

118TH CONGRESS
1ST SESSION

H. R. 5626

To require rulemaking by the Administrator of the Federal Emergency Management Agency to address considerations in evaluating the need for public and individual disaster assistance, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 21, 2023

Mr. BOST introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To require rulemaking by the Administrator of the Federal Emergency Management Agency to address considerations in evaluating the need for public and individual disaster assistance, 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 “Rural Disaster Dec-

5 laration Fairness Act”.

6 **SEC. 2. REGULATORY ACTION REQUIRED.**

7 (a) IN GENERAL.—Not later than 120 days after the

8 date of enactment of this Act, the Administrator of the

1 Federal Emergency Management Agency (in this Act re-
2 ferred to as the “Administrator” and “FEMA”, respec-
3 tively) shall amend the rules of the Administrator under
4 section 206.48 of title 44, Code of Federal Regulations,
5 as in effect on the date of enactment of this Act, in accord-
6 ance with the provisions of this Act.

7 (b) NEW CRITERIA REQUIRED.—The amended rules
8 issued under subsection (a) shall provide for the following:

9 (1) PUBLIC ASSISTANCE PROGRAM.—Such rules
10 shall provide that, with respect to the evaluation of
11 the need for public assistance, FEMA shall consider
12 the economic circumstances of the local economy of
13 the affected area, including factors such as the local
14 assessable tax base and local sales tax, the median
15 income, and the poverty rate.

16 (2) INDIVIDUAL ASSISTANCE PROGRAM.—Such
17 rules shall provide that, with respect to the evalua-
18 tion of the severity, magnitude, and impact of the
19 disaster and the evaluation of the need for assist-
20 ance to individuals, FEMA shall consider the eco-
21 nomic circumstances of the affected area, including
22 factors such as the local assessable tax base and
23 local sales tax, the median income, and the poverty
24 rate.

1 (c) EFFECTIVE DATE.—The amended rules issued
2 under subsection (a) shall apply to any disaster for which
3 a Governor requested a major disaster declaration under
4 the Robert T. Stafford Disaster Relief and Emergency As-
5 sistance Act (42 U.S.C. 5121 et seq.) and was denied on
6 or after January 1, 2012.

7 (d) COST SHARING.—Section 406(b) of the Robert
8 T. Stafford Disaster Relief and Emergency Assistance Act
9 (42 U.S.C. 5172) is amended by striking paragraph (1)
10 and inserting the following:

11 “(1) MINIMUM NON-FEDERAL SHARE.—The
12 non-Federal share of assistance under this section
13 shall be not less than 10 percent of the eligible cost
14 of repair, restoration, reconstruction, or replacement
15 carried out under this section.”.

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