

118TH CONGRESS  
2D SESSION

# S. 5067

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

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 17, 2024

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

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## 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”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for  
7 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.

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

5 **SEC. 2. REPAIR AND REBUILDING.**

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

9           (1) in subsection (c), by adding at the end the  
 10 following:

11           “(5) HAZARD MITIGATION.—

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

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

19           “(ii) future damage to such residence,  
 20 utility, or infrastructure.

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

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

11          (B) in paragraph (3), by striking “para-  
 12          graphs (1) and (2)” and inserting “paragraphs  
 13          (1), (2), and (5)”;

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

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

20 **SEC. 3. DIRECT ASSISTANCE.**

21          (a) IN GENERAL.—Section 408(c) of the Robert T.  
 22          Stafford Disaster Relief and Emergency Assistance Act  
 23          (42 U.S.C. 5174(c)), as amended by section 2 of this Act,  
 24          is further amended by striking paragraph (2) and insert-  
 25          ing the following:

1 “(2) REPAIRS.—

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

10 “(B) DIRECT ASSISTANCE FOR REPAIRS.—

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

17 “(I) the repair of owner-occupied  
18 private residences, utilities, and resi-  
19 dential infrastructure (such as a pri-  
20 vate access route) damaged by a  
21 major disaster, or with respect to indi-  
22 viduals with disabilities, rendered in-  
23 accessible by a disaster; and

24 “(II) eligible hazard mitigation  
25 measures that reduce the likelihood

1 and future damage to such residences,  
2 utilities, and infrastructure.

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

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

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

18 (1) by striking “subsections (c)(1)(B), (c)(4),  
19 and (e)” each place it appears and inserting “para-  
20 graphs (1)(B), (2)(B), and (4) of subsection (c) and  
21 subsection (e)”;

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

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

2 (a) IN GENERAL.—Section 408 of the Robert T.  
3 Stafford Disaster Relief and Emergency Assistance Act  
4 (42 U.S.C. 5174) is amended—

5 (1) in subsection (f)(3)—

6 (A) in subparagraph (A)—

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

9 “(i) IN GENERAL.—A State”; and

10 (ii) by adding at the end the fol-  
11 lowing:

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

19 (B) in subparagraph (C)(ii)—

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

22 (ii) in subclause (II), by striking the  
23 period at the end and inserting a semi-  
24 colon; and

25 (iii) by adding at the end the fol-  
26 lowing:

1 “(III) outline the approach of the  
 2 State or Indian tribal government to  
 3 help disaster survivors create a per-  
 4 manent housing plan; and

5 “(IV) outline the approach of the  
 6 State or Indian tribal government to  
 7 provide individual disaster survivors  
 8 some choice of communities and prop-  
 9 erties, as practicable.”;

10 (C) by striking subparagraph (F);

11 (D) by redesignating subparagraphs (G),  
 12 (H), (I), and (J) as subparagraphs (F), (G),  
 13 (H), and (I), respectively; and

14 (E) in subparagraph (I), as so redesign-  
 15 nated—

16 (i) in clause (ii) by striking “Not later  
 17 than 2 years after the date of enactment  
 18 of this paragraph, the” and inserting  
 19 “The”; and

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

22 (2) in subsection (g)—

23 (A) in paragraph (1), by striking “para-  
 24 graph (2)” and inserting “paragraphs (2) and  
 25 (3)”; and

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

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

6 (b) GAO ASSESSMENT.—Upon the expiration of the  
7 authority to carry out section 408(f) of the Robert T.  
8 Stafford Disaster Relief and Emergency Assistance Act  
9 (42 U.S.C. 5174(f)) as a pilot program, the Comptroller  
10 General of the United States shall issue a report on the  
11 effectiveness, successes, and challenges of any pilot pro-  
12 gram carried out pursuant to such section and make rec-  
13 ommendations on how to improve the provision of assist-  
14 ance under such section.

15 **SEC. 5. MANAGEMENT COSTS.**

16 (a) IN GENERAL.—Section 324(b)(2) of the Robert  
17 T. Stafford Disaster Relief and Emergency Assistance Act  
18 (42 U.S.C. 5165b(b)(2)) is amended by adding at the end  
19 the following:

20 “(C) INDIVIDUAL ASSISTANCE.—A grantee  
21 under section 408(f) may be reimbursed not  
22 more than 12 percent of the total award  
23 amount under such section.”.

24 (b) ADMINISTRATIVE COSTS.—Section 408(f)(1) of  
25 the Robert T. Stafford Disaster Relief and Emergency As-



1 sistance Act (42 U.S.C. 5174), as amended by section 3(b)  
2 of this Act, is further amended—

3 (1) by striking “(A) GRANT TO STATE.—” and  
4 all that follows through “subsection (g),” and insert-  
5 ing “Subject to subsection (g),”; and

6 (2) by striking subparagraph (B).

7 **SEC. 6. FUNDING FOR ONLINE GUIDES FOR POST-DISASTER**  
8 **ASSISTANCE.**

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

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

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

16 “(8) post-disaster assistance.”.

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

21 “(e) FUNDING FOR ONLINE GUIDES FOR ASSIST-  
22 ANCE.—

23 “(1) IN GENERAL.—The Administrator of the  
24 Federal Emergency Management Agency may pro-  
25 vide funding to a State agency established under

1 subsection (c) to establish, update, or operate a  
2 website to provide information relating to post-dis-  
3 aster recovery funding and resources to a community  
4 or an individual impacted by a major disaster or  
5 emergency.

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

8 “(A) managed by the State agency to  
9 which funding is provided under paragraph (1);

10 and

11 “(B) suitable for the residents of the State  
12 of the State agency.

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

17 “(A) A list of Federal, State, and local  
18 sources of post-disaster recovery funding or as-  
19 sistance that may be available to a community  
20 after a major disaster or emergency.

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

1           “(C) A technical guide that lists and ex-  
2           plains the costs and benefits of alternatives  
3           available to a community to mitigate the im-  
4           pacts of a major disaster or emergency and pre-  
5           pare for sequential hazards, such as flooding  
6           after a wildfire.

7           “(4) COOPERATION.—A State agency that re-  
8           ceives funding under this subsection shall cooperate  
9           with the Secretary of the Interior, the Secretary of  
10          Agriculture, the Secretary of Housing and Urban  
11          Development, the Administrator of the Small Busi-  
12          ness Administration, and the Administrator of the  
13          Federal Emergency Management Agency in estab-  
14          lishing, updating, or operating a website under this  
15          subsection.

16          “(5) UPDATES.—A State agency that receives  
17          funding to establish, update, or operate a website  
18          under this subsection shall update the website not  
19          less than once every 6 months.

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

1 **SEC. 7. INDIVIDUAL ASSISTANCE DASHBOARD.**

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

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

6 “(a) IN GENERAL.—Not later than 90 days after a  
7 declaration by the President that a major disaster exists  
8 under section 401, the Administrator of the Federal  
9 Emergency Management Agency shall publish on a  
10 website of the Agency an interactive web tool displaying  
11 the following information with respect to such major dis-  
12 aster:

13 “(1) The number of applications for assistance  
14 under section 408, including a description of the  
15 number of applications for assistance related to  
16 housing under such section and the number of appli-  
17 cations for assistance to address other needs under  
18 section 408(e).

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

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

23 “(4) A ranked list of the reasons for the denial  
24 of such applications, including the number of appli-  
25 cations for each reason for denial.

1           “(5) If available, the dollar amount of assist-  
2           ance provided pursuant to section 408 to applicants  
3           who are—

4                   “(A) property owners with a household an-  
5           nual income—

6                           “(i) above the national median house-  
7                           hold income; and

8                           “(ii) below the national median house-  
9                           hold income; and

10                   “(B) renters with a household annual in-  
11           come—

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

14                           “(ii) below the national median house-  
15                           hold income.

16           “(6) The estimated percentage of residential  
17           property that was destroyed as a result of the major  
18           disaster, if available.

19           “(7) Any other information that the Adminis-  
20           trator of the Federal Emergency Management Agen-  
21           cy determines to be relevant.

22           “(b) PERSONALLY IDENTIFIABLE INFORMATION.—

23           The Administrator of the Federal Emergency Manage-  
24           ment Agency shall ensure that none of the information

1 published under subsection (a) contains the personally  
2 identifiable information of an applicant.”.

3 **SEC. 8. FEMA REPORTS.**

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

12 (1) the average amount of individual assistance  
13 and individual and household assistance provided  
14 under section 408 of the Robert T. Stafford Disaster  
15 Relief and Emergency Assistance Act (42 U.S.C.  
16 5174) to, and the rate of denial of individual assist-  
17 ance and individual and household assistance pro-  
18 vided under such section for—

19 (A) all individuals;

20 (B) households;

21 (C) individuals and households with a re-  
22 ported annual income under 75 percent of the  
23 national median household income;

1           (D) individuals with a reported annual in-  
2           come over 125 percent of the national median  
3           household income; and

4           (E) individuals with a reported annual in-  
5           come between 75 percent and 125 percent of  
6           the national median household income; and

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

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

16          (c) FIRST REPORT.—The first report required to be  
17         submitted under subsection (a) after the date of enact-  
18         ment of this Act shall include the information required  
19         under this section with respect to fiscal year 2016 and  
20         each fiscal year thereafter through the most recent fiscal  
21         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 may reimburse the State,  
13 Indian tribal government, or local government for  
14 costs relating to sheltering emergency response per-  
15 sonnel, including individuals that are a part of the  
16 same predisaster household as such personnel, in ex-  
17 clusive-use congregate or non-congregate settings if  
18 the Governor of the State or chief executive of the  
19 Indian tribal government or local government deter-  
20 mines that the damage or disruption to such area is  
21 of such a magnitude as to disrupt the provision of  
22 emergency protective measures within such area.

23 “(2) LIMITATION OF ASSISTANCE.—

24 “(A) IN GENERAL.—The Administrator  
25 may only reimburse a State, Indian tribal gov-  
26 ernment, or local government for the costs of



1           sheltering emergency response personnel under  
2           paragraph (1) for such a period of time as the  
3           Administrator determines reasonable based on  
4           the individual characteristics of and impacts to  
5           the affected area, including the extent of dam-  
6           age, the availability of alternative housing op-  
7           tions, the availability of utilities, and disrup-  
8           tions to transportation infrastructure.

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

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

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

21               “(B) elected officials, except members of  
22               Congress, responsible for the overseeing or di-  
23               recting emergency response operations or recov-  
24               ery activities.”.

1 **SEC. 10. IMPROVED RENTAL ASSISTANCE.**

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

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

19 (c) REPORT TO CONGRESS.—Upon completion of the  
20 activities carried out under subsection (b), the Adminis-  
21 trator of the Federal Emergency Management Agency  
22 shall submit to the Committee on Transportation and In-  
23 frastructure, the Committee on Financial Services, and  
24 the Committee on Small Business of the House of Rep-  
25 resentatives and the Committee on Homeland Security  
26 and Governmental Affairs of the Senate a report con-

1 taining the study and recommendations required under  
2 subsection (b).

3 **SEC. 11. GAO REPORT ON PRELIMINARY DAMAGE ASSESS-**  
4 **MENTS.**

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

13 (b) CONTENTS.—The Comptroller General of the  
14 United States shall include in the study conducted under  
15 subsection (a) the following:

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

21 (2) A review of training provided to individuals  
22 conducting preliminary damage assessments.

23 (3) A comparison of damage estimates for  
24 homes owned by individuals above the national me-



1       Stafford Disaster Relief and Emergency Assistance  
2       Act (42 U.S.C. 5133(a)).

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

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

○