

# TOP PRIORITIES FOR ANY DISASTER RECOVERY PACKAGE

Congress is preparing its next disaster relief package for communities in North Carolina and South Carolina that were impacted by Hurricane Florence. At the same time, communities in Puerto Rico, Texas, Florida, and California are still recovering from the 2017 disasters.

The [Disaster Housing Recovery Coalition](#) of 800 local, state, and national organizations urges Congress to ensure that federal disaster recovery resources reach all impacted households, including those with the lowest incomes who are often the hardest-hit by disasters and have the fewest resources to recover afterwards. Below are our top priorities for Congress to include in any disaster recovery package:

## PROVIDE ROBUST DISASTER RECOVERY FUNDING AND MEANINGFUL OPPORTUNITIES FOR PUBLIC INPUT.

**Priority #1:** Provide robust resources to allow communities devastated by the recent disasters to fully recover, including funding through HUD's Community Development Block Grant Disaster Recovery (CDBG-DR) program and resources to support additional full-time disaster recovery staff at HUD. Congress should also ensure meaningful opportunities for public input by requiring a 30-day comment period on state CDBG-DR action plans as well as direct grantees to establish an ongoing process for public input as rebuilding programs and projects progress to ensure community needs are being met.

## PROVIDE HOUSING ASSISTANCE FOR PEOPLE WITH THE GREATEST NEEDS.

One of the top priorities after a disaster is ensuring that survivors have a stable, affordable place to call home while they get back on their feet. Under the Disaster Housing Assistance Program (DHAP), displaced families receive the longer-term direct rental assistance and wrap-around case management services needed to find permanent housing solutions, secure employment, and connect to public benefits. DHAP was created after hard-won lessons from Hurricane Katrina, and it has been used successfully in major storms since. DHAP has been upheld as a best practice by past [Republican](#) and [Democratic administrations](#).

DHAP was designed to help low income survivors who face significant barriers to accessing FEMA's [Transitional Shelter Assistance](#) (TSA) motel program and who need longer-term housing stability to fully recover. TSA is not well-suited for low income survivors because hotels often charge daily "resort" fees on top of FEMA reimbursements, require security deposits, or require that displaced households have credit cards – all of which are barriers to low income households who have already depleted any savings that they may have had and who are often unbanked or underbanked. TSA also relies on [arbitrary, short-term deadlines](#) – often giving survivors only a few days or hours notice – and creates burdensome hoops that families must jump through to use the program.

Without DHAP, displaced, low income families often have little choice but to double or triple up with other low income families, return to uninhabitable homes, or pay more than half of their limited incomes on rent, making it harder to meet their other basic needs. Survivors without stable, affordable homes face a higher risk of evictions and, in worst cases, homelessness. There are numerous accounts of individuals unable to access TSA after the 2017 disasters who set up "tent cities" or who later needed emergency hospital care after returning to mold-infested homes. Families were pushed into homelessness because they had no place to go.

Despite the clear need, FEMA has refused to activate DHAP, rejecting requests by Governors, dozens of members of Congress, survivors, and advocates. For more information, see NLIHC's [DHAP factsheet](#) and a [comparison of DHAP and alternative programs](#).

**Priority #2:** Direct FEMA to activate DHAP, using legislative language from S. 2996, the "[Housing Victims of Major Disasters Act of 2018](#)," introduced by Senator Elizabeth Warren (D-MA), and S.2880, the "[Disaster Housing Assistance Act](#)," introduced by Senator Bill Nelson. Alternatively, Congress should directly appropriate DHAP funds.

## REQUIRE ALL DAMAGED OR DESTROYED FEDERALLY SUBSIDIZED AFFORDABLE RENTAL HOMES TO BE REPLACED ON A ONE-FOR-ONE BASIS.

America's rental housing crisis directly impacts all states and congressional districts. Even before a disaster hits, the majority of the lowest income families living in these communities pay more than half of their limited incomes on rent, leaving few resources to help meet their other basic needs, including food, childcare, healthcare, and transportation. After past disasters, affordable housing stock is often lost and never rebuilt, exacerbating the affordable rental housing crisis in these communities and displacing low income families. Developments should be rebuilt in both high-opportunity communities outside of the flood plain with access to good schools, jobs, healthcare, and transit, and in distressed communities as part of a comprehensive revitalization plan.

**Priority #3:** Require states receiving CDBG-DR funding ensure that all damaged or destroyed federally subsidized affordable rental homes are replaced on a one-for-one basis. Congress should use legislative language from H.R. 4557, the "[Reforming Disaster Recovery Act](#)," introduced by Representative Ann Wagner (R-MO).

**Priority #4:** Provide the deeply targeted resources that states need to replace all damaged or destroyed federally subsidized affordable rental homes, including:

- **National Housing Trust Fund**, a new federal resource designed specifically address the shortage of affordable housing for people with the greatest needs;
- **HOME Investment Partnerships Program**;
- **Low Income Housing Tax Credits**, along with broadly-supported modifications to increase efficiency and flexibility and to expand the program's reach – including to the lowest income households – as included in the [Affordable Housing Credit Improvement Act](#);
- **New Markets Tax Credits**; and
- **Technical Assistance and Capacity Building**.

## ENSURE THAT FEDERAL DISASTER RECOVERY DOLLARS ARE USED EQUITABLY TO ADDRESS HOUSING AND INFRASTRUCTURE NEEDS.

Congress relies on FEMA and HUD's unmet needs assessment to determine the amount of disaster recovery funding needed to rebuild damaged and destroyed homes and infrastructure. After past disasters, however, states have used federal disaster recovery resources slated for housing recovery for other purposes. Congress has an important role to play to ensure that federal dollars are spent effectively and for the specific purpose for which they were allocated.

**Priority #5:** Require states receiving federal disaster recovery funding to allocate CDBG-DR resources equitably to address their housing and infrastructure needs, according to FEMA and HUD's assessments and other data. Congress should use legislative language from H.R. 4557, the "[Reforming Disaster Recovery Act](#)," introduced by Representative Ann Wagner (R-MO).

According to news reports, FEMA has denied Individual Assistance to an [estimated 60%](#) of Hurricane Maria survivors – twice the rate for Hurricane Harvey survivors – due largely to title issues prevalent in Puerto Rico that make it difficult for families to prove ownership of their homes. To overcome this challenge, DHRC members worked with FEMA to create an [alternative form](#) that disaster survivors could use to prove

ownership. While FEMA has accepted this form, there are [widespread problems](#) that raise serious due process concerns – the forms are not available at Disaster Recovery Centers (DRCs) or on FEMA’s website or social media, and the form was not attached to the agency’s [press release](#) announcing that the form was available. Unaware of the new form, staff at DRCs have turned away survivors. Instead of making the form available, FEMA is referring survivors to 3<sup>rd</sup> party legal aid organizations.

**Priority #6:** Direct FEMA to notify all Hurricane Maria survivors – including those who were denied assistance because of title issues – and to share with them a copy of the new form and information about how they can appeal their cases.

## **ENSURE THAT FEDERAL DISASTER RECOVERY DOLLARS ARE USED EQUITABLY TO ADDRESS THE NEEDS OF HOMEOWNERS, RENTERS, AND PEOPLE EXPERIENCING HOMELESSNESS.**

Under current law, states are not required to allocate federal disaster recovery funding to equitably address the needs of homeowners, renters, and people experiencing homelessness prior to the disaster, as identified in FEMA and HUD’s assessments and other data. As a result, after past disasters, states have diverted resources away from people with the greatest needs – including low income renters and people experiencing homelessness – to relatively higher income homeowners. In a [2010 report](#), the GAO recommended that Congress provide more direction to states in how to allocate funds from the CDBG-DR program. The report concludes, “Without specific direction on how to better target disaster-related CDBG funds for the redevelopment of homeowner and rental units after future disasters, states’ allocations of assistance to homeowners and renters may again result in significant differences in the level of assistance provided.”

**Priority #7:** Direct HUD to implement the GAO’s recommendation to provide states with specific direction on how to allocate disaster recovery dollars equitably between homeowners, renters, and people experiencing homelessness prior to the disaster, according to FEMA and HUD’s unmet needs assessment and other data. Congress should use legislative language from H.R. 4557, the [“Reforming Disaster Recovery Act,”](#) introduced by Representative Ann Wagner (R-MO).

FEMA has interpreted current law to deny assistance to people experiencing homelessness prior to the disaster, despite their exceptional needs. These individuals should have access to the same emergency shelter and disaster relief assistance as those who were renting their homes prior to the disaster.

**Priority #8:** Enact clarifying legislation to ensure that people experiencing homelessness prior to the disaster have access to the same emergency shelter and disaster relief assistance as renters, including rental assistance. Congress should also provide targeted resources – such as Continuum of Care grants – to help serve people who were experiencing homelessness prior to the disaster, whose needs are frequently overlooked.

## **SUPPORT INNOVATIVE, COST-EFFECTIVE HOUSING SOLUTIONS.**

RAPIDO was developed after Hurricane Dolly to provide displaced households with cost-effective, temporary-to-permanent housing solutions. Under RAPIDO, families have access to a core, modular home – assembled on-site – where they can live during the lengthy recovery process. During this time, the core home can be expanded to meet the long-term needs of the family. RAPIDO provides both immediate shelter and the foundation for a permanent home. It is an innovative solution that costs less than current federal practices of providing temporary shelter and then rebuilding a separate, permanent structure at a later date.

**Priority #9:** Include legislative language to allow states to use federal recovery resources to create a RAPIDO demonstration program.

## PROMOTE CONTRACTING AND JOBS FOR LOW INCOME DISASTER SURVIVORS AND BUSINESSES.

To help stimulate local economies and ensure that low income communities are built back stronger, Congress should ensure job training and employment opportunities for low income residents, as well as contract opportunities for small businesses in connection with projects and activities in their neighborhoods. Section 3 is also a tool to overcome likely labor shortages after a disaster.

**Priority #10:** Direct HUD to use Section 3 to promote job training and employment opportunities for low income residents in the recovery process. Congress should revise and improve Section 3 to make the program more impactful.

## PREPARE FOR THE NEXT DISASTER.

Rebuilding homes and infrastructure to be better prepared to withstand future disasters is plain common sense. While we cannot prevent disasters, we can decrease the risk that these disasters pose. Through planning and mitigation, communities are better able to maintain vital functions during an emergency and recover more efficiently. Congress provided mitigation funds to help communities recover from the 2017 disasters.

**Priority #11:** Provide funds specifically targeted to address mitigation strategies and ensure that all rebuilding efforts meet mandatory mitigation standards.

## AUTHORIZE LONG-TERM DISASTER RECOVERY LEGISLATION.

DHRC supports H.R. 4557, the “Reforming Disaster Recovery Act” introduced by Rep. Ann Wagner (R-MO). The bill permanently authorizes the federal government’s primary long-term disaster rebuilding program, the Community Development Block Grant Disaster Recovery (CDBG-DR) program, which provides states and communities with the flexible resources needed to rebuild affordable housing and infrastructure after a disaster. The bill also establishes important safeguards and tools to help ensure that federal disaster recovery and rebuilding efforts reach all impacted households, including those with the lowest incomes who are often the hardest-hit by disasters and have the fewest resources to recover.

**Priority #12:** Enact H.R. 4557, the “*Reforming Disaster Recovery Act*,” introduced by Representative Ann Wagner (R-MO) to permanently authorize and reform CDBG-DR.