

116TH CONGRESS  
1ST SESSION

# S. 1605

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

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## IN THE SENATE OF THE UNITED STATES

MAY 22, 2019

Ms. WARREN (for herself, Mr. BLUMENTHAL, Mr. MARKEY, Ms. HARRIS, Mr. DURBIN, Ms. KLOBUCHAR, Mr. SANDERS, Mrs. GILLIBRAND, Mr. MENENDEZ, Mr. KAINE, Mr. CASEY, Mr. BENNET, and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## 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. 5174) in  
8 connection with a major disaster declared by the President  
9 under section 401 of such Act (42 U.S.C. 5170), including  
10 Hurricane Maria of 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  
14 401 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 401 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 the major disaster was declared, but does not have documentation to that effect, including—

(i) an individual or household who is renting without a written or formal lease;

(ii) unsheltered individuals or households experiencing homelessness; and

(iii) an individual or household residing in any portion of any housing accommodation or property upon which a housing accommodation is located, including any living quarters, boardinghouse, bunkhouse, maintenance-of-way car, mobile home, manufactured home, or travel trailer.

(2) CONSIDERATION.—In making a determination of eligibility for purposes of this Act, the Administrator shall consider a wide range of evidence.

1       (d) ALTERNATIVE FORMS OF EVIDENCE.—In deter-  
2 mining if an individual or household is eligible for assist-  
3 ance under this Act, the Administrator shall accept a de-  
4 clarative statement described in section 4 or the presen-  
5 tation of alternative evidence, including the following:

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

8           (2) A merchant's statement (credit card, deliv-  
9 ery notice, or first class mail) with the name and ad-  
10 dress of the individual.

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

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

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

16          (6) A mortgage payment booklet or other mort-  
17 gage documents.

18          (7) Property title or mobile home certificate of  
19 title.

20          (8) Real estate property tax receipts.

21          (9) A school registration containing the address  
22 of self, child, or children.

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

1           (11) Medical records that list the name and ad-  
2           dress of the individual.

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

5           (13) Any other documentation, certification,  
6           identification, or proof of occupancy or ownership  
7           not included on this list that can reasonably link the  
8           individual requesting assistance to the damaged  
9           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           declarative statement that an applicant for assist-  
16           ance under this Act may use to self-certify their eli-  
17           gibility for assistance under this Act.

18           (2) PROHIBITION OF NOTARIZATION.—The Ad-  
19           ministrator may not require a declarative statement  
20           submitted under this Act to be notarized.

21           (3) EVIDENCE SUPPORTING DECLARATIVE  
22           STATEMENTS.—A declarative statement submitted  
23           under this Act shall not require evidence beyond the  
24           scope of section 3(d).

1       (b) EXEMPTIONS.—A declarative statement sub-  
2       mitted under this Act is exempted from publication notice,  
3       public comment periods, and agency information collection  
4       review and approval by the Office of Management and  
5       Budget required by chapter 35 of title 44, United States  
6       Code (commonly known as the “Paperwork Reduction  
7       Act”).

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

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

14           (1) make the form declarative statement cre-  
15           ated under paragraph (1) available in Spanish and  
16           English at all active Disaster Recovery Centers; and

17           (2) publish in English, Spanish, and any other  
18           locally predominant languages on the website and  
19           social media of the Agency the form declarative  
20           statement created under paragraph (1) and instruc-  
21           tions on how applicants can reopen or seek further  
22           appeal of relevant determinations.

23      (e) PAST DISASTERS.—For applicants of assistance  
24      provided under this Act with respect to any major disaster  
25      declared by the President under section 401 of the Robert

1 T. Stafford Disaster Relief and Emergency Assistance Act  
2 (42 U.S.C. 5170) occurring in 2017 or 2018, the Adminis-  
3 trator shall provide an applicant not less than 180 days  
4 to submit a declarative statement under this Act to reopen  
5 or appeal a case after the applicant has received notice  
6 of the right to do so.

7 **SEC. 5. FEMA DHAP AGREEMENTS.**

8 (a) 2017 AND 2018 DISASTERS.—Not later than 60  
9 days after the date of enactment of this Act, the Adminis-  
10 trator shall enter into an interagency agreement or agree-  
11 ments with the Secretary of Housing and Urban Develop-  
12 ment as may be necessary to ensure the implementation  
13 of a Disaster Housing Assistance Program under section  
14 408 of the Robert T. Stafford Disaster Relief and Emer-  
15 gency Assistance Act (42 U.S.C. 5174) to provide tem-  
16 porary rental assistance to individuals and households dis-  
17 placed from their residences by any major disaster de-  
18 clared by the President under section 401 of such Act (42  
19 U.S.C. 5170) during 2017 and 2018 (including Hurricane  
20 Maria of 2017), including individuals and households eligi-  
21 ble for such assistance under section 3(a) of this Act.

22 (b) FUTURE DISASTERS.—In the case of any major  
23 disaster declared by the President under section 401 of  
24 the Robert T. Stafford Disaster Relief and Emergency As-  
25 sistance Act (42 U.S.C. 5170) on or after the date of en-

1 actment of this Act, not later than 60 days after a declara-  
2 tion of the major disaster, the Administrator and the Sec-  
3 retary of Housing and Urban Development shall engage  
4 in consultations regarding the implementation of a Dis-  
5 aster Housing Assistance Program under section 408 of  
6 the Robert T. Stafford Disaster Relief and Emergency As-  
7 sistance Act (42 U.S.C. 5174) to provide temporary rental  
8 assistance to individuals and households displaced from  
9 their residences by the major disaster, including individ-  
10 uals and households eligible for such assistance under sec-  
11 tion 3(a) of this Act.

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