

107TH CONGRESS
2^D SESSION

H. R. 4754

To establish a National Drought Council within the Federal Emergency Management Agency, to improve national drought preparedness, mitigation, and response efforts, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2002

Mr. HASTINGS of Florida (for himself, Mr. REHBERG, Mr. DEFazio, Mr. SKEEN, Ms. BROWN of Florida, Mrs. MEEK of Florida, Mr. FOLEY, Mr. LINDER, Mr. JEFFERSON, Mr. WEXLER, Ms. CARSON of Indiana, Ms. ROS-LEHTINEN, Mr. CUMMINGS, Mr. UDALL of New Mexico, Mr. WYNN, Mrs. WILSON of New Mexico, Mr. DEUTSCH, Mr. PASCRELL, and Mr. HAYWORTH) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Agriculture and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish a National Drought Council within the Federal Emergency Management Agency, to improve national drought preparedness, mitigation, and response efforts, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “National Drought Preparedness Act of 2002”.

4 (b) **TABLE OF CONTENTS.**—The table of contents of
5 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.
- Sec. 4. Effect of Act.

TITLE I—DROUGHT PREPAREDNESS

Subtitle A—National Drought Council

- Sec. 101. Membership and voting.
- Sec. 102. Duties of the Council.
- Sec. 103. Powers of the Council.
- Sec. 104. Council personnel matters.
- Sec. 105. Authorization of appropriations.
- Sec. 106. Termination of Council.

Subtitle B—National Office of Drought Preparedness

- Sec. 111. Establishment.
- Sec. 112. Director of the Office.
- Sec. 113. Detail of government employees.

Subtitle C—Drought Preparedness Plans

- Sec. 121. Drought Assistance Fund.
- Sec. 122. Drought preparedness plans.
- Sec. 123. Federal plans.
- Sec. 124. State and tribal plans.
- Sec. 125. Regional and local plans.
- Sec. 126. Plan elements.

TITLE II—WILDFIRE SUPPRESSION

- Sec. 201. Grants for prepositioning wildfire suppression resources.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) regional drought disasters in the United
9 States cause serious economic and environmental
10 losses, yet there is no national policy to ensure an

1 integrated and coordinated Federal strategy to pre-
2 pare for, mitigate, or respond to such losses;

3 (2) State, tribal, and local governments have to
4 coordinate efforts with each Federal agency involved
5 in drought monitoring, planning, mitigation, and re-
6 sponse;

7 (3) effective drought monitoring—

8 (A) is a critical component of drought pre-
9 paredness and mitigation; and

10 (B) requires a comprehensive, integrated
11 national program that is capable of providing
12 reliable, accessible, and timely information to
13 persons involved in drought planning, mitiga-
14 tion, and response activities;

15 (4) the National Drought Policy Commission
16 was established in 1998 to provide advice and rec-
17 ommendations on the creation of an integrated, co-
18 ordinated Federal policy designed to prepare for and
19 respond to serious drought emergencies;

20 (5) according to the report issued by the Na-
21 tional Drought Policy Commission in May 2000, the
22 guiding principles of national drought policy should
23 be—

1 (A) to favor preparedness over insurance,
2 insurance over relief, and incentives over regu-
3 lation;

4 (B) to establish research priorities based
5 on the potential of the research to reduce
6 drought impacts;

7 (C) to coordinate the delivery of Federal
8 services through collaboration with State and
9 local governments and other non-Federal enti-
10 ties; and

11 (D) to improve collaboration among sci-
12 entists and managers; and

13 (6) the National Drought Council, in coordina-
14 tion with Federal agencies and State, tribal, and
15 local governments, should provide the necessary di-
16 rection, coordination, guidance, and assistance in de-
17 veloping a comprehensive drought preparedness sys-
18 tem.

19 **SEC. 3. DEFINITIONS.**

20 In this Act:

21 (1) COUNCIL.—The term “Council” means the
22 National Drought Council established by section
23 101(a).

24 (2) CRITICAL SERVICE PROVIDER.—The term
25 “critical service provider” means an entity that pro-

1 vides power, water (including water provided by an
2 irrigation organization or facility), sewer services, or
3 wastewater treatment.

4 (3) DIRECTOR.—The term “Director” means
5 the Director of the Federal Emergency Management
6 Agency.

7 (4) DIRECTOR OF THE OFFICE.—The term “Di-
8 rector of the Office” means the Director of the Of-
9 fice appointed under section 112(a).

10 (5) DROUGHT.—The term “drought” means a
11 major natural disaster that is caused by a deficiency
12 in precipitation—

13 (A) that may lead to a deficiency in sur-
14 face and subsurface water supplies (including
15 rivers, streams, wetlands, ground water, soil
16 moisture, reservoir supplies, lake levels, and
17 snow pack); and

18 (B) that causes or may cause—

19 (i) substantial economic or social im-
20 pacts; or

21 (ii) physical damage or injury to indi-
22 viduals, property, or the environment.

23 (6) FUND.—The term “Fund” means the
24 Drought Assistance Fund established by section
25 121(a).

1 (7) INDIAN TRIBE.—The term “Indian tribe”
2 has the meaning given the term in section 4 of the
3 Indian Self-Determination and Education Assistance
4 Act (25 U.S.C. 450b).

5 (8) MITIGATION.—The term “mitigation”
6 means a short- or long-term action, program, or pol-
7 icy that is implemented in advance of or during a
8 drought to minimize any risks and impacts of
9 drought.

10 (9) NATIONAL DROUGHT MONITORING NET-
11 WORK.—The term “National Drought Monitoring
12 Network” means a comprehensive network that col-
13 lects and integrates information on the key indica-
14 tors of drought, including stream flow, ground water
15 levels, reservoir levels, soil moisture, snow pack, cli-
16 mate (including precipitation and temperature), and
17 forecasts, in order to make usable, reliable, and
18 timely assessments of drought, including the severity
19 of drought.

20 (10) NEIGHBORING COUNTRY.—The term
21 “neighboring country” means Canada and Mexico.

22 (11) OFFICE.—The term “Office” means the
23 National Office of Drought Preparedness established
24 under section 111.

1 (12) TRIGGER.—The term “trigger” means the
2 thresholds or criteria that must be satisfied before
3 mitigation or emergency assistance may be provided
4 to an area—

5 (A) in which drought is emerging; or

6 (B) that is experiencing a drought.

7 **SEC. 4. EFFECT OF ACT.**

8 This Act does not affect—

9 (1) the authority of a State to allocate quan-
10 tities of water under the jurisdiction of the State; or

11 (2) any State water rights established as of the
12 date of enactment of this Act.

13 **TITLE I—DROUGHT**
14 **PREPAREDNESS**
15 **Subtitle A—National Drought**
16 **Council**

17 **SEC. 101. MEMBERSHIP AND VOTING.**

18 (a) IN GENERAL.—There is established a council to
19 be known as the “National Drought Council”.

20 (b) MEMBERSHIP.—

21 (1) COMPOSITION.—The Council shall be com-
22 posed of—

23 (A) the Director;

24 (B) the Secretary of the Interior;

25 (C) the Secretary of the Army;

1 (D) the Secretary of Agriculture;

2 (E) 4 members appointed by the Federal
3 co-chair appointed under subsection (f), in co-
4 ordination with the National Governors Associa-
5 tion, of whom—

6 (i) 1 member shall be the Governor of
7 a State from Federal Emergency Manage-
8 ment Agency Region I, II, or III;

9 (ii) 1 member shall be the Governor of
10 a State from Federal Emergency Manage-
11 ment Agency Region IV or VI;

12 (iii) 1 member shall be the Governor
13 of a State from Federal Emergency Man-
14 agement Agency Region V or VII; and

15 (iv) 1 member shall be the Governor
16 of a State from Federal Emergency Man-
17 agement Agency Region VIII, IX, or X;

18 (F) 1 member appointed by the Federal
19 co-chair, in coordination with the National As-
20 sociation of Counties;

21 (G) 1 member appointed by the Federal
22 co-chair, in coordination with the United States
23 Conference of Mayors;

24 (H) 1 member appointed by the Secretary
25 of the Interior, in coordination with Indian

1 tribes, to represent the interests of tribal gov-
2 ernments; and

3 (I) 1 member appointed by the Secretary
4 of Agriculture, in coordination with the Na-
5 tional Association of Conservation Districts, to
6 represent local soil and water conservation dis-
7 tricts.

8 (2) DATE OF APPOINTMENT.—The appointment
9 of each member of the Council shall be made not
10 later than 120 days after the date of enactment of
11 this Act.

12 (c) TERM; VACANCIES.—

13 (1) TERM.—A member of the Council shall be
14 appointed for a term of 2 years.

15 (2) VACANCIES.—A vacancy on the Council—

16 (A) shall not affect the powers of the
17 Council; and

18 (B) shall be filled in the same manner as
19 the original appointment was made.

20 (d) MEETINGS.—

21 (1) IN GENERAL.—The Council shall meet at
22 the call of the co-chairs.

23 (2) FREQUENCY.—The Council shall meet at
24 least semiannually.

1 (e) QUORUM.—A majority of the members of the
2 Council shall constitute a quorum, but a lesser number
3 may hold hearings or conduct other business.

4 (f) CO-CHAIRS.—

5 (1) IN GENERAL.—There shall be a Federal co-
6 chair and non-Federal co-chair of the Council.

7 (2) APPOINTMENT.—

8 (A) FEDERAL CO-CHAIR.—The Director
9 shall be Federal co-chair.

10 (B) NON-FEDERAL CO-CHAIR.—The Coun-
11 cil members appointed under subparagraphs
12 (E) through (I) of subsection (b)(1) shall select
13 a non-Federal co-chair from among the mem-
14 bers appointed under those subparagraphs.

15 (g) DIRECTOR OF THE OFFICE.—

16 (1) IN GENERAL.—The Director of the Office
17 shall serve as Director of the Council.

18 (2) DUTIES.—The Director of the Office shall
19 serve the interests of all members of the Council.

20 **SEC. 102. DUTIES OF THE COUNCIL.**

21 (a) IN GENERAL.—The Council shall—

22 (1) not later than 1 year after the date of the
23 first meeting of the Council, develop a comprehen-
24 sive National Drought Policy Action Plan that—

1 (A)(i) delineates and integrates responsibil-
2 ities for activities relating to drought (including
3 drought preparedness, mitigation, research, risk
4 management, training, and emergency relief)
5 among Federal agencies; and

6 (ii) ensures that those activities are coordi-
7 nated with the activities of the States, local
8 governments, Indian tribes, and neighboring
9 countries;

10 (B) is consistent with—

11 (i) this Act and other applicable Fed-
12 eral laws; and

13 (ii) the laws and policies of the States
14 for water management;

15 (C) is integrated with drought manage-
16 ment programs of the States, Indian tribes,
17 local governments, and private entities; and

18 (D) avoids duplicating Federal, State, trib-
19 al, local, and private drought preparedness and
20 monitoring programs in existence on the date of
21 enactment of this Act;

22 (2) evaluate Federal drought-related programs
23 in existence on the date of enactment of this Act and
24 make recommendations to Congress and the Presi-
25 dent on means of eliminating—

1 (A) discrepancies between the goals of the
2 programs and actual service delivery;

3 (B) duplication among programs; and

4 (C) any other circumstances that interfere
5 with the effective operation of the programs;

6 (3) make recommendations to the President,
7 Congress, and appropriate Federal Agencies on—

8 (A) the establishment of common inter-
9 agency triggers for authorizing Federal drought
10 mitigation programs; and

11 (B) improving the consistency and fairness
12 of assistance among Federal drought relief pro-
13 grams;

14 (4) coordinate and prioritize specific activities
15 that will improve the National Drought Monitoring
16 Network by—

17 (A) taking into consideration the limited
18 resources for—

19 (i) drought monitoring, prediction,
20 and research activities; and

21 (ii) water supply forecasting; and

22 (B) providing for the development of an ef-
23 fective drought information delivery system
24 that—

1 (i) communicates drought conditions
2 and impacts to—

3 (I) decisionmakers at the Fed-
4 eral, regional, State, tribal, and local
5 levels of government;

6 (II) the private sector; and

7 (III) the public; and

8 (ii) includes near-real-time data, infor-
9 mation, and products developed at the
10 Federal, regional, State, tribal, and local
11 levels of government that reflect regional
12 and State differences in drought condi-
13 tions;

14 (5) encourage and facilitate the development of
15 drought preparedness plans under subtitle C, includ-
16 ing establishing the guidelines under sections 121(c)
17 and 122(a);

18 (6) based on a review of drought preparedness
19 plans, develop and make available to the public
20 drought planning models to reduce water resource
21 conflicts relating to water conservation and
22 droughts;

23 (7) develop and coordinate public awareness ac-
24 tivities to provide the public with access to under-

1 standable, and informative materials on drought,
2 including—

3 (A) explanations of the causes of drought,
4 the impacts of drought, and the damages from
5 drought;

6 (B) descriptions of the value and benefits
7 of land stewardship to reduce the impacts of
8 drought and to protect the environment;

9 (C) clear instructions for appropriate re-
10 sponses to drought, including water conserva-
11 tion, water reuse, and detection and elimination
12 of water leaks; and

13 (D) information on State and local laws
14 applicable to drought; and

15 (8) establish operating procedures for the Coun-
16 cil.

17 (b) CONSULTATION.—In carrying out this section,
18 the Council shall consult with groups affected by drought
19 emergencies, including groups that represent—

20 (1) agricultural production, wildlife, and fishery
21 interests;

22 (2) forestry and fire management interests;

23 (3) the credit community;

24 (4) rural and urban water associations;

25 (5) environmental interests;

1 (6) engineering and construction interests;

2 (7) the portion of the science community that
3 is concerned with drought and climatology; and

4 (8) small businesses and other private entities.

5 (c) REPORTS TO CONGRESS.—

6 (1) ANNUAL REPORT.—

7 (A) IN GENERAL.—Not later than 1 year
8 after the date of the first meeting of the Coun-
9 cil, and annually thereafter, the Council shall
10 submit to Congress a report on the activities
11 carried out under this title.

12 (B) INCLUSIONS.—

13 (i) IN GENERAL.—The annual report
14 shall include a summary of drought pre-
15 paredness plans completed under sections
16 123 through 125.

17 (ii) INITIAL REPORT.—The initial re-
18 port submitted under subparagraph (A)
19 shall include any recommendations of the
20 Council under paragraph (2) or (3) of sub-
21 section (a).

22 (2) FINAL REPORT.—Not later than 7 years
23 after the date of enactment of this Act, the Council
24 shall submit to Congress a report that
25 recommends—

1 (A) amendments to this Act; and

2 (B) whether the Council should continue.

3 **SEC. 103. POWERS OF THE COUNCIL.**

4 (a) HEARINGS.—The Council may hold hearings,
5 meet and act at any time and place, take any testimony
6 and receive any evidence that the Council considers advis-
7 able to carry out this title.

8 (b) INFORMATION FROM FEDERAL AGENCIES.—

9 (1) IN GENERAL.—The Council may obtain di-
10 rectly from any Federal agency any information that
11 the Council considers necessary to carry out this
12 title.

13 (2) PROVISION OF INFORMATION.—

14 (A) IN GENERAL.—Except as provided in
15 subparagraph (B), on request of the Federal co-
16 chair or non-Federal co-chair, the head of a
17 Federal agency may provide information to the
18 Council.

19 (B) LIMITATION.—The head of a Federal
20 agency shall not provide any information to the
21 Council that the Federal agency head deter-
22 mines the disclosure of which may cause harm
23 to national security interests.

24 (c) POSTAL SERVICES.—The Council may use the
25 United States mail in the same manner and under the

1 same conditions as other agencies of the Federal Govern-
2 ment.

3 (d) GIFTS.—The Council may accept, use, and dis-
4 pose of gifts or donations of services or property.

5 (e) FEDERAL FACILITIES.—If the Council proposes
6 the use of a Federal facility for the purposes of carrying
7 out this title, the Council shall solicit and consider the
8 input of the Federal agency with jurisdiction over the fa-
9 cility.

10 **SEC. 104. COUNCIL PERSONNEL MATTERS.**

11 (a) COMPENSATION OF MEMBERS.—

12 (1) NON-FEDERAL EMPLOYEES.—A member of
13 the Council who is not an officer or employee of the
14 Federal Government shall serve without compensa-
15 tion.

16 (2) FEDERAL EMPLOYEES.—A member of the
17 Council who is an officer or employee of the United
18 States shall serve without compensation in addition
19 to the compensation received for services of the
20 member as an officer or employee of the Federal
21 Government.

22 (b) TRAVEL EXPENSES.—A member of the Council
23 shall be allowed travel expenses at rates authorized for an
24 employee of an agency under subchapter I of chapter 57
25 of title 5, United States Code, while away from the home

1 or regular place of business of the member in the perform-
2 ance of the duties of the Council.

3 **SEC. 105. AUTHORIZATION OF APPROPRIATIONS.**

4 There is authorized to be appropriated to carry out
5 this title \$2,000,000 for each of fiscal years 2003 through
6 2010.

7 **SEC. 106. TERMINATION OF COUNCIL.**

8 The Council shall terminate 8 years after the date
9 of enactment of this Act.

10 **Subtitle B—National Office of**
11 **Drought Preparedness**

12 **SEC. 111. ESTABLISHMENT.**

13 The Director shall establish directly under the Direc-
14 tor an office to be known as the “National Office of
15 Drought Preparedness” to provide assistance to the Coun-
16 cil in carrying out this title.

17 **SEC. 112. DIRECTOR OF THE OFFICE.**

18 (a) APPOINTMENT.—

19 (1) IN GENERAL.—The Director shall appoint a
20 Director of the Office under sections 3371 through
21 3375 of title 5, United States Code.

22 (2) QUALIFICATIONS.—The Director of the Of-
23 fice shall be a person who has experience in—

24 (A) public administration; and

1 (B) drought mitigation or drought man-
2 agement.

3 (b) POWERS.—The Director of the Office may hire
4 such other additional personnel or contract for services
5 with other entities as necessary to carry out the duties
6 of the Office.

7 **SEC. 113. DETAIL OF GOVERNMENT EMPLOYEES.**

8 (a) IN GENERAL.—An employee of the Federal Gov-
9 ernment may be detailed to the Office without reimburse-
10 ment, unless the Federal co-chair, on the recommendation
11 of the Director of the Office, determines that reimburse-
12 ment is appropriate.

13 (b) CIVIL SERVICE STATUS.—The detail of an em-
14 ployee shall be without interruption or loss of civil service
15 status or privilege.

16 **Subtitle C—Drought Preparedness**
17 **Plans**

18 **SEC. 121. DROUGHT ASSISTANCE FUND.**

19 (a) ESTABLISHMENT.—There is established within
20 the Federal Emergency Management Agency a fund to be
21 known as the “Drought Assistance Fund”.

22 (b) PURPOSE.—The Fund shall be used to pay the
23 costs of—

24 (1) providing technical and financial assistance
25 (including grants and cooperative assistance) to

1 States, Indian tribes, local governments, and critical
2 service providers for the development and implemen-
3 tation of drought preparedness plans under sections
4 123 through 125;

5 (2) providing to States, Indian tribes, local gov-
6 ernments, and critical service providers the Federal
7 share, as determined by the Federal co-chair, in con-
8 sultation with the other members of the Council, of
9 the cost of mitigating the overall risk and impacts
10 of droughts;

11 (3) assisting States, Indian tribes, local govern-
12 ments, and critical service providers in the develop-
13 ment of mitigation measures to address environ-
14 mental, economic, and human health and safety
15 issues relating to drought;

16 (4) expanding the technology transfer of
17 drought and water conservation strategies and inno-
18 vative water supply techniques;

19 (5) developing post-drought evaluations and
20 recommendations; and

21 (6) supplementing, if necessary, the costs of im-
22 plementing actions under section 102(a)(4).

23 (c) GUIDELINES.—

24 (1) IN GENERAL.—The Federal co-chair of the
25 Council shall, in consultation with other members of

1 the Council, promulgate guidelines implementing
2 this section.

3 (2) REQUIREMENTS.—The guidelines shall—

4 (A) ensure the distribution of amounts
5 from the Fund within a reasonable period of
6 time;

7 (B) take into consideration regional dif-
8 ferences; and

9 (C) prohibit the use of amounts from the
10 Fund for Federal salaries that are not directly
11 related to the provision of drought assistance.

12 (d) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated to the Fund such sums
14 as are necessary to carry out the purposes described in
15 subsection (b).

16 **SEC. 122. DROUGHT PREPAREDNESS PLANS.**

17 (a) IN GENERAL.—The Director, in consultation with
18 the Council, shall publish guidelines for administering a
19 national program to provide technical and financial assist-
20 ance to States, Indian tribes, local governments, and crit-
21 ical service providers for the development, maintenance,
22 and implementation of drought preparedness plans.

23 (b) REQUIREMENTS.—To build on the experience and
24 avoid duplication of efforts of Federal, State, local, tribal,
25 and regional drought plans in existence on the date of en-

1 actment of this Act, the guidelines may recognize and in-
2 corporate those plans.

3 **SEC. 123. FEDERAL PLANS.**

4 (a) IN GENERAL.—The Director, the Secretary of
5 Agriculture, the Secretary of the Interior, the Secretary
6 of the Army, and other appropriate Federal agency heads
7 shall develop and implement Federal drought prepared-
8 ness plans for agencies under the jurisdiction of the appro-
9 priate Federal agency head.

10 (b) REQUIREMENTS.—The Federal plans—

11 (1) shall be integrated with each other;

12 (2) may be included as components of other
13 Federal planning requirements;

14 (3) shall be integrated with drought prepared-
15 ness plans of State, tribal, and local governments
16 that are affected by Federal projects and programs;
17 and

18 (4) shall be completed not later than 2 years
19 after the date of enactment of this Act.

20 **SEC. 124. STATE AND TRIBAL PLANS.**

21 States and Indian tribes may develop and implement
22 State and tribal drought preparedness plans that—

23 (1) address monitoring of resource conditions
24 that are related to drought;

1 (2) identify areas that are at a high risk for
2 drought;

3 (3) describes mitigation strategies to address
4 and reduce the vulnerability of an area to drought;
5 and

6 (4) are integrated with State, tribal, and local
7 water plans in existence on the date of enactment of
8 this Act.

9 **SEC. 125. REGIONAL AND LOCAL PLANS.**

10 Local governments and regional water providers may
11 develop and implement drought preparedness plans that—

12 (1) address monitoring of resource conditions
13 that are related to drought;

14 (2) identify areas that are at a high risk for
15 drought;

16 (3) describe mitigation strategies to address
17 and reduce the vulnerability of an area to drought;
18 and

19 (4) are integrated with corresponding State
20 plans.

21 **SEC. 126. PLAN ELEMENTS.**

22 The drought preparedness plans developed under sec-
23 tions 123 through 125—

24 (1) shall be consistent with Federal and State
25 laws, contracts, and policies;

1 (2) shall allow each State to continue to man-
2 age water and wildlife in the State;

3 (3) shall address the health, safety, and eco-
4 nomic interests of those persons directly affected by
5 drought;

6 (4) may include—

7 (A) provisions for water management
8 strategies to be used during various drought or
9 water shortage thresholds, consistent with State
10 water law;

11 (B) provisions to address key issues relat-
12 ing to drought (including public health, safety,
13 economic factors, and environmental issues such
14 as water quality, water quantity, protection of
15 threatened and endangered species, and fire
16 management);

17 (C) provisions that allow for public partici-
18 pation in the development, adoption, and imple-
19 mentation of drought plans;

20 (D) provisions for periodic drought exer-
21 cises, revisions, and updates;

22 (E) a hydrologic characterization study to
23 determine how water is being used during times
24 of normal water supply availability to anticipate
25 the types of drought mitigation actions that

1 would most effectively improve water manage-
2 ment during a drought;

3 (F) drought triggers;

4 (G) specific implementation actions for
5 droughts;

6 (H) a water shortage allocation plan, con-
7 sistent with State water law; and

8 (I) comprehensive insurance and financial
9 strategies to manage the risks and financial im-
10 pacts of droughts; and

11 (5) shall take into consideration—

12 (A) the financial impact of the plan on the
13 ability of the utilities to ensure rate stability
14 and revenue stream; and

15 (B) economic impacts from water short-
16 ages.

17 **TITLE II—WILDFIRE**
18 **SUPPRESSION**

19 **SEC. 201. GRANTS FOR PREPOSITIONING WILDFIRE SUP-**
20 **PRESSION RESOURCES.**

21 Title II of the Robert T. Stafford Disaster Relief and
22 Emergency Assistance Act (42 U.S.C. 5131 et seq.) is
23 amended by adding at the end the following:

1 **“SEC. 205. GRANTS FOR PREPOSITIONING WILDFIRE SUP-**
2 **PRESSION RESOURCES.**

3 “(a) FINDINGS AND PURPOSE.—

4 “(1) FINDINGS.—Congress finds that—

5 “(A) droughts increase the risk of cata-
6 strophic wildfires that—

7 “(i) drastically alter and otherwise ad-
8 versely affect the landscape for commu-
9 nities and the environment;

10 “(ii) because of the potential of such
11 wildfires to overwhelm State wildfire sup-
12 pression resources, require a coordinated
13 response among States, Federal agencies,
14 and neighboring countries; and

15 “(iii) result in billions of dollars in
16 losses each year;

17 “(B) the Federal Government must, to the
18 maximum extent practicable, prevent and sup-
19 press such catastrophic wildfires to protect
20 human life and property;

21 “(C) not taking into account State, local,
22 and private wildfire suppression costs, during
23 the period of 1996 through 2000, the Federal
24 Government expended over \$630,000,000 per
25 year for wildfire suppression costs;

1 “(D) it is more cost-effective to prevent
2 wildfires by repositioning wildfire fighting re-
3 sources to catch flare-ups than to commit mil-
4 lions of dollars to respond to large uncontrol-
5 lable fires; and

6 “(E) it is in the best interest of the United
7 States to invest in catastrophic wildfire preven-
8 tion and mitigation by easing the financial bur-
9 den of repositioning wildfire suppression re-
10 sources.

11 “(2) PURPOSE.—The purpose of this section is
12 to encourage the mitigation and prevention of
13 wildfires by providing financial assistance to States
14 for repositioning of wildfire suppression resources.

15 “(b) AUTHORIZATION.—The Director of the Federal
16 Emergency Management Agency (referred to in this sec-
17 tion as the ‘Director’) may reimburse a State for the cost
18 of repositioning wildfire suppression resources on poten-
19 tial multiple and large fire complexes when the Director
20 determines, in accordance with national and regional se-
21 verity indices of the Forest Service, that a wildfire event
22 poses a threat to life and property in the area.

23 “(c) ELIGIBILITY.—Wildfire suppression resources of
24 the Federal Government, neighboring countries, and any

1 State other than the State requesting assistance are eligi-
2 ble for reimbursement under this section.

3 “(d) REIMBURSEMENT.—

4 “(1) IN GENERAL.—The Director may reim-
5 burse a State for the costs of prepositioning of wild-
6 fire suppression resources of the entities specified in
7 subsection (c), including mobilization to, and demo-
8 bilization from, the staging or prepositioning area.

9 “(2) REQUIREMENTS.—For a State to receive
10 reimbursement under paragraph (1)—

11 “(A) any resource provided by an entity
12 specified in subsection (c) shall have been spe-
13 cifically requested by the State seeking reim-
14 bursement; and

15 “(B) staging or prepositioning costs—

16 “(i) shall be expended during the ap-
17 proved prepositioning period; and

18 “(ii) shall be reasonable.”.

○