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 “Administrator” 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. Staff-
16 ford Disaster Relief and Emergency Assistance Act (42
17 U.S.C. 5174) in connection with a major disaster declared
by the President under section 401 of such Act (42 U.S.C. 5170), including Hurricane Maria of 2017.

(b) USE OF FUNDS.—Any assistance provided pursuant to subsection (a) may include costs relating to obtaining title for a property described in subsection (c)(1), including the cost of land surveys and any other taxes or fees associated with obtaining the title for such property.

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

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

(2) is or was residing in an area for which a major disaster has been declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), during the designated incident period, including residing in any housing accommodation or property upon which a housing accommodation is located, including any living quarters, boardinghouse,
bunkhouse, manufactured home, mobile home, or travel trailer.

(d) **Evidence.—**

(1) Consideration.—In making a determination to provide assistance pursuant to this Act, the Administrator shall consider a wide range of evidence.

(2) Alternative forms of evidence.—In determining if an individual or household is eligible for assistance pursuant to this Act, the Administrator shall accept either a declarative statement or the presentation of at least one item of alternative evidence, including the following:

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

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

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

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

(E) The deed or title for the applicable property.
(F) A mortgage payment booklet or another mortgage document.

(G) Property title of mobile home certificate of title.

(H) A real estate property tax receipt.

(I) A school registration containing the address of self, child, or children.

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

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

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

(M) Any other documentation, certification, identification, or proof of occupancy or ownership not included on this list that can reasonably link the individual requesting assistance to the applicable property.

SEC. 4. DECLARATIVE STATEMENT.

(a) DEVELOPMENT OF DECLARATIVE STATEMENT.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Administrator shall create, in coordination with the appropriate authorities of the applicable jurisdiction, and distribute, where necessary, a declarative statement
form that an applicant for assistance provided pursuant to section 3 may use to self-certify such applicant’s eligibility for assistance pursuant to this Act.

(2) Prohibition of Notarization.—The Administrator may not require the declarative statement form created under paragraph (1) to require notarization by the applicant.

(b) Exemptions.—A declarative statement form created under subsection (a)(1) is exempt from publication notice, public comment periods, and agency information collection review and approval by the Office of Management and Budget required by the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

(e) Guidance.—Not later than 30 days after the date of enactment of this Act, the Administrator shall provide written notification and guidance to employees of FEMA regarding the requirements of this Act.

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

(1) make the declarative statement form created under subsection (a)(1) available in Spanish and English at all active Disaster Recovery Centers; and

(2) publish in English, Spanish, and any other locally predominant languages on the website of
FEMA and on social media the declarative statement form and instructions on how applicants can reopen or seek further appeal of relevant determinations.

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

SEC. 5. POST-DISASTER HOUSING ASSISTANCE ANALYSIS AND REPORT.

(a) ANALYSIS.—The Administrator, in coordination with the Secretary of Housing and Urban Development, shall conduct an analysis comparing the costs, benefits, and effectiveness of assistance provided under the Disaster Housing Assistance Program, including any case management services provided, with other temporary housing options provided by the Administrator under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(b) PROVISION OF DATA.—The Secretary shall ensure that public housing authorities engaged in carrying out the Disaster Housing Assistance Program relay data concerning the extent and effectiveness of case manage-
ment services in transitioning individuals and households toward self-sufficiency under the Program compared to other alternative disaster assistance programs available under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, 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 that contains the analysis required under subsection (a) and an analysis of the oversight mechanisms, program integrity checks, and financial management measures utilized in carrying out the Program compared to alternative disaster housing assistance programs under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).