FEMA's IHP application deadline, which is 60 days after FEMA authorizes the program.<sup>3</sup> IHP provides financial and/or direct services to individuals and households affected by disasters, who have uninsured or under-insured expenses and serious needs.<sup>4</sup> Examples of this include funding for temporary housing, the repair or replacement of owner-occupied homes, hazard mitigation assistance, and various uninsured expenses. FEMA's IHP assistance helps bridge that gap for individuals in need of aid after disaster.<sup>5</sup>

Disaster survivors, who may be eligible for both DUA and IHP if those programs are activated, face different deadlines for applications for assistance following a disaster. Having separate deadlines to keep track of can be confusing for disaster survivors and leads to unnecessary complexity. The mismatched deadlines can also lead to ineffective public messaging and may cause survivors to miss out on aid they would otherwise be eligible for receiving if they were not aware that these two federal programs have separate deadlines and assumed they were matched. In aligning the deadlines of these two programs, the unnecessary burden is reduced on disaster survivors leading to the federal government having a more survivor focused approach.

This bill would amend the Stafford Act to change the deadline for applying for DUA so it matches the IHP deadline in disasters where both are authorized for disaster survivors.

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<sup>1</sup> Congressional Research Service, *Disaster Unemployment Assistance (DUA)* (RS22022) (Sept. 20, 2022).

<sup>2</sup> *Id.*

<sup>3</sup> Federal Emergency Management Agency, *Individual Assistance Program and Policy Guide (IAPPG)* (FP 104-009-03) (May 2021).

<sup>4</sup> Congressional Research Service, *A Brief Overview of FEMA's Individual Assistance Program* (IF11298) (Jan. 3, 2023).

<sup>5</sup> Federal Emergency Management Agency, *Individuals and Households Program* (<https://www.fema.gov/assistance/individual/program>) (accessed June 26, 2023).

### III. LEGISLATIVE HISTORY

Senator Gary Peters (D–MI) introduced S. 1858, the *Disaster Assistance Deadlines Alignment Act*, on June 7, 2023, with original cosponsor Senator Marco Rubio (R–FL). Senator Rand Paul (R–KY) joined as a cosponsor on June 13, 2023. The bill was referred to the Committee on Homeland Security and Governmental Affairs.

The Committee considered S. 1858 at a business meeting on June 14, 2023. At the business meeting, the bill was ordered reported favorably by roll call vote of 12 yeas to 0 nays, with Senators Peters, Hassan, Sinema, Rosen, Padilla, Ossoff, Blumenthal, Paul, Lankford, Romney, Scott, and Marshall voting in the affirmative. Senators Carper, Johnson, and Hawley voted yea by proxy, for the record only.

### IV. SECTION-BY-SECTION ANALYSIS OF THE BILL, AS REPORTED

#### *Section 1. Short title*

This section establishes the short title of the bill as the “Disaster Assistance Deadlines Alignment Act.”

#### *Section 2. Disaster Unemployment Assistance application deadline*

This section establishes that the deadline for applying for Disaster Unemployment Assistance (DUA) is required to be the same deadline as for the Individuals and Households Program (IHP). This section also provides that the President may accept an application submitted after the deadline, if the applicant has good cause for late submission and submits the application prior to the date on which the benefits would expire.

### V. EVALUATION OF REGULATORY IMPACT

Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this bill and determined that the bill will have no regulatory impact within the meaning of the rules. The Committee agrees with the Congressional Budget Office’s statement that the bill contains no intergovernmental or private sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.



The CBO staff contacts for this estimate are Meredith Decker and Jon Sperl. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,  
*Director, Congressional Budget Office.*

VII. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

**ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT**

\* \* \* \* \*

**TITLE IV—MAJOR DISASTER ASSISTANCE PROGRAMS**

\* \* \* \* \*

**UNEMPLOYMENT ASSISTANCE**

**SEC. 410.**

- (a) \* \* \*
- (b) \* \* \*

(c) *APPLICATION DEADLINE.*—

(1) *IN GENERAL.*—*With respect to a major disaster for which assistance is provided under this section and section 408, the application deadline for an individual seeking assistance under this section shall match the application deadline for individuals and households seeking assistance under section 408.*

(2) *EXTENSION.*—*The President may accept an application from an individual described in paragraph (1) that is submitted after the deadline described in paragraph (1) if—*

*(A) the individual has good cause for the late submission; and*

*(B) the individual submits the application before the date on which the period during which assistance is provided under this section for the applicable major disaster expires.*

\* \* \* \* \*