

Calendar No. 741

118TH CONGRESS
2D SESSION**S. 5067****[Report No. 118–321]**

To improve individual assistance provided by the Federal Emergency Management Agency, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 17, 2024

Mr. PETERS (for himself, Mr. TILLIS, Mr. LANKFORD, and Mr. WELCH) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

DECEMBER 19 (legislative day, DECEMBER 16), 2024

Reported by Mr. PETERS, with amendments

[Omit the parts struck through and insert the parts printed in *italic*]**A BILL**

To improve individual assistance provided by the Federal Emergency Management Agency, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Disaster Survivors Fairness Act of 2024”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Repair and rebuilding.
- Sec. 3. Direct assistance.
- Sec. 4. State-managed housing pilot authority.
- Sec. 5. Management costs.
- Sec. 6. Funding for online guides for post-disaster assistance.
- Sec. 7. Individual assistance dashboard.
- Sec. 8. FEMA reports.
- Sec. 9. Sheltering of emergency response personnel.
- Sec. 10. Improved rental assistance.
- Sec. 11. GAO report on preliminary damage assessments.
- Sec. 12. Applicability.
- Sec. 13. GAO report to Congress on challenges under public assistance alternative procedures.

3 (c) DEFINITIONS.—Except as otherwise provided, the
 4 terms used in this Act have the meanings given such terms
 5 in section 102 of the Robert T. Stafford Disaster Relief
 6 and Emergency Assistance Act (42 U.S.C. 5122).

7 **SEC. 2. REPAIR AND REBUILDING.**

8 Section 408 of the Robert T. Stafford Disaster Relief
 9 and Emergency Assistance Act (42 U.S.C. 5174) is
 10 amended—

11 (1) in subsection (c), by adding at the end the
 12 following:

13 “(5) HAZARD MITIGATION.—

14 “(A) IN GENERAL.—The President may
 15 provide financial assistance to an individual or
 16 household whose primary residence, utility, or
 17 residential infrastructure is damaged by a
 18 major disaster for cost-effective hazard mitiga-
 19 tion measures that reduce, in future disasters—

1 “(i) threats to life and property; or

2 “(ii) future damage to such residence,
3 utility, or infrastructure.

4 “(B) RELATIONSHIP TO OTHER ASSIST-
5 ANCE.—A recipient of assistance provided
6 under this paragraph shall not be required to
7 show that the assistance can be met through
8 other means, except insurance proceeds.”; and
9 (2) in subsection (h)—

10 (A) in paragraph (1), by inserting “, finan-
11 cial assistance for hazard mitigation under sub-
12 section (c)(5)(A),” after “subsection
13 (c)(1)(A)(i)”;

14 (B) in paragraph (3), by striking “para-
15 graphs (1) and (2)” and inserting “paragraphs
16 (1), (2), and (5)”;

17 (C) by adding at the end the following:

18 “(5) HAZARD MITIGATION.—The maximum fi-
19 nancial assistance any individual or household may
20 receive under subsection (c)(5) shall be equivalent to
21 the amount set forth in paragraph (1) with respect
22 to a single major disaster.”.

23 **SEC. 3. DIRECT ASSISTANCE.**

24 (a) IN GENERAL.—Section 408(c) of the Robert T.
25 Stafford Disaster Relief and Emergency Assistance Act

1 (42 U.S.C. 5174(c)), as amended by section 2 of this Act,
2 is further amended by striking paragraph (2) and insert-
3 ing the following:

4 “(2) REPAIRS.—

5 “(A) FINANCIAL ASSISTANCE FOR RE-
6 PAIRS.—The President may provide financial
7 assistance for the repair of owner-occupied pri-
8 vate residences, utilities, and residential infra-
9 structure (such as a private access route) dam-
10 aged by a major disaster, or with respect to in-
11 dividuals with disabilities, rendered inaccessible
12 by a major disaster.

13 “(B) DIRECT ASSISTANCE FOR REPAIRS.—

14 “(i) IN GENERAL.—The President
15 may provide direct assistance to individuals
16 and households who are unable to make
17 use of financial assistance under subpara-
18 graph (A) and when there is a lack of
19 available resources, for—

20 “(I) the repair of owner-occupied
21 private residences, utilities, and resi-
22 dential infrastructure (such as a pri-
23 vate access route) damaged by a
24 major disaster, or with respect to indi-

1 viduals with disabilities, rendered in-
2 accessible by a disaster; and

3 “(II) eligible hazard mitigation
4 measures that reduce the likelihood
5 and future damage to such residences,
6 utilities, and infrastructure.

7 “(ii) ELIGIBILITY.—A recipient of as-
8 sistance under this subparagraph shall not
9 be eligible for assistance under paragraph
10 (1), unless otherwise determined by the
11 President.

12 “(C) RELATIONSHIP TO OTHER ASSIST-
13 ANCE.—A recipient of assistance provided
14 under this paragraph shall not be required to
15 show that the assistance can be met through
16 other means, except insurance proceeds.”.

17 (b) STATE- OR INDIAN TRIBAL GOVERNMENT-AD-
18 MINISTERED ASSISTANCE AND OTHER NEEDS ASSIST-
19 ANCE.—Section 408(f) of the Robert T. Stafford Disaster
20 Relief and Emergency Assistance Act (42 U.S.C. 5174(f))
21 is amended—

22 (1) by striking “subsections (c)(1)(B), (c)(4),
23 and (e)” each place it appears and inserting “para-
24 graphs (1)(B), (2)(B), and (4) of subsection (c) and
25 subsection (e)”;

1 (2) in paragraph (3)(A) by striking “subsection
2 (c)(1)(B), (c)(4), or (e)” and inserting “paragraph
3 (1)(B), (2)(B), or (4) of subsection (c) or subsection
4 (e)”.

5 **SEC. 4. STATE-MANAGED HOUSING PILOT AUTHORITY.**

6 (a) IN GENERAL.—Section 408 of the Robert T.
7 Stafford Disaster Relief and Emergency Assistance Act
8 (42 U.S.C. 5174) is amended—

9 (1) in subsection (f)(3)—

10 (A) in subparagraph (A)—

11 (i) by striking “A State” and insert-
12 ing the following:

13 “(i) IN GENERAL.—A State”; and

14 (ii) by adding at the end the fol-
15 lowing:

16 “(ii) TRANSPARENCY.—The President
17 shall make public the criteria used to
18 evaluate applications under clause (i) and
19 determine if a State or Indian tribal gov-
20 ernment meets the criteria described in
21 subparagraph (B) to administer grants de-
22 scribed in paragraph (1)(A).”;

23 (B) in subparagraph (C)(ii)—

24 (i) in subclause (I), by striking “;
25 and” and inserting a semicolon;

1 (ii) in subclause (II), by striking the
2 period at the end and inserting a semi-
3 colon; and

4 (iii) by adding at the end the fol-
5 lowing:

6 “(III) outline the approach of the
7 State or Indian tribal government to
8 help disaster survivors create a per-
9 manent housing plan; and

10 “(IV) outline the approach of the
11 State or Indian tribal government to
12 provide individual disaster survivors
13 some choice of communities and prop-
14 erties, as practicable.”;

15 (C) by striking subparagraph (F);

16 (D) by redesignating subparagraphs (G),
17 (H), (I), and (J) as subparagraphs (F), (G),
18 (H), and (I), respectively; and

19 (E) in subparagraph (I), as so redesi-
20 gnated—

21 (i) in clause (ii), by striking “Not
22 later than 2 years after the date of enact-
23 ment of this paragraph, the” and inserting
24 “The”; and

1 (ii) in clause (iii), by striking “2
2 years” and inserting “10 years”; and

3 (2) in subsection (g)—

4 (A) in paragraph (1), by striking “para-
5 graph (2)” and inserting “paragraphs (2) and
6 (3)”; and

7 (B) by adding at the end the following:

8 “(3) DISASTER ASSISTANCE.—In the case of as-
9 sistance provided under paragraph (1)(B), (2)(B), or
10 (4) of subsection (c), the Federal share shall be not
11 less than 75 percent.”.

12 (b) GAO ASSESSMENT.—Upon the expiration of the
13 authority to carry out section 408(f) of the Robert T.
14 Stafford Disaster Relief and Emergency Assistance Act
15 (42 U.S.C. 5174(f)) as a pilot program, the Comptroller
16 General of the United States shall issue a report on the
17 effectiveness, successes, and challenges of any pilot pro-
18 gram carried out pursuant to such section and make rec-
19 ommendations on how to improve the provision of assist-
20 ance under such section.

21 **SEC. 5. MANAGEMENT COSTS.**

22 (a) IN GENERAL.—Section 324(b)(2) of the Robert
23 T. Stafford Disaster Relief and Emergency Assistance Act
24 (42 U.S.C. 5165b(b)(2)) is amended by adding at the end
25 the following:

1 “(C) INDIVIDUAL ASSISTANCE.—A grantee
2 under section 408(f) may be reimbursed not
3 more than 12 percent of the total award
4 amount under such section.”.

5 (b) ADMINISTRATIVE COSTS.—Section 408(f)(1) of
6 the Robert T. Stafford Disaster Relief and Emergency As-
7 sistance Act (42 U.S.C. 5174 *(f)(1)*), as amended by sec-
8 tion 3(b) of this Act, is further amended—

9 (1) *in the paragraph heading*, by striking “(A)
10 GRANT TO STATE.—” “ASSISTANCE” and all that fol-
11 lows through “subsection (g),” and inserting “Sub-
12 ject to subsection (g),” “ASSISTANCE.— *Subject to*
13 *subsection (g)*,”; and

14 (2) by striking subparagraph (B).

15 **SEC. 6. FUNDING FOR ONLINE GUIDES FOR POST-DISASTER**
16 **ASSISTANCE.**

17 (a) USE OF SERVICES OF OTHER AGENCIES.—Sec-
18 tion 201(a) of the Robert T. Stafford Disaster Relief and
19 Emergency Assistance Act (42 U.S.C. 5131(a)) is amend-
20 ed—

21 (1) in paragraph (7), by striking the period at
22 the end and inserting “; and”; and

23 (2) by adding at the end the following:

24 “(8) post-disaster assistance.”.

1 (b) GRANTS FOR ONLINE GUIDES FOR ASSIST-
2 ANCE.—Section 201 of the Robert T. Stafford Disaster
3 Relief and Emergency Assistance Act (42 U.S.C. 5131)
4 is amended by adding at the end the following:

5 “(e) FUNDING FOR ONLINE GUIDES FOR ASSIST-
6 ANCE.—

7 “(1) IN GENERAL.—The Administrator of the
8 Federal Emergency Management Agency may pro-
9 vide funding to a State agency established under
10 subsection (c) to establish, update, or operate a
11 website to provide information relating to post-dis-
12 aster recovery funding and resources to a community
13 or an individual impacted by a major disaster or
14 emergency.

15 “(2) MANAGEMENT.—A website established, up-
16 dated, or operated under this subsection shall be—

17 “(A) managed by the State agency to
18 which funding is provided under paragraph (1);
19 and

20 “(B) suitable for the residents of the State
21 of the State agency.

22 “(3) CONTENT.—The Administrator may pro-
23 vide funding to a State agency under this subsection
24 to establish a website that contains only 1 or more
25 of the following:

1 “(A) A list of Federal, State, and local
2 sources of post-disaster recovery funding or as-
3 sistance that may be available to a community
4 after a major disaster or emergency.

5 “(B) A list of Federal, State, and local
6 sources of post-disaster recovery funding or as-
7 sistance that may be available to an individual
8 impacted by a major disaster or emergency.

9 “(C) A technical guide that lists and ex-
10 plains the costs and benefits of alternatives
11 available to a community to mitigate the im-
12 pacts of a major disaster or emergency and pre-
13 pare for sequential hazards, such as flooding
14 after a wildfire.

15 “(4) COOPERATION.—A State agency that re-
16 ceives funding under this subsection shall cooperate
17 with the Secretary of the Interior, the Secretary of
18 Agriculture, the Secretary of Housing and Urban
19 Development, the Administrator of the Small Busi-
20 ness Administration, and the Administrator of the
21 Federal Emergency Management Agency in estab-
22 lishing, updating, or operating a website under this
23 subsection.

24 “(5) UPDATES.—A State agency that receives
25 funding to establish, update, or operate a website

1 under this subsection shall update the website not
2 less than once every 6 months.

3 “(6) TERMINATION OF AUTHORITY.—The au-
4 thority provided under this subsection shall termi-
5 nate 1 year after the first date on which appropria-
6 tions are made on or after the date of enactment of
7 this subsection to carry out this subsection.”.

8 **SEC. 7. INDIVIDUAL ASSISTANCE DASHBOARD.**

9 Title IV of the Robert T. Stafford Disaster Relief and
10 Emergency Assistance Act (42 U.S.C. 5170 et seq.) is
11 amended by adding at the end the following:

12 **“SEC. 431. INDIVIDUAL ASSISTANCE DASHBOARD.**

13 “(a) IN GENERAL.—Not later than 90 days after a
14 declaration by the President that a major disaster exists
15 under section 401, the Administrator of the Federal
16 Emergency Management Agency shall publish on a
17 website of the Agency an interactive web tool displaying
18 the following information with respect to such major dis-
19 aster:

20 “(1) The number of applications for assistance
21 under section 408, including a description of the
22 number of applications for assistance related to
23 housing under such section and the number of appli-
24 cations for assistance to address other needs under
25 section 408(e).

1 “(2) The number of applications for such as-
2 sistance that are approved.

3 “(3) The number of applications for such as-
4 sistance that are denied.

5 “(4) A ranked list of the reasons for the denial
6 of such applications, including the number of appli-
7 cations for each reason for denial.

8 “(5) If available, the dollar amount of assist-
9 ance provided pursuant to section 408 to applicants
10 who are—

11 “(A) property owners with a household an-
12 nual income—

13 “(i) above the national median house-
14 hold income; and

15 “(ii) below the national median house-
16 hold income; and

17 “(B) renters with a household annual in-
18 come—

19 “(i) above the national median house-
20 hold income; and

21 “(ii) below the national median house-
22 hold income.

23 “(6) The estimated percentage of residential
24 property that was destroyed as a result of the major
25 disaster, if available.

1 “(7) Any other information that the Adminis-
2 trator of the Federal Emergency Management Agen-
3 cy determines to be relevant.

4 “(b) PERSONALLY IDENTIFIABLE INFORMATION.—
5 The Administrator of the Federal Emergency Manage-
6 ment Agency shall ensure that none of the information
7 published under subsection (a) contains the personally
8 identifiable information of an applicant.”.

9 **SEC. 8. FEMA REPORTS.**

10 (a) IN GENERAL.—Not later than 180 days after the
11 date of enactment of this Act, and annually thereafter,
12 the Administrator of the Federal Emergency Management
13 Agency shall submit to the Committee on Transportation
14 and Infrastructure of the House of Representatives and
15 the Committee on Homeland Security and Governmental
16 Affairs of the Senate a report that includes, with respect
17 to the most recent fiscal year—

18 (1) the average amount of individual assistance
19 and individual and household assistance provided
20 under section 408 of the Robert T. Stafford Disaster
21 Relief and Emergency Assistance Act (42 U.S.C.
22 5174) to, and the rate of denial of individual assist-
23 ance and individual and household assistance pro-
24 vided under such section for—

25 (A) all individuals;

1 (B) households;

2 (C) individuals and households with a re-
3 ported annual income under 75 percent of the
4 national median household income;

5 (D) individuals with a reported annual in-
6 come over 125 percent of the national median
7 household income; and

8 (E) individuals with a reported annual in-
9 come between 75 percent and 125 percent of
10 the national median household income; and

11 (2) an explanation for any factors causing an
12 increase in the rate of denial of the assistance de-
13 scribed in paragraph (1), if applicable.

14 (b) INFORMATION REQUIRED.—In the report sub-
15 mitted under subsection (a), the Administrator shall de-
16 scribe the number of homeowners and the number of rent-
17 ers for each category of individuals and households de-
18 scribed in subparagraphs (C) through (E) of subsection
19 (a)(1).

20 (c) FIRST REPORT.—The first report required to be
21 submitted under subsection (a) after the date of enact-
22 ment of this Act shall include the information required
23 under this section with respect to fiscal year 2016 and
24 each fiscal year thereafter through the most recent fiscal
25 year ending before the date of enactment of this Act.

1 **SEC. 9. SHELTERING OF EMERGENCY RESPONSE PER-**
2 **SONNEL.**

3 Section 403 of the Robert T. Stafford Disaster Relief
4 and Emergency Assistance Act (42 U.S.C. 5170b) is
5 amended by adding at the end the following:

6 “(e) SHELTERING OF EMERGENCY RESPONSE PER-
7 SONNEL.—

8 “(1) IN GENERAL.—For any major disaster for
9 which the President has authorized emergency pro-
10 tective measures for an area within the jurisdiction
11 of a State, Indian tribal government, or local govern-
12 ment, the Administrator *of the Federal Emergency*
13 *Management Agency (referred to in this subsection as*
14 *the ‘Administrator’)* may reimburse the State, Indian
15 tribal government, or local government for costs re-
16 lating to sheltering emergency response personnel,
17 including individuals that are a part of the same
18 predisaster household as such personnel, in exclu-
19 sive-use congregate or non-congregate settings if the
20 Governor of the State or chief executive of the In-
21 dian tribal government or local government deter-
22 mines that the damage or disruption to such area is
23 of such a magnitude as to disrupt the provision of
24 emergency protective measures within such area.

25 “(2) LIMITATION OF ASSISTANCE.—

1 “(A) IN GENERAL.—The Administrator
2 may only reimburse a State, Indian tribal gov-
3 ernment, or local government for the costs of
4 sheltering emergency response personnel under
5 paragraph (1) for such a period of time as the
6 Administrator determines reasonable based on
7 the individual characteristics of and impacts to
8 the affected area, including the extent of dam-
9 age, the availability of alternative housing op-
10 tions, the availability of utilities, and disrup-
11 tions to transportation infrastructure.

12 “(B) MAXIMUM DURATION OF REIMBURSE-
13 MENT.—The period of reimbursement under
14 subparagraph (A) may not exceed the 6-month
15 period beginning on the date on which the inci-
16 dent period ends.

17 “(3) DEFINITION.—In this subsection, the term
18 ‘emergency response personnel’ means—

19 “(A) employees or contracted employees
20 providing law enforcement, fire suppression,
21 rescue, emergency medical, emergency manage-
22 ment, or emergency communications services;
23 and

24 “(B) elected officials, except ~~members~~
25 *Members* of Congress, responsible for the over-

1 seeing or directing emergency response oper-
2 ations or recovery activities.”.

3 **SEC. 10. IMPROVED RENTAL ASSISTANCE.**

4 (a) IN GENERAL.—Section 408(c)(1)(A)(ii) of the
5 Robert T. Stafford Disaster Relief and Emergency Assist-
6 ance Act (42 U.S.C. 5174(c)(1)(A)(ii)) is amended by in-
7 serting “, including local post-disaster rent increases,”
8 after “accommodation provided”.

9 (b) STUDY.—Not later than 1 year after the date of
10 enactment of this Act, the Administrator of the Federal
11 Emergency Management Agency, in consultation with ap-
12 propriate Federal entities and stakeholders involved in dis-
13 aster housing, shall conduct a study to examine the unique
14 challenges of renters when seeking Federal disaster assist-
15 ance and any disparities of assistance provided to home-
16 owners and renters pursuant to section 408 of the Robert
17 T. Stafford Disaster Relief and Emergency Assistance Act
18 (42 U.S.C. 5174) and develop a plan that addresses any
19 identified challenges and disparities, including any rec-
20 ommendations for legislative action.

21 (c) REPORT TO CONGRESS.—Upon completion of the
22 activities carried out under subsection (b), the Adminis-
23 trator of the Federal Emergency Management Agency
24 shall submit to the Committee on Transportation and In-
25 frastructure, the Committee on Financial Services, and

1 the Committee on Small Business of the House of Rep-
2 resentatives and the Committee on Homeland Security
3 and Governmental Affairs of the Senate a report con-
4 taining the study and recommendations required under
5 subsection (b).

6 **SEC. 11. GAO REPORT ON PRELIMINARY DAMAGE ASSESS-**
7 **MENTS.**

8 (a) IN GENERAL.—The Comptroller General of the
9 United States shall conduct a study on the practices, in-
10 cluding the accuracy of such practices, that the Federal
11 Emergency Management Agency uses when conducting
12 preliminary damage assessments for the purposes of pro-
13 viding assistance under section 408 of the Robert T. Staf-
14 ford Disaster Relief and Emergency Assistance Act (42
15 U.S.C. 5174).

16 (b) CONTENTS.—The Comptroller General of the
17 United States shall include in the study conducted under
18 subsection (a) the following:

19 (1) A comparison of the process and procedures
20 used by the Federal Emergency Management Agen-
21 cy to complete preliminary damage assessments to
22 the process and procedures used by private insur-
23 ance companies following a major disaster.

24 (2) A review of training provided to individuals
25 conducting preliminary damage assessments.

1 (3) A comparison of damage estimates for
2 homes owned by individuals above the national me-
3 dian income to homes owned by individuals at or
4 below the national median income.

5 **SEC. 12. APPLICABILITY.**

6 The amendments made by sections 2, 3, 5, 6, and
7 9 shall only apply to amounts appropriated on or after
8 the date of enactment of this Act.

9 **SEC. 13. GAO REPORT TO CONGRESS ON CHALLENGES**
10 **UNDER PUBLIC ASSISTANCE ALTERNATIVE**
11 **PROCEDURES.**

12 (a) IN GENERAL.—The Comptroller General of the
13 United States shall conduct a study on the challenges to
14 States and territories of the United States in obtaining
15 assistance under section 428 of the Robert T. Stafford
16 Disaster Relief and Emergency Assistance Act (42 U.S.C.
17 5189f).

18 (b) CONTENTS.—In conducting the study described
19 in subsection (a), the Comptroller General of the United
20 States shall study the challenges for assistance described
21 in subsection (a) faced by the following:

22 (1) Rural areas, as such term is defined in sec-
23 tion 423(d)(4) of the Robert T. Stafford Disaster
24 Relief and Emergency Assistance Act (42 U.S.C.
25 5189a(d)(4)).

1 (2) Small impoverished communities, as such
2 term is defined in section 203(a) of the Robert T.
3 Stafford Disaster Relief and Emergency Assistance
4 Act (42 U.S.C. 5133(a)).

5 (3) Other communities, areas, or individuals
6 that the Comptroller General determines pertinent.

7 (c) REPORT TO CONGRESS.—Not later than 1 year
8 after the date of enactment of this Act, the Comptroller
9 General of the United States shall submit to Congress a
10 report describing the results of the study required under
11 subsection (a).

Calendar No. 741

118TH CONGRESS
2^D SESSION

S. 5067

[Report No. 118-321]

A BILL

To improve individual assistance provided by the Federal Emergency Management Agency, and for other purposes.

DECEMBER 19 (legislative day, DECEMBER 16), 2024
Reported with amendments