

Calendar No. 550

118TH CONGRESS
2D SESSION**S. 4654****[Report No. 118–237]**

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to allow Indian tribal governments to directly request fire management assistance declarations and grants, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 10, 2024

Mr. PETERS (for himself and Mr. ROUNDS) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

NOVEMBER 12, 2024

Reported by Mr. PETERS, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to allow Indian tribal governments to directly request fire management assistance declarations and grants, 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.**

2 This Act may be cited as the “Fire Management As-
3 sistance Grants for Tribal Governments Act”.

4 **SEC. 2. INDIAN TRIBAL GOVERNMENT ELIGIBILITY.**

5 (a) IN GENERAL.—Section 420 of the Robert T.
6 Stafford Disaster Relief and Emergency Assistance Act
7 (42 U.S.C. 5187) is amended—

8 (1) in subsection (a), by inserting “, Indian
9 tribal government,” before “or local government”;

10 (2) by redesignating subsections (b) through (e)
11 as subsections (c) through (f), respectively;

12 (3) by inserting after subsection (a) the fol-
13 lowing:

14 “(b) PROCEDURE FOR REQUEST.—The Governor of
15 a State or the Chief Executive of an Indian tribal govern-
16 ment affected by a fire described in subsection (a) may
17 directly submit a request to authorize assistance under
18 this section.”; and

19 (4) by adding at the end the following:

20 “(g) SAVINGS PROVISION.—Nothing in this section
21 shall prohibit an Indian tribal government from receiving
22 assistance under this section pursuant to an authorization
23 made at the request of a State under subsection (b) if
24 assistance is not authorized under this section for the
25 same incident based on a request by the Indian tribal gov-
26 ernment under subsection (b).”.

(b) REGULATIONS.—

(1) FIRE MANAGEMENT ASSISTANCE DECLARATION DEFINED.—In this subsection, the term “fire management assistance declaration” means a declaration approved under section 204.21(a) of title 44, Code of Federal Regulations.

(2) UPDATE.—Not later than 360 days after the date of enactment of this Act, the President shall issue regulations updating part 204 of title 44, Code of Federal Regulations, to carry out the amendments made by subsection (a).

(3) CONTENTS.—In issuing the regulations required under paragraph (2), the President shall—

(A) authorize the Federal Emergency Management Agency to directly receive a request for a fire management assistance declaration from an Indian tribal government and directly provide related grants and resources to Indian tribal governments;

(B) clarify that Indian tribal governments for which the President does not grant a request described in subparagraph (A) remain eligible to receive assistance under section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187)

1 through assistance granted under a fire man-
 2 agement assistance declaration made at the re-
 3 quest of a State;

4 (C) consider the unique conditions that af-
 5 fect the general welfare of Indian tribal govern-
 6 ments; and

7 (D) enter into government-to-government
 8 consultation with Indian tribal governments re-
 9 garding the regulations.

10 **SECTION 1. SHORT TITLE.**

11 *This Act may be cited as the “Fire Management Assist-*
 12 *ance Grants for Tribal Governments Act”.*

13 **SEC. 2. INDIAN TRIBAL GOVERNMENT ELIGIBILITY.**

14 (a) *IN GENERAL.*—Section 420 of the Robert T. Staf-
 15 ford Disaster Relief and Emergency Assistance Act (42
 16 U.S.C. 5187) is amended—

17 (1) in subsection (a), by inserting “, Indian trib-
 18 al government,” before “or local government”;

19 (2) by redesignating subsections (b) through (e)
 20 as subsections (c) through (f), respectively;

21 (3) by inserting after subsection (a) the fol-
 22 lowing:

23 “(b) *PROCEDURE FOR REQUEST.*—The Governor of a
 24 State or the Chief Executive of an Indian tribal government
 25 affected by a fire described in subsection (a) may directly

1 *submit a request to authorize assistance under this sec-*
 2 *tion.”; and*

3 *(4) by adding at the end the following:*

4 *“(g) SAVINGS PROVISION.—Nothing in this section*
 5 *shall prohibit an Indian tribal government from receiving*
 6 *assistance under this section pursuant to an authorization*
 7 *made at the request of a State under subsection (b) if assist-*
 8 *ance is not authorized under this section for the same inci-*
 9 *dent based on a request by the Indian tribal government*
 10 *under subsection (b).”.*

11 *(b) REGULATIONS.—*

12 *(1) FIRE MANAGEMENT ASSISTANCE DECLARA-*
 13 *TION DEFINED.—In this subsection, the term “fire*
 14 *management assistance declaration” means a declara-*
 15 *tion approved under section 204.21(a) of title 44,*
 16 *Code of Federal Regulations.*

17 *(2) UPDATE.—Not later than 1 year after the*
 18 *date of enactment of this Act, the President shall issue*
 19 *regulations updating part 204 of title 44, Code of*
 20 *Federal Regulations, to carry out the amendments*
 21 *made by subsection (a).*

22 *(3) CONTENTS.—In issuing the regulations re-*
 23 *quired under paragraph (2), the President shall—*

24 *(A) authorize the Federal Emergency Man-*
 25 *agement Agency to directly receive a request for*

1 *a fire management assistance declaration from*
2 *an Indian tribal government and directly pro-*
3 *vide related grants and resources to Indian trib-*
4 *al governments;*

5 *(B) clarify that Indian tribal governments*
6 *for which the President does not grant a request*
7 *described in subparagraph (A) remain eligible to*
8 *receive assistance under section 420 of the Robert*
9 *T. Stafford Disaster Relief and Emergency As-*
10 *sistance Act (42 U.S.C. 5187) through assistance*
11 *granted under a fire management assistance dec-*
12 *laration made at the request of a State;*

13 *(C) consider the unique conditions that af-*
14 *fect the general welfare of Indian tribal govern-*
15 *ments; and*

16 *(D) enter into government-to-government*
17 *consultation with Indian tribal governments re-*
18 *garding the regulations.*

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