117TH CONGRESS
2D SESSION

H. R. 8416

To improve individual assistance provided by the Federal Emergency Management Agency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. introduced the following bill; which was referred to the Committee on

A BILL

To improve individual assistance provided by the Federal Emergency Management Agency, 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; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the “Disaster Survivors Fairness Act of 2022”.

(b) Table of Contents.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Information sharing for Federal agencies.
Sec. 3. Universal application for individual assistance.
Sec. 4. Repair and rebuilding.
Sec. 5. Direct assistance.
Sec. 6. State-managed housing pilot authority.
Sec. 7. Management costs.
Sec. 8. Post-disaster housing study.
Sec. 9. Funding for online guides for post-disaster assistance.
Sec. 10. Individual assistance dashboard.
Sec. 11. FEMA reports.
Sec. 12. Sheltering of emergency response personnel.
Sec. 13. Duplication of benefits.
Sec. 14. GAO report on preliminary damage assessments.
Sec. 15. Applicability.

(c) DEFINITIONS.—Except as otherwise provided, the terms used in this Act have the meanings given such terms in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

SEC. 2. INFORMATION SHARING FOR FEDERAL AGENCIES.

(a) ESTABLISHMENT OF ELECTRONIC INFORMATION SHARING SYSTEM.—

(1) IN GENERAL.—The Administrator of the Federal Emergency Management Agency shall establish and maintain a web-based interagency electronic information sharing system, to be known as “DisasterAssistance.gov”, to—

(A) facilitate the administration of the universal application for Federal disaster assistance established under section 3;

(B) carry out the purposes of disaster assistance programs swiftly, efficiently, equitably, and in accordance with applicable laws, regulations, and the privacy and data protections provided under this section; and
(C) detect, prevent, and investigate waste, fraud, abuse, or discrimination in the administration of disaster assistance programs.

(2) AUTHORITIES OF ADMINISTRATOR.—In establishing and maintaining the electronic information sharing system under this subsection, the Administrator may collect and maintain disaster assistance information received from a disaster assistance agency and share such information with any other disaster assistance agency using such electronic information sharing system.

(b) DATA SECURITY.—The Administrator may facilitate the collection of disaster assistance information into the electronic information sharing system established under this section only after the following requirements have been met:

(1) The Secretary of Commerce certifies that the electronic information sharing system substantially complies with the data security standards and best practices of the National Institute of Standards and Technology.

(2) The Secretary of Homeland Security publishes a privacy impact assessment for the electronic information sharing system, in accordance with sec-

(3) The Administrator publishes standard rules of behavior for disaster assistance agencies and personnel granted access to disaster assistance information to protect such information from improper disclosure.

(c) Collection and Sharing of Additional Records and Information.—

(1) In general.—The Administrator may authorize the collection, sharing, and use of additional disaster assistance information by publishing a notice on DisasterAssistance.gov that includes a detailed description of—

(A) the specific amendments to the collection, maintenance, and sharing of disaster assistance information authorized;

(B) why each such amendment to how disaster assistance information is collected, maintained, or shared is necessary to carry out the purposes of a disaster assistance program and consistent with the fair information practice principles; and

(C) the disaster assistance agencies that will be granted access to the additional informa-
tion to carry out the purposes of any disaster assistance program.

(2) Notice and publication requirements.—The publication of a notice under paragraph (1) of a revision to the DisasterAssistance.gov system of records prior to any new collection, or uses, of Privacy Act categories of records, to carry out the purposes of a disaster assistance program with regard to a disaster declared by the President under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170; 5191), shall be deemed to satisfy the notice and publication requirements of section 552a(e)(4) of title 5, United States Code, for the 90-day period beginning on the date on which the publication under paragraph (1) is made.

(3) Waiver of information collection requirements.—

(A) In general.—Upon the declaration of a major disaster or emergency pursuant to sections 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170; 5191), the President may direct the Administrator to waive the requirements of subchapter I of chapter 35 of title 44, United
States Code, with respect to voluntary collection of information for the duration of such major disaster or emergency.

(B) TRANSPARENCY.—Upon exercising the waiver authority under subparagraph (A), the Administrator shall—

(i) promptly post on a website of the Federal Emergency Management Agency a brief justification for such waiver, the anticipated period of time such waiver will be in effect, and the agencies and offices within the Federal Emergency Management Agency to which such waiver shall apply; and

(ii) update the information relating to such waiver, as applicable.

(d) USE BY OTHER FEDERAL AGENCIES.—

(1) IN GENERAL.—The Administrator may permit a Federal agency other than the disaster assistance agencies listed in subparagraphs (A) through (C) of subsection (f)(2) to use the electronic information sharing system established under this section for the purpose of facilitating disaster-related assistance if such agency enters into an agreement containing the terms described in paragraph (2).
(2) AGENCY AGREEMENT.—An agreement between the Administrator and another Federal agency to use the electronic information sharing system established under this subsection shall contain the following terms:

(A) The Federal agency shall—

(i) collect, share, maintain, and use disaster assistance information only as provided under this section and in substantial compliance with the data security standards and best practices of the National Institute of Standards and Technology; and

(ii) train any personnel granted access to disaster assistance information on the rules of behavior established by the Administrator under subsection (b)(3).

(B) In the event of any unauthorized disclosure of disaster assistance information, the Federal agency shall—

(i) notify the Administrator within 24 hours of discovering any such unauthorized disclosure;

(ii) cooperate fully with the Administrator in the investigation and remediation of any such disclosure;
(iii) cooperate fully in the prosecution of a person responsible for such disclosure; and

(iv) assume the responsibility for any compensation, civil liability, or other remediation measures, whether awarded by a judgment of a court or agreed as a compromise of any potential claims by or on behalf of an applicant, including by obtaining credit monitoring and remediation services, for an improper disclosure that is—

(I) caused, directly or indirectly, by the acts or omissions of officers, employees, and contractors of the agency; or

(II) from any electronic system of records that is created or maintained by the agency pursuant to section 552a(e) of title 5, United States Code.

(3) PUBLICATION OF AGENCY AGREEMENT.—

The Administrator shall publish an agency agreement entered into under this subsection on the same
website as the electronic information sharing system established under this section.

(c) RULE OF CONSTRUCTION.—The sharing of disaster assistance information that is subject to the requirements of section 552a of title 5, United States Code, by disaster assistance agencies shall not—

(1) be construed as a matching program for purposes of section 552a(a)(8) of such title; or

(2) be subject to the remaining computer matching provisions of section 552a of such title.

(f) DEFINITIONS.—In this section:

(1) APPLICANT.—The term “applicant” means—

(A) a person who applies for disaster assistance from a disaster assistance program; and

(B) a person on whose behalf a person described in subparagraph (A) has applied for disaster assistance.

(2) DISASTER ASSISTANCE AGENCY.—The term “disaster assistance agency” means—

(A) the Federal Emergency Management Agency;

(B) the Department of Housing and Urban Development;
(C) the Small Business Administration;

and

(D) any other Federal agency that the Administrator permits to use the electronic information sharing system under subsection (d).

(3) DISASTER ASSISTANCE INFORMATION.—The term “disaster assistance information” includes any personal, biographical, geographical, and financial information that a disaster assistance agency is authorized to collect, maintain, share, or use to process an application for disaster assistance or otherwise carry out a disaster assistance program.

(4) DISASTER ASSISTANCE PROGRAM.—The term “disaster assistance program” means—

(A) any program that provides assistance to individuals and households under title IV or title V of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.); and

(B) any other assistance program carried out by a disaster assistance agency that provides assistance to an individual, household, or organization related to a major disaster or emergency declared under sections 401 or 501 of such Act, including—
(i) disaster assistance, long-term disaster recovery, post-disaster restoration of infrastructure and housing, post-disaster economic revitalization, and pre-disaster mitigation under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.);

(ii) any loan that is authorized under section 7(b) of the Small Business Act (15 U.S.C. 636(b)); and

(iii) the distribution of food benefit allotments as authorized under section 412 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5179) and section 5(h) of the Food Stamp Act of 1977 (7 U.S.C. 2014(h)).

SEC. 3. UNIVERSAL APPLICATION FOR INDIVIDUAL ASSISTANCE.

(a) UNIVERSAL APPLICATION.—The Administrator of the Federal Emergency Management Agency shall develop and establish a universal application for Federal disaster assistance for individuals in areas impacted by emergencies or disasters.

(b) CONSULTATION AND SUPPORT.—
(1) CONSULTATION.—In carrying out this section, the Administrator shall consult with the following:

(A) The Director of the Office of Management and Budget.

(B) The Administrator of the Small Business Administration.

(C) The Secretary of Housing and Urban Development.

(D) The Secretary of Agriculture.

(2) SUPPORT.—The entities described in paragraph (1) shall provide prompt support to the Administrator.

(e) SURVEY.—The application established under subsection (a) shall include a voluntary survey to collect the demographic data of an applicant.

SEC. 4. REPAIR AND REBUILDING.

(a) IN GENERAL.—Section 408(b)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(b)(1)) is amended—

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

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


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

(1) in subsection (c) by adding at the end the following:

“(5) HAZARD MITIGATION.—

“(A) IN GENERAL.—The President may provide financial assistance to individuals and households, whose primary residence, utilities, or residential infrastructure are damaged by a major disaster, for cost-effective hazard mitigation measures that reduce threats to life and property, or future damage to such residence, utilities, or infrastructure in future disasters.

“(B) RELATIONSHIP TO OTHER ASSISTANCE.—A recipient of assistance provided under this paragraph shall not be required to show that the assistance can be met through other means, except insurance proceeds.”; and

(2) in subsection (h)—

(A) in paragraph (1) by inserting “, financial assistance for hazard mitigation under subsection (e)(5)(A),” after “subsection (e)(1)(A)(i)”; and

(B) by adding at the end the following:
“(5) Hazard Mitigation.—The maximum financial assistance any individual or household may receive under subsection (c)(5) shall be equivalent to the amount set forth in paragraph (1) with respect to a single major disaster.”.

SEC. 5. DIRECT ASSISTANCE.

(a) In General.—Section 408(e) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(e)) is further amended by striking paragraph (2) and inserting the following:

“(2) Repairs.—

“(A) Financial Assistance for Repairs.—The President may provide financial assistance for the repair of owner-occupied private residences, utilities, and residential infrastructure (such as a private access route) damaged by a major disaster, or with respect to individuals with disabilities, rendered inaccessible by a major disaster.

“(B) Direct Assistance for Repairs.—

“(i) In General.—The President may provide direct assistance to individuals and households who are unable to make use of financial assistance under subpara-
graph (A) and when there is a lack of available resources, for—

“(I) the repair of owner-occupied private residences, utilities, and residential infrastructure (such as a private access route) damaged by a major disaster, or with respect to individuals with disabilities, rendered inaccessible by a disaster; and

“(II) eligible hazard mitigation measures that reduce the likelihood and future damage to such residences, utilities, and infrastructure.

“(ii) ELIGIBILITY.—A recipient of assistance under this subparagraph shall not be eligible for assistance under paragraph (1), unless otherwise determined by the Administrator.

“(C) RELATIONSHIP TO OTHER ASSISTANCE.—A recipient of assistance provided under this paragraph shall not be required to show that the assistance can be met through other means, except insurance proceeds.”.

(b) STATE- OR INDIAN TRIBAL GOVERNMENT-ADMINISTERED ASSISTANCE AND OTHER NEEDS ASSIST-
ANCE.—Section 408(f) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(f)) is amended—

(1) by striking “subsections (c)(1)(B), (c)(4), and (e)” each place it appears and inserting “paragraphs (1)(B), (2)(B), and (4) of subsection (c) and subsection (e)”;

(2) in paragraph (3)(A) by striking “subsection (e)(1)(B), (e)(4), or (e)” and inserting “paragraph (1)(B), (2)(B), or (4) of subsection (c) or subsection (e)”.

SEC. 6. STATE-MANAGED HOUSING PILOT AUTHORITY.

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

(1) in subsection (f)(3)—

(A) by striking subparagraph (F);

(B) by redesignating subparagraphs (G), (H), (I), and (J) as subparagraphs (F), (G), (H), and (I), respectively; and

(C) in subparagraph (I), as so redesignated—

(i) in clause (ii) by striking “Not later than 2 years after the date of enactment
of this paragraph, the” and inserting “The”; and

(ii) in clause (iii) by striking—

(I) “2 years after the date of enactment of this paragraph or” and

(II) “, whichever occurs sooner”;

and

(2) in subsection (g)—

(A) in paragraph (1) by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”; and

(B) by adding at the end the following:

“(3) DISASTER ASSISTANCE.—In the case of assistance provided under subsections (e)(1)(B), (e)(2)(B), and (e)(4), the Federal share shall be not less than 75 percent.”.

SEC. 7. MANAGEMENT COSTS.

Section 324(b)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165b(b)(2)(C)) is amended by adding at the end the following:

“(C) INDIVIDUAL ASSISTANCE.—A grantee under section 408(f) may be reimbursed not more than 12 percent of the total award amount under each such section.
“(D) Crisis Counseling Assistance, Training, and Case Management Services.—A grantee and subgrantee, cumulatively, may be reimbursed not more than 15 percent of the total amount of the grant award under either section 416 or 426.”.

SEC. 8. POST-DISASTER HOUSING STUDY.

(a) In General.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall—

(1) conduct a study and develop a plan under which the Agency will address the challenges associated with providing housing assistance to survivors of major disasters or emergencies, including circumstances in which—

(A) the presence of multiple families within a single household; and

(B) the near loss of a community, with the majority of homes destroyed in such community, with discrete assessments on flood, wildfire, and earthquake events; and

(2) make recommendations for legislative changes needed to address the challenges described in paragraph (1).
(b) REPORT TO CONGRESS.—Upon completion of the activities carried out under subsection (a), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report containing the study and recommendations required under subsection (a).

SEC. 9. FUNDING FOR ONLINE GUIDES FOR POST-DISASTER ASSISTANCE.

(a) USE OF SERVICES OF OTHER AGENCIES.—Section 201(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5131(a)) is amended—

(1) in paragraph (7), by striking the period at the end and inserting ‘‘; and’’; and

(2) by adding at the end the following:

‘‘(8) post-disaster assistance.’’.

(b) FUNDING FOR ONLINE GUIDES FOR ASSISTANCE.—Section 201 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5131) is amended by adding at the end the following:

‘‘(e) FUNDING FOR ONLINE GUIDES FOR ASSISTANCE.—

“(1) IN GENERAL.—The Administrator of the Federal Emergency Management Agency may enter
into a cooperative agreement to provide funding to
a State agency established under subsection (c) to
establish and operate a website to provide informa-
tion relating to post-disaster recovery funding and
resources to a community or an individual impacted
by a major disaster or emergency.

“(2) MANAGEMENT.—A website created under
this subsection shall be—

“(A) managed by the State agency; and

“(B) suitable for the residents of the State

(3) CONTENT.—The Administrator may enter
into a cooperative agreement to establish a website
under this subsection only to provide 1 or more of
the following:

“(A) A list of Federal, State, and local
sources of post-disaster recovery funding or as-
sistance that may be available to a community
after a major disaster or emergency.

“(B) A list of Federal, State, and local
sources of post-disaster recovery funding or as-
sistance that may be available to an individual
impacted by a major disaster or emergency.

“(C) A technical guide that lists and ex-
plains the costs and benefits of alternatives
available to a community to mitigate the im-

pacts of a major disaster or emergency and pre-

pare for sequential hazards such as flooding

after a wildfire.

“(4) COOPERATION.—A State agency that en-
ters into a cooperative agreement under this sub-
section shall cooperate with the Secretary of the In-
terior, the Secretary of Agriculture, the Secretary of
Housing and Urban Development, the Administrator
of the Small Business Administration, and the Ad-
ministrator of the Federal Emergency Management
Agency in developing a website under this sub-
section.

“(5) UPDATES.—A State agency that receives
funding to establish a website under this subsection
shall update the website not less than once every 6
years.”.

SEC. 10. INDIVIDUAL ASSISTANCE DASHBOARD.

Title IV of the Robert T. Stafford Disaster Relief and
Emergency Assistance Act (42 U.S.C. 5170 et seq.) is
amended by adding at the end the following:

“SEC. 431. INDIVIDUAL ASSISTANCE DASHBOARD.

“(a) IN GENERAL.—Not later than 30 days after a
declaration by the President that a major disaster exists
under section 401, the Administrator of the Federal
Emergency Management Agency shall publish on a website of the Agency an interactive web tool displaying the following information with respect to such disaster:

“(1) The number of applications for assistance under section 408, including a description of the number of applications for assistance related to housing under such section and the number of applications for assistance to address other needs under section 408(e).

“(2) The number of applications for such assistance that are approved.

“(3) The number of applications for such assistance that are denied.

“(4) A ranked list of the reasons for the denial of such applications.

“(5) The dollar amount of assistance provided pursuant to section 408 to—

“(A) property owners; and

“(B) renters.

“(6) The estimated percentage of residential property that was destroyed as a result of the major disaster.

“(b) PERSONALLY IDENTIFIABLE INFORMATION.—

The Administrator shall ensure that none of the informa-
tion published under subsection (a) contains the personally identifiable information of an applicant.’’.

section 11. Fema Reports.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Government Affairs of the Senate a report with respect to fiscal year 2016 through the most recent fiscal year ending before the date of enactment of this Act, and an annual report for any fiscal year beginning on or after the date of enactment of this Act, describing—

(1) the average amount of individual assistance and individual and household assistance provided under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) to, and the rate of denial of individual assistance and individual and household assistance provided under such section for—

(A) all individuals;

(B) all individuals and households;

(C) individuals and households with an annual income under 75 percent of the national median household income;
(D) individuals with an annual income over
125 percent of the national median household
income; and

(E) individuals with an annual income be-
tween 75 percent and 125 percent of the na-
tional median household income; and

(2) an explanation for any factors causing an
increase in the rate of denial of the assistance de-
scribed in paragraph (1), if applicable.

SEC. 12. SHELTERING OF EMERGENCY RESPONSE PER-
SONNEL.

Section 403 of the Robert T. Stafford Disaster Relief
and Emergency Assistance Act (42 U.S.C. 5170b) is
amended by adding at the end the following:

“(e) SHELTERING OF EMERGENCY RESPONSE Per-
sonnel.—

“(1) IN GENERAL.—For any major disaster for
which the President has authorized emergency pro-
tective measures for an area within the jurisdiction
of a State, tribal, or local government, the Adminis-
trator may reimburse the State, tribal, or local gov-
ernment for costs relating to shielding emergency
response personnel, including individuals that are a
part of the same predisaster household as such per-
sonnel, in exclusive-use congregate or non-con-
aggregate settings if the Governor of the State or chief executive of the tribal or local government determines that the damage or disruption to such area is of such a magnitude as to disrupt the provision of emergency protective measures within such area.

“(2) LIMITATION OF ASSISTANCE.—

“(A) IN GENERAL.—The Administrator may only reimburse a State, tribal, or local government for the costs of sheltering emergency response personnel under paragraph (1) for such a period of time as the Administrator determines reasonable based in the individual characteristics of and impacts to the affected area, including the extent of damage, the availability of alternative housing options, the availability of utilities, and disruptions to transportation infrastructure.

“(B) MAXIMUM DURATION OF REIMBURSEMENT.—The period of reimbursement under subparagraph (A) may not exceed the 6-month period beginning on the date on which the incident period ends.

“(3) DEFINITION.—In this subsection, the term ‘emergency response personnel’ means—
“(A) employees or contracted employees providing law enforcement, fire suppression, rescue, emergency medical, or emergency communications services; and

“(B) elected officials responsible for the overseeing or directing emergency response operations or recovery activities.”.

SEC. 13. DUPLICATION OF BENEFITS.

Section 312(b)(4) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155(b)(4)) is amended by adding at the end the following:

“(D) LIMITATION ON USE OF INCOME CRITERIA.—In carrying out subparagraph (A), the President may not impose additional income criteria on a potential grant recipient who has accepted a qualified disaster loan in determining eligibility for duplications of benefit relief.”.

SEC. 14. GAO REPORT ON PRELIMINARY DAMAGE ASSESSMENTS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the practices, including the accuracy of such practices, that the Federal Emergency Management Agency uses when conducting
preliminary damage assessments for the purposes of pro-
viding assistance under section 408 of the Robert T. Staff-
ford Disaster Relief and Emergency Assistance Act (42.

(b) CONTENTS.—The Comptroller General shall in-
clude in the study conducted under subsection (a) the fol-
lowing:

(1) A comparison of the process and procedures
used by the Federal Emergency Management Agen-
cy to complete preliminary damage assessments to
the process and procedures used by private insur-
ance companies following a major disaster.

(2) A review of training provided to individuals
conducting preliminary damage assessments.

(3) A comparison of damage estimates for
homes owned by individuals above the national me-
dian income to homes owned by individuals at or
below the national median income.

SEC. 15. APPLICABILITY.

The amendments made by sections 4, 5, 7, 9, and
12 shall only apply to amounts appropriated on or after
the date of enactment of this Act.