

119TH CONGRESS
1ST SESSION

H. R. 426

To make available necessary disaster assistance for families affected by major disasters, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 15, 2025

Mr. ESPAILLAT (for himself and Mrs. KIM) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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 Survivors of
5 Major Disasters Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

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

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

5 **SEC. 3. ELIGIBILITY FOR AND USE OF DISASTER ASSIST-**
6 **ANCE.**

7 (a) EVIDENCE.—

8 (1) CONSIDERATION.—Where an individual or
9 household does not have documented ownership
10 rights in their predisaster primary residence, in
11 making a determination to provide assistance pursu-
12 ant to paragraphs (2) and (3) of section 408(c) of
13 the Robert T. Stafford Disaster Relief and Emer-
14 gency Assistance Act (42 U.S.C. 5174(c)), the Presi-
15 dent shall consider an individual or household claim
16 to having constructive ownership where evidence
17 supports that it is more likely than not the indi-
18 vidual or household has such ownership.

19 (2) FORMS OF EVIDENCE.—In determining
20 whether it is more likely than not that an individual
21 or household has constructive ownership under para-
22 graph (1), the Administrator shall consider all evi-
23 dence provided by an individual or household, includ-
24 ing a digital or physical copy of the following:

1 (A) The deed or title for the applicable
2 property.

3 (B) A mortgage payment booklet or an-
4 other mortgage document.

5 (C) Property title of mobile home certifi-
6 cate of title.

7 (D) A real estate property tax receipt.

8 (E) A will and testament with the name
9 and address of the individual that conveys the
10 individual is the owner.

11 (F) In a State that does not require a will
12 and testament for the transfer of immovable
13 property, a death certificate and birth certifi-
14 cate that establishes an automatic transfer of
15 legal ownership.

16 (G) Homeowners insurance documentation.

17 (H) Home Purchase Contracts, including,
18 but not limited to, Bill of Sale, Bond for Title,
19 Land Installment Contracts.

20 (I) Receipts of major repairs or mainte-
21 nance dated within five years prior to the dis-
22 aster.

23 (J) Court Documents.

1 (K) Letter prepared after the disaster
2 from a mobile home park owner or manager or
3 public office that meets FEMA requirements.

4 (L) Notice of Federal benefits.

5 (M) Student loan documentation.

6 (N) Any other documentation, certification,
7 identification, or proof of occupancy or owner-
8 ship not included on this list that can reason-
9 ably link the individual requesting assistance to
10 the applicable property, as determined by the
11 President.

12 (3) DECLARATIVE STATEMENT.—

13 (A) IN GENERAL.—Where evidence of con-
14 structive ownership is not sufficient, the Admin-
15 istrator may require the individual or household
16 to provide a declarative statement, signed under
17 penalty of perjury, that describes why the indi-
18 vidual or household is the constructive owner of
19 the property.

20 (B) PROHIBITION OF NOTARIZATION.—The
21 Administrator may not require notarization of a
22 declarative statement submitted under this
23 paragraph.

24 (b) DEFINITION OF CONSTRUCTIVE OWNERSHIP.—

25 In this section, the term “constructive ownership” means

1 that an individual's or household's residence is owner-oc-
2 cupied, as determined by the Administrator, the purposes
3 of section 408 of the Robert T. Stafford Disaster Relief
4 and Emergency Assistance Act (42 U.S.C. 5174).

5 (c) APPLICABILITY.—This section shall apply to
6 funds appropriated on or after the date of enactment of
7 this Act.

8 **SEC. 4. REPAIR AND REBUILDING.**

9 (a) HOUSING ASSISTANCE.—Section 408(b)(1) of the
10 Robert T. Stafford Disaster Relief and Emergency Assist-
11 ance Act (42 U.S.C. 5174(b)(1)) is amended—

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

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

17 (b) TYPES OF HOUSING ASSISTANCE.—Section
18 408(c)(4) of the Robert T. Stafford Disaster Relief and
19 Emergency Assistance Act (42 U.S.C. 5174) is amended
20 by striking “in cases in which” and all that follows
21 through the end of the paragraph and inserting “if the
22 President determines such assistance is a cost effective al-
23 ternative to other housing solutions, including the costs
24 associated with temporary housing provided under this
25 section.”.

1 (c) PROVISION OF GRANTS AS PILOT PROGRAM.—
2 Section 408(f)(3)(J) of the Robert T. Stafford Disaster
3 Relief and Emergency Assistance Act (42 U.S.C.
4 5174(f)(3)(J)) is amended—

5 (1) in clause (ii) by striking “Not later than 2
6 years after the date of enactment of this paragraph,
7 the Administrator” and inserting “The Adminis-
8 trator”; and

9 (2) in clause (iii)—

10 (A) by striking “2 years after the date of
11 enactment of this paragraph or”; and

12 (B) by striking “, whichever occurs soon-
13 er”.

14 (d) APPLICABILITY.—This section and the amend-
15 ments made by this section shall only apply to—

16 (1) applications received on or after the date of
17 enactment of this Act; and

18 (2) amounts appropriated on or after the date
19 of enactment of this Act.

20 **SEC. 5. DETERMINATION OF BUDGETARY EFFECTS.**

21 The budgetary effects of this Act, for the purpose of
22 complying with the Statutory Pay-As-You-Go Act of 2010,
23 shall be determined by reference to the latest statement
24 titled “Budgetary Effects of PAYGO Legislation” for this
25 Act, submitted for printing in the Congressional Record

1 by the Chairman of the House Budget Committee, pro-
2 vided that such statement has been submitted prior to the
3 vote on passage.

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