

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—118th Cong., 2d Sess.**

**S. 4654**

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.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended  
to be proposed by Mr. PETERS

Viz:

1 Strike all after the enacting clause and insert the fol-  
2 lowing:

3 **SECTION 1. SHORT TITLE.**

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

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

7 (a) IN GENERAL.—Section 420 of the Robert T.  
8 Stafford Disaster Relief and Emergency Assistance Act  
9 (42 U.S.C. 5187) is amended—

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

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

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

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

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

11           “(g) SAVINGS PROVISION.—Nothing in this section  
12 shall prohibit an Indian tribal government from receiving  
13 assistance under this section pursuant to an authorization  
14 made at the request of a State under subsection (b) if  
15 assistance is not authorized under this section for the  
16 same incident based on a request by the Indian tribal gov-  
17 ernment under subsection (b).”.

18           (b) REGULATIONS.—

19           (1) FIRE MANAGEMENT ASSISTANCE DECLARA-  
20           TION DEFINED.—In this subsection, the term “fire  
21           management assistance declaration” means a dec-  
22           laration approved under section 204.21(a) of title  
23           44, Code of Federal Regulations.

24           (2) UPDATE.—Not later than 1 year after the  
25           date of enactment of this Act, the President shall

1 issue regulations updating part 204 of title 44, Code  
2 of Federal Regulations, to carry out the amend-  
3 ments made by subsection (a).

4 (3) CONTENTS.—In issuing the regulations re-  
5 quired under paragraph (2), the President shall—

6 (A) authorize the Federal Emergency Man-  
7 agement Agency to directly receive a request for  
8 a fire management assistance declaration from  
9 an Indian tribal government and directly pro-  
10 vide related grants and resources to Indian trib-  
11 al governments;

12 (B) clarify that Indian tribal governments  
13 for which the President does not grant a re-  
14 quest described in subparagraph (A) remain eli-  
15 gible to receive assistance under section 420 of  
16 the Robert T. Stafford Disaster Relief and  
17 Emergency Assistance Act (42 U.S.C. 5187)  
18 through assistance granted under a fire man-  
19 agement assistance declaration made at the re-  
20 quest of a State;

21 (C) consider the unique conditions that af-  
22 fect the general welfare of Indian tribal govern-  
23 ments; and

1                   (D) enter into government-to-government  
2                   consultation with Indian tribal governments re-  
3                   garding the regulations.