

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2914
OFFERED BY MR. ESPAILLAT OF NEW YORK**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Housing Survivors of
3 Major Disasters Act of 2020”.

4 SEC. 2. DEFINITIONS.

5 In this Act:

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

8 (2) ADMINISTRATOR.—The term “Adminis-
9 trator” means the Administrator of FEMA.

**10 SEC. 3. ELIGIBILITY FOR AND USE OF DISASTER ASSIST-
11 ANCE.**

12 (a) FINANCIAL ASSISTANCE.—Notwithstanding any
13 other provision of law, individuals and households de-
14 scribed in subsection (c) may be eligible for assistance
15 made available under section 408 of the Robert T. Staf-
16 ford Disaster Relief and Emergency Assistance Act (42
17 U.S.C. 5174) in connection with a major disaster declared

1 by the President under section 401 of such Act (42 U.S.C.
2 5170), including Hurricane Maria of 2017.

3 (b) USE OF FUNDS.—Any assistance provided pursu-
4 ant to subsection (a) may include costs relating to obtain-
5 ing title for a property described in subsection (c)(1), in-
6 cluding the cost of land surveys and any other taxes or
7 fees associated with obtaining the title for such property.

8 (c) ELIGIBLE INDIVIDUALS OR HOUSEHOLDS.—With
9 respect to a major disaster declared by the President
10 under section 401 of the Robert T. Stafford Disaster Re-
11 lief and Emergency Assistance Act (42 U.S.C. 5170), an
12 individual or household described in this subsection is an
13 individual or household who—

14 (1) is residing on a property located in the area
15 for which the major disaster was declared but does
16 not have documented ownership rights to such prop-
17 erty and is not renting such property; or

18 (2) is or was residing in an area for which a
19 major disaster has been declared by the President
20 under section 401 of the Robert T. Stafford Disaster
21 Relief and Emergency Assistance Act (42 U.S.C.
22 5170), during the designated incident period, includ-
23 ing residing in any housing accommodation or prop-
24 erty upon which a housing accommodation is lo-
25 cated, including any living quarters, boardinghouse,

1 bunkhouse, manufactured home, mobile home, or
2 travel trailer.

3 (d) EVIDENCE.—

4 (1) CONSIDERATION.—In making a determina-
5 tion to provide assistance pursuant to this Act, the
6 Administrator shall consider a wide range of evi-
7 dence.

8 (2) ALTERNATIVE FORMS OF EVIDENCE.—In
9 determining if an individual or household is eligible
10 for assistance pursuant to this Act, the Adminis-
11 trator shall accept either a declarative statement or
12 the presentation of at least one item of alternative
13 evidence, including the following:

14 (A) A utility (including gas, electric, sewer,
15 or water) bill with the name and address of the
16 individual.

17 (B) A merchant's statement (including a
18 credit card, delivery notice, or first class mail)
19 with the name and address of the individual.

20 (C) A pay stub from an employer with the
21 name and address of the individual.

22 (D) A current driver's license or State-
23 issued identification card of the individual.

24 (E) The deed or title for the applicable
25 property.

1 (F) A mortgage payment booklet or an-
2 other mortgage document.

3 (G) Property title of mobile home certifi-
4 cate of title.

5 (H) A real estate property tax receipt.

6 (I) A school registration containing the ad-
7 dress of self, child, or children.

8 (J) A will and testament with the name
9 and address of the individual.

10 (K) Medical records that list the name and
11 address of the individual.

12 (L) A charitable donation receipt that list
13 the name and address of the individual.

14 (M) Any other documentation, certifi-
15 cation, identification, or proof of occupancy or
16 ownership not included on this list that can rea-
17 sonably link the individual requesting assistance
18 to the applicable property.

19 **SEC. 4. DECLARATIVE STATEMENT.**

20 (a) DEVELOPMENT OF DECLARATIVE STATEMENT.—

21 (1) IN GENERAL.—Not later than 30 days after
22 the date of enactment of this Act, the Administrator
23 shall create, in coordination with the appropriate au-
24 thorities of the applicable jurisdiction, and dis-
25 tribute, where necessary, a declarative statement

1 form that an applicant for assistance provided pur-
2 suant to section 3 may use to self-certify such appli-
3 cant's eligibility for assistance pursuant to this Act.

4 (2) PROHIBITION OF NOTARIZATION.—The Ad-
5 ministrator may not require the declarative state-
6 ment form created under paragraph (1) to require
7 notarization by the applicant.

8 (b) EXEMPTIONS.—A declarative statement form cre-
9 ated under subsection (a)(1) is exempt from publication
10 notice, public comment periods, and agency information
11 collection review and approval by the Office of Manage-
12 ment and Budget required by the Paperwork Reduction
13 Act (44 U.S.C. 3501 et seq.).

14 (c) GUIDANCE.—Not later than 30 days after the
15 date of enactment of this Act, the Administrator shall pro-
16 vide written notification and guidance to employees of
17 FEMA regarding the requirements of this Act.

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

20 (1) make the declarative statement form cre-
21 ated under subsection (a)(1) available in Spanish
22 and English at all active Disaster Recovery Centers;
23 and

24 (2) publish in English, Spanish, and any other
25 locally predominant languages on the website of

1 FEMA and on social media the declarative state-
2 ment form and instructions on how applicants can
3 reopen or seek further appeal of relevant determina-
4 tions.

5 (e) PAST DISASTERS.—For applicants of assistance
6 provided pursuant to section 3 since January 1, 2017, the
7 Administrator shall provide an applicant not fewer than
8 180 days to submit the declarative statement form to re-
9 open or appeal a case after such applicant has received
10 notice of the right to do so.

11 **SEC. 5. POST-DISASTER HOUSING ASSISTANCE ANALYSIS**
12 **AND REPORT.**

13 (a) ANALYSIS.—The Administrator, in coordination
14 with the Secretary of Housing and Urban Development,
15 shall conduct an analysis comparing the costs, benefits,
16 and effectiveness of assistance provided under the Disaster
17 Housing Assistance Program, including any case manage-
18 ment services provided, with other temporary housing op-
19 tions provided by the Administrator under the Robert T.
20 Stafford Disaster Relief and Emergency Assistance Act
21 (42 U.S.C. 5121 et seq.).

22 (b) PROVISION OF DATA.—The Secretary shall en-
23 sure that public housing authorities engaged in carrying
24 out the Disaster Housing Assistance Program relay data
25 concerning the extent and effectiveness of case manage-

1 ment services in transitioning individuals and households
2 toward self-sufficiency under the Program compared to
3 other alternative disaster assistance programs available
4 under the Robert T. Stafford Disaster Relief and Emer-
5 gency Assistance Act (42 U.S.C. 5121 et seq.).

6 (c) REPORT.—Not later than 180 days after the date
7 of enactment of this Act, the Administrator shall submit
8 to the Committee on Transportation and Infrastructure
9 of the House of Representatives and the Committee on
10 Homeland Security and Governmental Affairs of the Sen-
11 ate a report that contains the analysis required under sub-
12 section (a) and an analysis of the oversight mechanisms,
13 program integrity checks, and financial management
14 measures utilized in carrying out the Program compared
15 to alternative disaster housing assistance programs under
16 the Robert T. Stafford Disaster Relief and Emergency As-
17 sistance Act (42 U.S.C. 5121 et seq.).

