

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3925

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.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2014

Mr. RODNEY DAVIS of Illinois (for himself, Mr. SCHOCK, Mr. SHIMKUS, Mr. KINZINGER of Illinois, Mr. ENYART, and Mrs. BUSTOS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## 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 “Fairness in Federal  
5 Disaster Declarations Act of 2014”.

1 **SEC. 2. REGULATORY ACTION REQUIRED.**

2 (a) IN GENERAL.—Not later than 120 days after the  
3 date of enactment of this Act, the Administrator of the  
4 Federal Emergency Management Agency (in this Act re-  
5 ferred to as the “Administrator” and “FEMA”, respec-  
6 tively) shall amend the rules of the Administrator under  
7 section 206.48 of title 44, Code of Federal Regulations,  
8 as in effect on the date of enactment of this Act, in accord-  
9 ance with the provisions of this Act.

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

12 (1) PUBLIC ASSISTANCE PROGRAM.—Such rules  
13 shall provide that, with respect to the evaluation of  
14 the need for public assistance—

15 (A) specific weighted valuations shall be  
16 assigned to each criterion, as follows—

17 (i) estimated cost of the assistance, 10  
18 percent;

19 (ii) localized impacts, 40 percent;

20 (iii) insurance coverage in force, 10  
21 percent;

22 (iv) hazard mitigation, 10 percent;

23 (v) recent multiple disasters, 10 per-  
24 cent;

25 (vi) programs of other Federal assist-  
26 ance, 10 percent; and

1 (vii) economic circumstances described  
2 in subparagraph (B), 10 percent; and

3 (B) FEMA shall consider the economic cir-  
4 cumstances of—

5 (i) the local economy of the affected  
6 area, including factors such as the local as-  
7 sessable tax base and local sales tax, the  
8 median income as it compares to that of  
9 the State, and the poverty rate as it com-  
10 pares to that of the State; and

11 (ii) the economy of the State, includ-  
12 ing factors such as the unemployment rate  
13 of the State, as compared to the national  
14 unemployment rate.

15 (2) INDIVIDUAL ASSISTANCE PROGRAM.—Such  
16 rules shall provide that, with respect to the evalua-  
17 tion of the severity, magnitude, and impact of the  
18 disaster and the evaluation of the need for assist-  
19 ance to individuals—

20 (A) specific weighted valuations shall be  
21 assigned to each criterion, as follows—

22 (i) concentration of damages, 20 per-  
23 cent;

24 (ii) trauma, 20 percent;

25 (iii) special populations, 20 percent;

1 (iv) voluntary agency assistance, 10  
2 percent;

3 (v) insurance, 20 percent;

4 (vi) average amount of individual as-  
5 sistance by State, 5 percent; and

6 (vii) economic considerations de-  
7 scribed in subparagraph (B), 5 percent;  
8 and

9 (B) FEMA shall consider the economic cir-  
10 cumstances of the affected area, including fac-  
11 tors such as the local assessable tax base and  
12 local sales tax, the median income as it com-  
13 pares to that of the State, and the poverty rate  
14 as it compares to that of the State.

15 (c) EFFECTIVE DATE.—The amended rules referred  
16 to in this section shall apply to any major disaster declared  
17 on or after January 1, 2013.

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