

115TH CONGRESS  
2D SESSION

# S. 2996

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

JUNE 5, 2018

Ms. WARREN (for herself, Mr. MARKEY, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. DURBIN, Mr. SANDERS, Mrs. GILLIBRAND, Ms. HARRIS, and Mr. CASEY) 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 Victims of  
5 Major Disasters Act of 2018”.

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 HOUSING**  
2 **ASSISTANCE.**

3 (a) ELIGIBILITY.—Notwithstanding any other provi-  
4 sion of law, individuals and households described in sub-  
5 section (c) shall be eligible for housing assistance made  
6 available under section 408 of the Robert T. Stafford Dis-  
7 aster Relief and Emergency Assistance Act (42 U.S.C.  
8 5174) in connection with a major disaster declared by the  
9 President under section 401 of such Act (42 U.S.C. 5170),  
10 including Hurricane Maria of 2017.

11 (b) USE.—In the case of any housing assistance de-  
12 scribed in subsection (a) that is made available in connec-  
13 tion with a major disaster declared by the President under  
14 section 401 of the Robert T. Stafford Disaster Relief and  
15 Emergency Assistance Act (42 U.S.C. 5170), including  
16 Hurricane Maria of 2017, the assistance may be used on  
17 behalf of an individual or household described in sub-  
18 section (c) for costs relating to obtaining title for that in-  
19 dividual or household to a property described in subsection  
20 (c)(1), which shall include the cost of land surveys and  
21 any other taxes or fees associated with transfer of the  
22 property.

23 (c) ELIGIBILITY.—

24 (1) IN GENERAL.—With respect to a major dis-  
25 aster declared by the President under section 401 of  
26 the Robert T. Stafford Disaster Relief and Emer-

1 agency Assistance Act (42 U.S.C. 5170), an indi-  
2 vidual or household described in this subsection is an  
3 individual or household who—

4 (A) is occupying an otherwise unused or  
5 uninhabited property located in the area for  
6 which the major disaster was declared but does  
7 not have documented ownership rights to and is  
8 not renting the property; or

9 (B) is renting a property located in the  
10 area for which the major disaster was declared  
11 but does not have a written lease for the rental.

12 (2) CONSIDERATION.—In making a determina-  
13 tion of whether occupancy or a rental tenancy exists  
14 for purposes of subparagraph (A) or (B) of para-  
15 graph (1), the Administrator shall consider a wide  
16 range of evidence that demonstrates the existence of  
17 the occupancy or tenancy set forth in subsection (d).

18 (d) ALTERNATIVE FORMS OF PROOF.—

19 (1) IN GENERAL.—In determining if an indi-  
20 vidual or household is eligible for housing assistance  
21 under subsection (c), the Administrator shall con-  
22 sider a sworn and notarized affidavit written by a li-  
23 censed attorney that affirms the occupancy or ten-  
24 ancy by the individual who owns, possesses, and  
25 maintains the property and the presentation of one

1 of the following documents to affirm proof of owner-  
2 ship of the individual named in the affidavit:

3 (A) A utility (gas, electric, or water) bill  
4 with the name and address of the individual.

5 (B) A merchant's statement (credit card,  
6 delivery notice, or first class mail) with the  
7 name and address of the individual.

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

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

12 (E) The deed or title for the property.

13 (F) Mortgage payment booklet or other  
14 mortgage documents.

15 (G) Property title of mobile home certifi-  
16 cate of title.

17 (H) Real estate property tax receipts.

18 (I) School registration for self, child, or  
19 children.

20 (J) Will and testament with the name and  
21 address of the individual.

22 (K) Medical records that list the name and  
23 address of the individual.

24 (L) Charitable donation receipts that list  
25 the name and address of the individual.

1 (M) Government assistance documents.

2 (N) Any other documentation, certification,  
3 identification, or proof of occupancy or owner-  
4 ship not included on this list, that can reason-  
5 ably link the individual requesting assistance to  
6 the damaged property.

7 (O) If records are unavailable due to dam-  
8 age from the major disaster or any other cir-  
9 cumstance that impedes an individual from pro-  
10 viding proof of ownership, the Administrator  
11 shall request verification from the State or Fed-  
12 eral agency with the written permission of the  
13 individual or legally authorized representative of  
14 the individual.

15 (2) ADDITIONAL REVIEW.—The Administrator  
16 shall conduct an additional review of any application  
17 for housing assistance under section 408 of the Rob-  
18 ert T. Stafford Disaster Relief and Emergency As-  
19 sistance Act (42 U.S.C. 5174) that was—

20 (A) submitted before the date of enactment  
21 of this Act; and

22 (B) denied in 2017 or 2018.

23 (3) NOTIFICATION OF EMPLOYEES.—Not later  
24 than 7 days after the date of enactment of this Act,  
25 the Administrator shall provide written notification

1 and guidance to employees of the Agency regarding  
2 the requirements set forth in this Act.

3 **SEC. 4. FEMA DHAP AGREEMENTS.**

4 (a) 2017 DISASTERS.—Not later than 15 days after  
5 the date of enactment of this Act, the Administrator shall  
6 enter into an interagency agreement or agreements with  
7 the Secretary of Housing and Urban Development as may  
8 be necessary to ensure the implementation of a Disaster  
9 Housing Assistance Program to provide temporary rental  
10 assistance to individuals and households displaced from  
11 their residences by any major disaster declared by the  
12 President under section 401 of the Robert T. Stafford  
13 Disaster Relief and Emergency Assistance Act (42 U.S.C.  
14 5170) during 2017, including Hurricane Maria, including  
15 individuals and households eligible for such assistance  
16 under section 3(a) of this Act.

17 (b) FUTURE DISASTERS.—In the case of any major  
18 disaster declared by the President under section 401 of  
19 the Robert T. Stafford Disaster Relief and Emergency As-  
20 sistance Act (42 U.S.C. 5170) on or after the date of en-  
21 actment of this Act, not later than 60 days after that dec-  
22 laration, the Administrator and the Secretary of Housing  
23 and Urban Development shall engage in consultations re-  
24 garding the implementation of a Disaster Housing Assist-  
25 ance Program to provide temporary rental assistance to

1 individuals and households displaced from their residences  
2 by the major disaster, including individuals and house-  
3 holds eligible for such assistance under section 3(a) of this  
4 Act.

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