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111TH CONGRESS
1ST SESSION

S. 763

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act, to authorize temporary mortgage and rental payments.

IN THE SENATE OF THE UNITED STATES

APRIL 1, 2009

Mrs. FEINSTEIN 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 amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act, to authorize temporary mortgage and rental payments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Mortgage and Rental Disaster Relief Act of 2009''.

SEC. 2. DISASTER RELIEF.

Section 408(c) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)) is amended by adding at the end the following:

"(5) TEMPORARY MORTGAGE AND RENTAL PAYMENTS.—

"(A) DEFINITIONS.—In this paragraph—

"(i) the term 'adjusted gross income' means the adjusted gross income (as that term is defined in section 62 of the Internal Revenue Code of 1986) of the relevant individual or household for the last taxable year that such individual or household filed a tax return; and

"(ii) the term 'financial hardship caused by a major disaster' means that an individual or member of a household—

"(I) is employed by a business, or owns a business, located in the area for which the President declared the relevant major disaster;

"(II) became unemployed, or lost significant income, because the employer or business of that individual or member of a household has or, on the day before the date of the relevant major disaster, had a significant business relationship with a business located in the area for which the Presi-

dent declared the relevant major disaster; or

"(III) resides in the area for which the President declared the relevant major disaster and has suffered financially due to travel restrictions or station or road closures in effect after the date of that major disaster.

"(B) AUTHORIZATION.—In accordance with this paragraph, the President may provide assistance on a temporary basis in the form of mortgage or rental payments to or on behalf of individuals and households who, as a result of financial hardship caused by a major disaster, have received written notice of dispossession or eviction from a residence by reason of a foreclosure of any mortgage or lien, cancellation of any contract of sale, or termination of any lease, entered into before such major disaster.

"(C) ELIGIBILITY.—

"(i) INCOME.—

"(I) IN GENERAL.—Except as provided in subclause (II), an individual or household may receive assistance under this paragraph if the

adjusted gross income of that individual or household was not more than $75,000.

"(II) AREAS WITH A HIGH COST OF LIVING.—An individual or household that, on the day before the date of the relevant major disaster, resided in an area with a high cost of living, as determined by the President, may receive assistance under this paragraph if the adjusted gross income of that individual or household was not more than $100,000.

"(ii) ADJUSTMENT.—The President shall adjust the limits established under clause (i) annually to reflect inflation.

"(D) PERIOD OF ASSISTANCE.—Assistance under this paragraph shall be provided for the duration of the period of financial hardship caused by a major disaster, not to exceed 18 months.

"(E) PROCEDURES.—

"(i) IN GENERAL.—An individual or household seeking assistance under this paragraph shall submit an application in

such manner and accompanied by such information as the President shall establish, which shall include a requirement that such an individual or household sign a statement indicating that individual or household meets the eligibility requirements under subparagraph (C).

"(ii) LACK OF RECORDS.—If an individual or household does not have access to records necessary to demonstrate eligibility under subparagraph (C), that individual or household shall submit such records not later than 6 months after the date that individual or household applies for assistance under this paragraph.

"(iii) INELIGIBLE RECIPIENTS.—If an individual or household receives assistance under this paragraph and was not eligible to receive such assistance, that individual or household shall return the full amount of that assistance to the Government.".

SEC. 3. APPLICABILITY.

The amendment made by this Act shall apply to any major disaster (as that term is defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency As-

1 sistance Act (42 U.S.C. 5122)) declared on or after Octo-
2 ber 21, 2007.

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