

118TH CONGRESS
1ST SESSION

H. R. 5324

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

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 1, 2023

Mr. ESPAILLAT (for himself, Mrs. GONZÁLEZ-COLÓN, Mr. CARTER of Louisiana, Ms. TOKUDA, Mr. MOYLAN, and Mr. CARSON) 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”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

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

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.**

7 (a) EVIDENCE.—

8 (1) CONSIDERATION.—Where an individual or
9 household does not have documented ownership
10 rights in their predisaster primary residence, in
11 making a determination to provide assistance pursu-
12 ant to paragraphs (2) and (3) of section 408(c) of
13 the Robert T. Stafford Disaster Relief and Emer-
14 gency Assistance Act (42 U.S.C. 5174(c)), the Presi-
15 dent shall consider an individual or household claim
16 to having constructive ownership where evidence
17 supports that it is more likely than not the indi-
18 vidual or household has such ownership.

19 (2) FORMS OF EVIDENCE.—In determining
20 whether it is more likely than not that an individual
21 or household has constructive ownership under para-
22 graph (1), the Administrator shall consider all evi-
23 dence provided by an individual or household, includ-
24 ing the following:

1 (A) The deed or title for the applicable
2 property.

3 (B) A mortgage payment booklet or an-
4 other mortgage document.

5 (C) Property title of mobile home certifi-
6 cate of title.

7 (D) A real estate property tax receipt.

8 (E) A will and testament with the name
9 and address of the individual that conveys the
10 individual is the owner.

11 (F) In a State that does not require a will
12 and testament for the transfer of immovable
13 property, a death certificate and birth certifi-
14 cate that establishes an automatic transfer of
15 legal ownership.

16 (G) Any other documentation, certification,
17 identification, or proof of occupancy or owner-
18 ship not included on this list that can reason-
19 ably link the individual requesting assistance to
20 the applicable property, as determined by the
21 President.

22 (3) DECLARATIVE STATEMENT.—

23 (A) IN GENERAL.—Where evidence of con-
24 structive ownership is not sufficient, the Admin-
25 istrator may require the individual or household

1 to provide a declarative statement, signed under
2 penalty of perjury, that describes why the indi-
3 vidual or household is the constructive owner of
4 the property.

5 (B) PROHIBITION OF NOTARIZATION.—The
6 Administrator may not require notarization of a
7 declarative statement submitted under this
8 paragraph.

9 (b) DEFINITION OF CONSTRUCTIVE OWNERSHIP.—
10 In this section, the term “constructive ownership” means
11 that an individual’s or household’s residence is owner-oc-
12 cupied, as determined by the Administrator, the purposes
13 of section 408 of the Robert T. Stafford Disaster Relief
14 and Emergency Assistance Act (42 U.S.C. 5174).

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

18 **SEC. 4. REPAIR AND REBUILDING.**

19 (a) HOUSING ASSISTANCE.—Section 408(b)(1) of the
20 Robert T. Stafford Disaster Relief and Emergency Assist-
21 ance Act (42 U.S.C. 5174(b)(1)) is amended—

22 (1) by striking “rendered uninhabitable” and
23 inserting “damaged by a major disaster”; and

1 (2) by striking “uninhabitable, as a result of
2 damage caused by a major disaster” and inserting
3 “damaged by a major disaster”.

4 (b) TYPES OF HOUSING ASSISTANCE.—Section
5 408(c)(4) of the Robert T. Stafford Disaster Relief and
6 Emergency Assistance Act (42 U.S.C. 5174) is amended
7 by striking “in cases in which” and all that follows
8 through the end of the paragraph and inserting “if the
9 President determines such assistance is a cost effective al-
10 ternative to other housing solutions, including the costs
11 associated with temporary housing provided under this
12 section.”.

13 (c) PROVISION OF GRANTS AS PILOT PROGRAM.—
14 Section 408(f)(3)(J) of the Robert T. Stafford Disaster
15 Relief and Emergency Assistance Act (42 U.S.C.
16 5174(f)(3)(J)) is amended—

17 (1) in clause (ii) by striking “Not later than 2
18 years after the date of enactment of this paragraph,
19 the Administrator” and inserting “The Adminis-
20 trator”; and

21 (2) in clause (iii)—

22 (A) by striking “2 years after the date of
23 enactment of this paragraph or”; and

24 (B) by striking “, whichever occurs soon-
25 er”.

1 (d) APPLICABILITY.—This section and the amend-
2 ments made by this section shall only apply to—

3 (1) applications received on or after the date of
4 enactment of this Act; and

5 (2) amounts appropriated on or after the date
6 of enactment of this Act.

7 **SEC. 5. 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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