

111TH CONGRESS
1ST SESSION

S. 763

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act, to authorize temporary mortgage and rental payments.

IN THE SENATE OF THE UNITED STATES

APRIL 1, 2009

Mrs. FEINSTEIN introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act, to authorize temporary mortgage and rental payments.

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 “Mortgage and Rental
5 Disaster Relief Act of 2009”.

6 **SEC. 2. DISASTER RELIEF.**

7 Section 408(c) of the Robert T. Stafford Disaster Re-
8 lief and Emergency Assistance Act (42 U.S.C. 5174(c))
9 is amended by adding at the end the following:

1 “(5) TEMPORARY MORTGAGE AND RENTAL PAY-
2 MENTS.—

3 “(A) DEFINITIONS.—In this paragraph—

4 “(i) the term ‘adjusted gross income’
5 means the adjusted gross income (as that
6 term is defined in section 62 of the Inter-
7 nal Revenue Code of 1986) of the relevant
8 individual or household for the last taxable
9 year that such individual or household filed
10 a tax return; and

11 “(ii) the term ‘financial hardship
12 caused by a major disaster’ means that an
13 individual or member of a household—

14 “(I) is employed by a business, or
15 owns a business, located in the area
16 for which the President declared the
17 relevant major disaster;

18 “(II) became unemployed, or lost
19 significant income, because the em-
20 ployer or business of that individual
21 or member of a household has or, on
22 the day before the date of the relevant
23 major disaster, had a significant busi-
24 ness relationship with a business lo-
25 cated in the area for which the Presi-

1 dent declared the relevant major dis-
2 aster; or

3 “(III) resides in the area for
4 which the President declared the rel-
5 evant major disaster and has suffered
6 financially due to travel restrictions or
7 station or road closures in effect after
8 the date of that major disaster.

9 “(B) AUTHORIZATION.—In accordance
10 with this paragraph, the President may provide
11 assistance on a temporary basis in the form of
12 mortgage or rental payments to or on behalf of
13 individuals and households who, as a result of
14 financial hardship caused by a major disaster,
15 have received written notice of dispossession or
16 eviction from a residence by reason of a fore-
17 closure of any mortgage or lien, cancellation of
18 any contract of sale, or termination of any
19 lease, entered into before such major disaster.

20 “(C) ELIGIBILITY.—

21 “(i) INCOME.—

22 “(I) IN GENERAL.—Except as
23 provided in subclause (II), an indi-
24 vidual or household may receive as-
25 sistance under this paragraph if the

1 adjusted gross income of that indi-
2 vidual or household was not more
3 than \$75,000.

4 “(II) AREAS WITH A HIGH COST
5 OF LIVING.—An individual or house-
6 hold that, on the day before the date
7 of the relevant major disaster, resided
8 in an area with a high cost of living,
9 as determined by the President, may
10 receive assistance under this para-
11 graph if the adjusted gross income of
12 that individual or household was not
13 more than \$100,000.

14 “(ii) ADJUSTMENT.—The President
15 shall adjust the limits established under
16 clause (i) annually to reflect inflation.

17 “(D) PERIOD OF ASSISTANCE.—Assistance
18 under this paragraph shall be provided for the
19 duration of the period of financial hardship
20 caused by a major disaster, not to exceed 18
21 months.

22 “(E) PROCEDURES.—

23 “(i) IN GENERAL.—An individual or
24 household seeking assistance under this
25 paragraph shall submit an application in

1 such manner and accompanied by such in-
2 formation as the President shall establish,
3 which shall include a requirement that
4 such an individual or household sign a
5 statement indicating that individual or
6 household meets the eligibility require-
7 ments under subparagraph (C).

8 “(ii) LACK OF RECORDS.—If an indi-
9 vidual or household does not have access to
10 records necessary to demonstrate eligibility
11 under subparagraph (C), that individual or
12 household shall submit such records not
13 later than 6 months after the date that in-
14 dividual or household applies for assistance
15 under this paragraph.

16 “(iii) INELIGIBLE RECIPIENTS.—If an
17 individual or household receives assistance
18 under this paragraph and was not eligible
19 to receive such assistance, that individual
20 or household shall return the full amount
21 of that assistance to the Government.”.

22 **SEC. 3. APPLICABILITY.**

23 The amendment made by this Act shall apply to any
24 major disaster (as that term is defined in section 102 of
25 the Robert T. Stafford Disaster Relief and Emergency As-

1 sistance Act (42 U.S.C. 5122)) declared on or after Octo-
2 ber 21, 2007.

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