




FEMA

MEMORANDUM FOR: Sharon Block  
Acting Administrator  
Office of Information and Regulatory Affairs  
Office of Management and Budget

THROUGH: Eric Hysen  
Chief Information Officer  
Department of Homeland Security

FROM: Tracey L. Showman   
Chief Administrative Officer  
Mission Support  
Federal Emergency Management Agency

SUBJECT: Emergency Approval Request of Revisions to Office of Management and Budget (OMB) Collection 1660-0002 Disaster Assistance Registration in Support of Verification of Disaster Assistance Occupancy and Ownership.

The Federal Emergency Management Agency (FEMA) seeks **emergency** approval from the Office of Management and Budget (OMB) to revise information collection 1660-0002 Disaster Assistance Registration to increase the types of documentation FEMA may accept from applicants for disaster assistance to demonstrate eligibility under the Individuals and Households Program (IHP). FEMA has recently become aware that current IHP requirements for verifying home ownership and occupancy pose a substantial barrier to underserved populations, including people of color and others adversely impacted by persistent poverty and inequality. These barriers often result in underserved applicants being denied for IHP assistance when they are unable to provide documentation verifying IHP eligibility within the current restrictions.

Emergency approval of the proposed revision to this collection is required to ensure FEMA is able to more equitably administer IHP assistance for the ongoing large wildfires in California and other western states as well as for major disasters that are anticipated during the peak of the Atlantic Hurricane Season. So far in 2021, 40,090 wildfires have burned 3,893,239 acres in the United States, according to the National Interagency Fire Center, with more than 100 fires currently active. Record heat conditions across the United States point to the likelihood of increased fire threat. Furthermore, the National Oceanic and Atmospheric Administration (NOAA) predicts the 2021 hurricane season will be “above normal,” with 13 to 20 named storms, six to 10 hurricanes, of which three to five will become major hurricanes.

The combination of an increase in disaster events coupled with the ongoing impacts of the COVID-19 pandemic, the increasing threat of the Delta variant, and fluctuating restrictions have impacted the timely availability of essential services. This poses additional barriers to disaster survivors by limiting their ability to obtain public and commercial records to verify their eligibility and further underscores the need for FEMA to immediately implement alternatives to traditional means of verifying disaster survivor IHP eligibility. For any disaster declared before FEMA is able to accept the increased documentation options, applicants who cannot satisfy the more limited documentation options will likely be denied assistance. This could result in the denial of assistance to thousands of survivors if a disaster strikes before this collection revision is approved.

In accordance with the Paperwork Reduction Act (PRA) and the OMB implementing regulations at 5 C.F.R. § 1320.13: (1) this information is necessary to the mission of the agency, (2) this information is necessary prior to the normal timeframes established under the PRA, (3) public harm is reasonably likely to result if normal clearance procedures are followed, and (4) unanticipated events have occurred.

As a result of the continuing COVID-19 pandemic and the newly emerged Delta variant, FEMA applicants have encountered interruptions and delays in obtaining and updating public records in public offices. Historically, the agency has utilized a combination of public and commercial validation of ownership and or occupancy. As a result, FEMA is expanding the documentation applicants can submit to FEMA to establish eligibility for disaster assistance.

FEMA requests approval to accept documentation in support of proof of ownership and or occupancy of the applicant's primary residence within OMB Collection 1660-0002 Disaster Assistance Registration in the following manner:

- Applicants are currently advised through correspondence what documentation is acceptable to provide the agency proof of ownership and or occupancy of their primary residence. The correspondence is delivered via the preferred correspondence method (electronic or postal mail) indicated by the applicant during the registration intake outlining the requested documentation.
- The applicant will also be sent a Request for Information (RFI) letter via the preferred correspondence method (electronic or postal mail) indicated by the applicant during registration intake outlining the requested documentation.

### **Mission Essential Information**

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288) (the Stafford Act), as amended, is the legal basis for FEMA to provide disaster-related financial assistance and services to individuals who apply for disaster assistance benefits in the event of a federally-declared disaster. Regulations in title 44 of the Code of Federal Regulations (CFR), Subpart D, "Federal Assistance to Individuals and Households," implement the policy and procedures set forth in section 408 of the Stafford Act, 42 U.S.C. 5174, as amended. This program provides financial assistance and, if necessary, direct assistance to eligible individuals

and households who, as a direct result of a major disaster or emergency, have uninsured or under-insured damage, necessary expenses, and serious needs which are not covered through other means. The “Other Needs Assistance” (ONA) provision of FEMA’s Individuals and Households Program (IHP) provides financial assistance to address disaster related medical, dental, funeral, childcare, personal property, transportation, and other necessary expenses or serious needs resulting from a major disaster.

Currently, applicants (both owners and renters) must be able to prove they occupied the disaster-damaged primary residence before receiving Housing Assistance (HA) and some types of Other Needs Assistance (ONA), e.g. Personal Property Assistance, Moving and Storage Assistance, and Critical Needs Assistance.

When FEMA is unable to verify an applicant’s occupancy of their disaster-damaged primary residence or ownership of their primary residence, the applicant may provide FEMA with documentation for occupancy verification, or to prove ownership, and documents had to be dated within three months prior to the disaster. To provide mission-critical flexibility to disaster survivors who will likely experience difficulty in gathering specific documents, FEMA has expanded the types of documents we will accept from applicants to verify IHP eligibility criteria and the extended acceptable date range for documents to include pre and post disaster where appropriate. For the purpose of the expanded range of documents, one year prior to the disaster means within one year prior to the start of the incident period for the declared disaster. Documents provided to FEMA with a date within the registration period must show pre-disaster usage, such as a phone or utility bill, or clearly show that the applicant or co-applicant resided at the damaged dwelling at the time of the disaster.

The information collected from one of the above documents is electronically transferred to FEMA’s official system of record, the National Emergency Management Information System (NEMIS), so the data can be stored and processed.

FEMA makes all attempts to validate ownership and or occupancy through automated public records searches after the applicant completes the registration process. A secondary validation is attempted during the agency’s verification process in which FEMA inspectors validate ownership and or occupancy through an interview process with the applicant. Additionally, the FEMA inspectors will attempt to validate ownership and or occupancy through public and commercial entities.

### **Paperwork Reduction Act Timeframes**

In order for FEMA to provide disaster-related financial assistance and services to individuals under the Stafford Act, adhering to the standard PRA timeframe to accept verification documentation from applicants without expanding the range of acceptable documents would hinder FEMA’s ability to provide swift assistance to all applicable individuals and households.

For every disaster declared before the approval of this package, FEMA will have to deny assistance to survivors who cannot prove ownership under the more limited documentation options. There is a substantial risk of a disaster declarations daily during the Atlantic Hurricane

Season. The Atlantic Hurricane Season is currently underway and generally peaks from the end of August through October. In addition, the COVID-19 pandemic has complicated response to all disasters, including the ongoing wildfires in California and the western states. Disaster response may be further complicated by the rapidly escalating Delta variant. The pandemic has made it imperative that FEMA assist survivors to make their permanent dwellings habitable so that survivors are not left to high density temporary housing situations where COVID-19 could flourish. To this end, survivors should immediately be allowed to utilize the increased options to satisfy the ownership and occupancy requirements for assistance.

### **Public Harm is reasonably likely to Result if Normal Clearance Procedures are followed**

The effects of the COVID-19 pandemic and the Delta variant have caused an extraordinary burden on U.S. individuals and households. If FEMA does not expand the type of documentation it accepts from survivors to establish IHP eligibility, public harm is reasonably likely due to unexpected delays related to the delivery of assistance to many impacted Americans. The collection of additional types of documentation will ensure that all applicable individuals and households who may have been burdened unexpectedly or previously underserved have equitable access to IHP assistance.

If FEMA were required to follow the normal clearance process, it would be impossible to implement the changes needed to address known barriers experienced by historically underserved applicants in time for major disasters anticipated during the peak Atlantic Hurricane Season and ongoing wildfires across the U.S.

### **Unanticipated Events**

The effects of the COVID-19 pandemic and the Delta variant continue to impact the American public and the scope continues to evolve while the Nation deals with recurring disasters such as the Atlantic Hurricane Season and the western wildfires. While not all impacts are fully known at this time, restrictions implemented throughout the country may have made it more difficult for survivors to access or update public records. FEMA must act immediately to provide necessary financial assistance to individuals and households in accordance with section 408 of the Stafford Act, 42 U.S.C. 5174.

**Conclusion**

Following the normal clearance procedures for OMB approval to collect information during the ever-changing environment associated with the COVID-19 pandemic and the emergence of the Delta variant will delay FEMA’s ability to assist Americans in their disaster response and recovery to recurring disasters such as the Atlantic Hurricane Season and the western wildfires. As discussed, FEMA certifies that this request meets the requirements of 5 C.F.R. § 1320.13(a) and it is vital that this revised collection be implemented immediately because: (1) this information is essential to the mission of the Agency, (2) this information is necessary prior to the timeframes established under the PRA, (3) public harm will result if normal clearance procedures are followed, and (4) unanticipated events have occurred.

The Department of Homeland Security respectfully requests your approval of FEMA’s emergency revision expanding the documentation applicants can submit establishing their eligibility for disaster assistance.

Thank you for your consideration.

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Approve

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Date

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Disapprove

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Date