

March 1, 2022

The Honorable Chuck Schumer
Majority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
Washington, D.C. 20510

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
Washington, D.C. 20510

To Majority Leader Schumer, Speaker Pelosi, Minority Leader McConnell, and Minority Leader McCarthy:

We, the undersigned organizations, urge you to quickly enact "[Housing Survivors of Major Disasters Act](#)" (H.R.3037) introduced by Representative Espaillat (D-NY) and Senator Warren (D-MA). This legislation will help ensure that all disaster survivors receive the assistance for which they are eligible. We ask that this important, bipartisan legislation be included in any final appropriations bill or other must-pass package.

Millions of disaster survivors across the country are facing catastrophic, life-threatening, extreme weather events, including stronger hurricanes, extreme heat, unprecedented drought, and severe wildfires. However, America's lowest-income and most marginalized households are often the hardest-hit by disasters and have the fewest resources to recover afterwards. Despite the clear need, these households frequently face unnecessary and preventable barriers to accessing the resources they need to recover.

FEMA's long-standing requirement that survivors provide title documentation to prove ownership of their homes has resulted in thousands of survivors being wrongfully denied this critical assistance. Since at least 1995 until just a few months ago, this requirement barred many of the lowest-income survivors, including owners of mobile homes and other low-income homeowners who may not have updated title documentation, from receiving the assistance for which they are eligible.

This preventable barrier disproportionately harms Black, Latino, and low-income disaster survivors. It is estimated that over a third of Black-owned land in the South is passed down informally – meaning that it becomes heirs' property, a form of ownership in which families hold property without clear title. As a result, non-white residents of the region have been disproportionately denied FEMA assistance. A Washington Post [report](#) found that FEMA denied up to 35% of applicants in one Alabama county due to the lack of title documents. More than 77,000 survivors in Puerto Rico were wrongfully denied assistance by FEMA for this reason after Hurricane Maria.

Mobile home park and manufactured housing residents also experience substantial barriers that prevent access to their title documents. Residents frequently do not receive title documentation when the mobile home is delivered, and title documents are often held by mobile park owners rather than the owners of the home. Manufactured housing ownership rates are high in areas that experienced disasters in 2021 such as Alabama, California, Florida, Kentucky, Mississippi, Louisiana, Tennessee. For example, over 103,000 households in the path of Hurricane Laura live in manufactured housing.

In 2021, FEMA [announced reforms](#) to address this long-standing barrier. Under FEMA's new policy, these survivors can now self-certify ownership of their homes when they do not have other documentation, overcoming a major hurdle to recovery. FEMA will also allow all survivors to submit a broader array of documents to prove occupancy and ownership of their homes.

However, these changes would not be retroactive to survivors of past disasters and agency guidance remains murky – requiring a legislative fix. In FEMA's National Advisory Council [2021 December report](#), the council wrote that: "The actions taken by FEMA to expand the documentation requirements for home occupancy and ownership through the policy changes to the Individual Assistance Program and Policy Guide is a major step toward removing systemic barriers that disproportionately affect historically underserved and marginalized groups. These changes, however, are administrative and can easily be rolled back, modified, or completely undone by future Administrations."

The [Housing Survivors of Major Disasters Act](#) was unanimously passed by both the House Transportation and Infrastructure Committee and on the House floor. If enacted, **it will protect and expand FEMA's recent policy changes, ensuring that all survivors receive the assistance for which they are eligible by:**

- Requiring FEMA to allow survivors to use declaration statements to establish ownership of their properties when formal documents are unavailable;
- Requiring FEMA to create a standardized declaration statement that can be accepted in disaster areas across the country;
- Requiring FEMA to make declaration statements available at Disaster Recovery Centers and on FEMA's webpage for use during future disasters;
- Increasing the number and types of documents that can be used to prove residency, including utility bills, pay stubs, drivers' licenses, and school registrations; and
- Requiring FEMA to reopen and review applications for assistance that were denied in several recent major disasters because of the lack of title documentation.

Again, we urge you to support this important bipartisan legislation. By passing the "Housing Survivors of Major Disasters Act," Congress can provide meaningful relief to the millions of disaster survivors most in need.

Sincerely,

Americans for Financial Reform
Association of Programs for Rural Independent Living (APRIL)
CEER
Coalition of Community Organizations
Collaborative solutions
Consumer Action
Crisis Cleanup
EcoArts Connections
Enterprise Community Partners
Fair Share Housing Center
Hispanic Federation
Livelihoods Knowledge Exchange Network
Local Initiatives Support Corporation
Lowlander Center
Manufactured Home Institute (MHI)
National Association of Latino Community Asset Builders
National Housing Law Project
National Housing Resource Center
National Housing Resource Center
National Low Income Housing Coalition
National NeighborWorks Association
Rebuilding Together
Rural Community Assistance Corporation
SBP USA
Shannon Van Zandt, Professor of Urban Planning, Texas A&M University
SPEAK
Shimberg Center for Housing Studies
UnidosUS
World Institute on Disability

CC:

Chairman Gary Peters, Senate Committee on Homeland Security and Governmental Affairs
Ranking Member Rob Portman, Senate Committee on Homeland Security and Governmental Affairs
Chairman Peter DeFazio, House Committee on Transportation and Infrastructure
Ranking Member Sam Graves, House Committee on Transportation and Infrastructure