

## WILDFIRE RECOVERY ACT

SEPTEMBER 13, 2022.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. DEFAZIO, from the Committee on Transportation and Infrastructure, submitted the following

### R E P O R T

[To accompany H.R. 1066]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 1066) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide flexibility with the cost share for fire management assistance, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Wildfire Recovery Act”.

**SEC. 2. FIRE MANAGEMENT ASSISTANCE COST SHARE.**

Section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

“(e) FEDERAL SHARE.—The Federal share of assistance under this section shall be not less than 75 percent of the eligible cost of such assistance.”.

**SEC. 3. RULEMAKING.**

Not later than 3 years after the date of enactment of this Act, the President, acting through the Administrator of the Federal Emergency Management Agency, shall conduct and complete a rulemaking to provide criteria for the circumstances under which the Administrator may recommend the President increase the Federal cost share for section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187). Such criteria shall include a threshold metric that assesses the financial impact to a State or local government from responding to a fire for which fire management assistance is being provided.

## PURPOSE OF LEGISLATION

The purpose of H.R. 1066, as amended, is to provide flexibility for the cost share of Fire Management Assistance Grants.

## BACKGROUND AND NEED FOR LEGISLATION

The *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (*Stafford Act*, P.L. 93–288, as amended) has been amended multiple times to better address federal assistance for wildfire response, recovery, and mitigation.<sup>1</sup> Section 420, which authorizes Fire Management Assistance Grants (FMAGs), was added through enactment of the *Disaster Mitigation Act of 2000* (*DMA2K*, P.L. 106–390) and provides reimbursement for “equipment, supplies, and personnel” tied to suppression of wildfires “on public or private forest land or grassland that threatens such destruction as would constitute a major disaster.” Access to post-disaster Hazard Mitigation Grant Program assistance (*Stafford Act*, Sec. 406) for states that received FMAGs was added through enactment of the *Disaster Recovery Reform Act* (*DRRA*, Div. D of P.L. 115–254).

H.R. 1066, as amended, will reduce some of the financial burden communities face after suppressing a wildfire by providing the Federal Emergency Management Agency (FEMA) with flexibility in setting the federal cost share for FMAGs. This legislation statutorily codifies that FMAGs shall have a federal share of not less than 75 percent, aligning the cost share with other FEMA disaster assistance. The cost share is currently contained in regulations at 44 CFR 204.61.

Additionally, H.R. 1066, as amended, requires FEMA to complete a rulemaking to establish criteria that will be used to inform when the FEMA Administrator may recommend a cost share adjustment to the president for FMAGs of a certain magnitude. A similar regulatory framework already exists for cost share adjustments to major disasters declared pursuant to the *Stafford Act*.

<sup>1</sup> Congressional Research Service (CRS), *Federal Assistance for Wildfire Response and Recovery*, (May 2, 2022). Available at: <https://sgp.fas.org/crs/homesecc/IF10732.pdf>.

## HEARINGS

For the purposes of rule XIII, clause 3(c)(6)(A) of the 117th Congress, the following hearing was used to develop or consider H.R. 1066:

On October 26, 2021, the Subcommittee held a hearing titled “Are FEMA’s Assistance Programs Adequately Designed to Assist Communities Before, During, and After Wildfire?”. The Subcommittee received testimony from Mr. Andrew Phelps, Director, Office of Emergency Management, State of Oregon, *testifying on behalf of the National Emergency Management Association*; Mr. Rich Elliott, Deputy Chief, Kittitas Valley Fire and Rescue, State of Washington, *testifying on behalf of the International Association of Fire Chiefs*; Ms. Kacey KC, State Forester and Firewarden, Division of Forestry, State of Nevada; and Mr. Casey Hatcher, Deputy Chief Administrative Officer, Butte County, California.

This purpose of this hearing was to hear from witnesses with expertise and experience in emergency management, wildfire suppression, and federal disaster response and recovery programs.

## LEGISLATIVE HISTORY AND CONSIDERATION

H.R. 1066 was introduced in the House on February 15, 2021, by Mr. Neguse, Mr. Curtis, Mr. O’Halloran, Mr. Stewart, Ms. Norton, Ms. Jackson Lee, and Mr. San Nicolas and referred to the Committee on Transportation and Infrastructure. Within the Committee, H.R. 1066 was referred to the Subcommittee on Economic Development, Public Buildings, and Emergency Management.

The Subcommittee on Economic Development, Public Buildings, and Emergency Management was discharged from further consideration of H.R. 1066 on October 27, 2021.

The Committee considered H.R. 1066 on October 27, 2021, and ordered the measure to be favorably reported to the House, as amended, by a record vote of 61 yeas and 3 nays (Roll Call Vote No. 76).

The following amendments were offered:

An Amendment in the Nature of a Substitute offered by Mr. DeFazio (#1); was AGREED TO, without amendment, by voice vote.

An amendment offered by Mr. Perry (#1A); was NOT AGREED TO by 18 yeas and 45 nays (Roll Call Vote No. 74).

Page 1, line 8, strike “(f)” and insert “(g)”.

Page 1, line 13, strike the closing quotation mark and the second period.

Page 1, after line 13, insert the following: “(f) PROHIBITION ON CERTAIN ASSISTANCE.—The President may not provide a grant under this section for any fire for which a private entity has been found criminally liable.”

An amendment offered by Mr. Perry (#1B); was NOT AGREED TO by voice vote.

Page 1, line 12, strike “less” and insert “more”.

An amendment offered by Mr. Perry (#1C); was NOT AGREED TO by voice vote.

At the end of the bill, add a new section entitled “Sec. \_\_. Stafford Act Federal Share.”

An amendment offered by Mr. Perry (#1D); was NOT AGREED TO by a record vote of 22 yeas and 43 nays (Roll Call Vote No. 75).

At the end of the bill, add a new section entitled “Sec. \_\_. Prohibition on Use of Funds.”

#### COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against.

#### *Committee on Transportation and Infrastructure Roll Call Vote No. 76*

On: Ordering H.R. 1066 to be favorably reported to the House, as amended.

Agreed to: 61 yeas and 3 nays

Member	Vote	Member	Vote
Mr. DeFazio .....	Yea	Mr. Graves of MO .....	Yea
<i>Ms. Norton</i> .....	Yea	Mr. Young .....	.....
Ms. Johnson of TX .....	Yea	Mr. Crawford .....	Yea
Mr. Larsen of WA .....	Yea	Mr. Gibbs .....	Yea
Mrs. Napolitano .....	Yea	Mr. Webster .....	Yea
Mr. Cohen .....	Yea	Mr. Massie .....	Nay
Mr. Sires .....	.....	Mr. Perry .....	Nay
Mr. Garamendi .....	Yea	Mr. Rodney Davis of IL .....	Yea
Mr. Johnson of GA .....	Yea	Mr. Katko .....	Yea
Mr. Carson .....	Yea	Mr. Babin .....	Yea
Ms. Titus .....	Yea	Mr. Graves of LA .....	Yea
Mr. Maloney of NY .....	Yea	Mr. Rouzer .....	Yea
Mr. Huffman .....	Yea	Mr. Bost .....	Yea
Ms. Brownley .....	Yea	Mr. Weber of TX .....	Yea
Ms. Wilson of FL .....	Yea	Mr. LaMalfa .....	Yea
Mr. Payne .....	Yea	Mr. Westerman .....	Yea
Mr. Lowenthal .....	Yea	Mr. Mast .....	Yea
Mr. DeSaulnier .....	Yea	Mr. Gallagher .....	Yea
Mr. Lynch .....	Yea	Mr. Fitzpatrick .....	Yea
Mr. Carbajal .....	Yea	<i>Miss Gonzalez-Colón</i> .....	.....
Mr. Brown .....	Yea	Mr. Balderson .....	Yea
Mr. Malinowski .....	Yea	Mr. Stauber .....	Yea
Mr. Stanton .....	Yea	Mr. Burchett .....	Yea
Mr. Allred .....	Yea	Mr. Johnson of SD .....	Yea
Ms. Davids of KS .....	Yea	Mr. Van Drew .....	Yea
Mr. Garcia of IL .....	Yea	Mr. Guest .....	Nay
Mr. Delgado .....	Yea	Mr. Nehls .....	Yea
Mr. Pappas .....	Yea	Ms. Mace .....	.....
Mr. Lamb .....	Yea	Ms. Malliotakis .....	Yea
Mr. Moulton .....	Yea	Ms. Van Dyne .....	.....
Mr. Auchincloss .....	Yea	Mr. Gimenez .....	Yea
Ms. Bourdeaux .....	Yea	Mrs. Steel .....	Yea
Mr. Kahele .....	Yea		
Ms. Strickland .....	Yea		
Ms. Williams of GA .....	Yea		
Ms. Newman .....	Yea		
Mr. Carter .....	Yea		

#### *Committee on Transportation and Infrastructure Roll Call No. 74*

On: Agreeing to amendment #1A offered by Mr. Perry (381)

Not Agreed to: 18 yeas and 45 nays

Member	Vote	Member	Vote
Mr. DeFazio .....	Nay	Mr. Graves of MO .....	Nay
<i>Ms. Norton</i> .....	Nay	Mr. Young .....	.....

Member	Vote	Member	Vote
Ms. Johnson of TX .....	Nay	Mr. Crawford .....	Yea
Mr. Larsen of WA .....	Nay	Mr. Gibbs .....	Yea
Mrs. Napolitano .....	Nay	Mr. Webster .....	Yea
Mr. Cohen .....	Nay	Mr. Massie .....	Yea
Mr. Sires .....	Nay	Mr. Perry .....	Yea
Mr. Garamendi .....	Nay	Mr. Rodney Davis of IL .....	Nay
Mr. Johnson of GA .....	Nay	Mr. Katko .....	Nay
Mr. Carson .....	Nay	Mr. Babin .....	Yea
Ms. Titus .....	Nay	Mr. Graves of LA .....	Yea
Mr. Maloney of NY .....	Nay	Mr. Rouzer .....	Yea
Mr. Huffman .....	Nay	Mr. Bost .....	Nay
Ms. Brownley .....	Nay	Mr. Weber of TX .....	Yea
Ms. Wilson of FL .....	Nay	Mr. LaMalfa .....	Nay
Mr. Payne .....	Nay	Mr. Westerman .....	Nay
Mr. Lowenthal .....	Nay	Mr. Mast .....	Yea
Mr. DeSaulnier .....	Nay	Mr. Gallagher .....	Yea
Mr. Lynch .....	Nay	Mr. Fitzpatrick .....	Nay
Mr. Carbajal .....	Nay	<i>Miss González-Colón</i> .....	Yea
Mr. Brown .....	Nay	Mr. Balderson .....	Yea
Mr. Malinowski .....	Nay	Mr. Stauber .....	Yea
Mr. Stanton .....	Nay	Mr. Burchett .....	Yea
Mr. Allred .....	Nay	Mr. Johnson of SD .....	Yea
Ms. Davids of KS .....	Nay	Mr. Van Drew .....	Yea
Mr. Garcia of IL .....	Nay	Mr. Guest .....	Yea
Mr. Delgado .....	Nay	Mr. Nehls .....	Yea
Mr. Pappas .....	Nay	Ms. Mace .....	Yea
Mr. Lamb .....	Nay	Ms. Malliotakis .....	Nay
Mr. Moulton .....	Nay	Ms. Van Duyn .....	Yea
Mr. Auchincloss .....	Nay	Mr. Gimenez .....	Nay
Ms. Bourdeaux .....	Nay	Mrs. Steel .....	Yea
Mr. Kahele .....	Nay		
Ms. Strickland .....	Nay		
Ms. Williams of GA .....	Nay		
Ms. Newman .....	Nay		
Mr. Carter .....	Nay		

*Committee on Transportation and Infrastructure Roll Call No. 75*

On: Agreeing to amendment #1D offered by Mr. Perry (379)

Not Agreed to: 22 yeas and 43 nays

Member	Vote	Member	Vote
Mr. DeFazio .....	Nay	Mr. Graves of MO .....	Nay
<i>Ms. Norton</i> .....	Nay	Mr. Young .....	Yea
Ms. Johnson of TX .....	Nay	Mr. Crawford .....	Yea
Mr. Larsen of WA .....	Nay	Mr. Gibbs .....	Yea
Mrs. Napolitano .....	Nay	Mr. Webster .....	Yea
Mr. Cohen .....	Nay	Mr. Massie .....	Yea
Mr. Sires .....	Nay	Mr. Perry .....	Yea
Mr. Garamendi .....	Nay	Mr. Rodney Davis of IL .....	Nay
Mr. Johnson of GA .....	Nay	Mr. Katko .....	Nay
Mr. Carson .....	Nay	Mr. Babin .....	Yea
Ms. Titus .....	Nay	Mr. Graves of LA .....	Yea
Mr. Maloney of NY .....	Nay	Mr. Rouzer .....	Yea
Mr. Huffman .....	Nay	Mr. Bost .....	Nay
Ms. Brownley .....	Nay	Mr. Weber of TX .....	Yea
Ms. Wilson of FL .....	Nay	Mr. LaMalfa .....	Nay
Mr. Payne .....	Nay	Mr. Westerman .....	Yea
Mr. Lowenthal .....	Nay	Mr. Mast .....	Yea
Mr. DeSaulnier .....	Nay	Mr. Gallagher .....	Yea
Mr. Lynch .....	Nay	Mr. Fitzpatrick .....	Nay
Mr. Carbajal .....	Nay	<i>Miss González-Colón</i> .....	Yea
Mr. Brown .....	Nay	Mr. Balderson .....	Nay
Mr. Malinowski .....	Nay	Mr. Stauber .....	Yea
Mr. Stanton .....	Nay	Mr. Burchett .....	Yea
Mr. Alfred .....	Nay	Mr. Johnson of SD .....	Yea

Member	Vote	Member	Vote
Ms. Davids of KS .....	Nay	Mr. Van Drew .....	Yea
Mr. Garcia of IL .....	Nay	Mr. Guest .....	Yea
Mr. Delgado .....	Nay	Mr. Nehls .....	Yea
Mr. Pappas .....	Nay	Ms. Mace .....	Yea
Mr. Lamb .....	Nay	Ms. Malliotakis .....	Yea
Mr. Moulton .....	Nay	Ms. Van Duyne .....	.....
Mr. Auchincloss .....	Nay	Mr. Gimenez .....	Yea
Ms. Bourdeaux .....	Nay	Mrs. Steel .....	Yea
Mr. Kahele .....	Nay		
Ms. Strickland .....	Nay		
Ms. Williams of GA .....	Nay		
Ms. Newman .....	Nay		
Mr. Carter .....	Nay		

#### COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

#### NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

#### CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the enclosed cost estimate for H.R. 1066 from the Director of the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, July 27, 2022.*

Hon. PETER A. DEFAZIO,  
*Chairman, Committee on Transportation and Infrastructure,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1066, the Wildfire Recovery Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Jon Sperl.

Sincerely,

PHILLIP L. SWAGEL,  
*Director.*

Enclosure.

At a Glance			
<b>H.R. 1066, Wildfire Recovery Act</b>			
As ordered reported by the House Committee on Transportation and Infrastructure on October 27, 2021			
By Fiscal Year, Millions of Dollars	2022	2022-2027	2022-2032
Direct Spending (Outlays)	0	31	69
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	31	69
Spending Subject to Appropriation (Outlays)	0	*	not estimated
Statutory pay-as-you-go procedures apply?	Yes	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2033?	< \$5 billion	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

The bill would:

- Authorize the Federal Emergency Management Agency (FEMA) to cover up to 100 percent of total costs when providing fire management assistance grants to state and local governments

Estimated budgetary effects would mainly stem from:

- Increasing the share of costs that the federal government would cover for fire management assistance grants

Areas of significant uncertainty include:

- Estimating the total amount of assistance that FEMA and state and local governments will provide for fire management assistance grants
- Estimating how often FEMA would choose to increase the federal share of costs, and what percentage of costs the agency would cover

Bill summary: H.R. 1066 would authorize the Federal Emergency Management Agency (FEMA) to use funds appropriated for disaster relief to increase the federal cost share from the current 75 percent up to 100 percent for fire management assistance grants, at the agency's discretion. Under the bill, FEMA also would be required to promulgate a rule establishing guidelines and thresholds for cases in which the federal cost share for such grants may be increased.

Estimated Federal cost: The estimated budgetary effect of H.R. 1066 is shown in Table 1. The costs of the legislation fall within budget function 450 (community and regional development).

TABLE 1.—ESTIMATED BUDGETARY EFFECTS OF H.R. 1066

	By fiscal year, millions of dollars—												
	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2022– 2027	2022– 2032
	Increases in Direct Spending												
Estimated Budget Authority .....	0	0	0	0	0	0	0	0	0	0	0	0	0
Estimated Outlays .....	0	5	6	6	7	7	7	7	8	8	8	31	69

Basis of estimate: For this estimate, CBO assumes that the bill will be enacted late in fiscal year 2022 and that FEMA would begin providing additional assistance in 2023. CBO's estimate of outlays in each year is based on historical patterns of spending under the fire management assistance grant program.

Direct spending: Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, FEMA awards fire management assistance grants to state and local governments to control fires when the President has declared that an uncontrolled fire would constitute a major disaster. Under current law, the federal cost share covers 75 percent of eligible expenses and state, local, and tribal governments are responsible for the remaining 25 percent. Over the 2017–2021 period, FEMA obligated a total of nearly \$900 million for those grants; states paid an additional \$300 million—or 25 percent of total costs.

The President declared more than 125 major disasters in fiscal years 2019 and 2020. Under current law, FEMA has the discretion to increase the federal cost share under the Public Assistance Program to greater than 75 percent if the agency determines that the effects of a disaster are sufficiently severe—typically, if per capita damages in a jurisdiction exceed specified levels. Among those 125 declarations, FEMA covered 90 percent of costs for 7 percent of declarations and covered 100 percent of costs for 4 percent of declarations; FEMA paid 75 percent of costs for the remaining 89 percent of those declarations.<sup>1</sup> Using information from FEMA and in keeping with the agency's response to the broader set of recent disasters, CBO expects that the agency would cover a similar percentage of costs for fire management assistance grants under the bill.

Under current law, CBO estimates that federal and state spending on fire management assistance grants will total about \$3.5 billion over the 2023–2032 period, of which FEMA will pay \$2.6 billion. Under the expectation that FEMA would increase its share of costs from 75 percent to 90 percent or to 100 percent at the same frequency as prior disasters, CBO estimates that FEMA's costs would increase by \$5 million in 2023, with that cost rising to \$8 million in 2032. In total, enacting the bill would increase direct spending by \$69 million over the 2022–2032 period.

Disaster assistance for programs authorized under the Stafford Act is paid from the agency's Disaster Relief Fund (DRF). Because H.R. 1066 would expand the use of previously appropriated balances from the DRF, some of which CBO estimates would not otherwise spend over the 2022–2032 period, the bill would increase direct spending. That increased spending would be offset by lower spending of the same amount in years after 2032.

Spending subject to appropriation: H.R. 1066 would require FEMA to complete a rulemaking to establish the criteria and thresholds—such as per capita damages in a jurisdiction—under which the agency would recommend that a higher federal share be provided. Under current law, FEMA principally uses per capita damage indicators, tailored to each state or local jurisdiction, to determine whether to increase cost shares. CBO expects that FEMA

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<sup>1</sup>The federal government paid 100 percent of costs for an additional 59 disaster declarations made for the coronavirus pandemic. Because of the unusual nature of the pandemic, for the purposes of this estimate, CBO excluded those declarations when projecting how often FEMA would increase cost shares for fire management assistance grants.

would complete that rulemaking early in 2023. CBO estimates that those administrative costs would total less than \$500,000; any spending would be subject to the availability of appropriated funds.

Uncertainty: This estimate is subject to considerable uncertainty. Because H.R. 1066 would increase how much the federal government could pay for disasters, the cost of the legislation would principally depend upon how much FEMA allocates in response to qualifying fire disasters. CBO's estimate of the bill's implementation costs is informed by historical data about spending under the fire management assistance grant program and FEMA's actions in other types of disasters, but the ultimate amounts that FEMA will cover are difficult to predict. Those costs will be determined by the frequency and severity of future fires, as well as by decisions made by the agency about how much assistance to provide. Based on the needs of recipient communities in the future, if FEMA decided to increase or decrease the amounts allocated to the program—or the proportion of costs the federal government covers—spending under H.R. 1066 would, in turn, be higher or lower than CBO estimates.

Pay-as-you-go considerations: The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The net changes in outlays that are subject to those pay-as-you-go procedures are shown in Table 1.

Increase in long-term deficits: CBO estimates that enacting H.R. 1066 would not increase on-budget deficits by more than \$5 billion in any of the four consecutive 10-year periods beginning in 2033.

Mandates: None.

Estimate prepared by: Federal Costs: Jon Sperl, Mandates: Rachel Austin.

Estimate reviewed by: Justin Humphrey, Chief, Finance, Housing, and Education Cost Estimates Unit; H. Samuel Papenfuss, Deputy Director of Budget Analysis; Theresa Gullo, Director of Budget Analysis.

#### PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this legislation is to make it possible for the Federal Emergency management Agency (FEMA) to cover more than 75 percent of the costs to suppress a wildfire that qualifies for Fire Management Assistance Grants.

#### DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 1066, as amended, establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED  
TARIFF BENEFITS

In compliance with clause 9 of rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of the rule XXI.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104-4).

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. the Committee finds that H.R. 1066, as amended, does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104-1).

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

*Section 1. Short title*

This section provides that this bill may be cited as the “Wildfire Recovery Act”.

*Sec. 2. Fire Management Assistance cost share*

This section statutorily codifies that Fire Management Assistance Grants (FMAGs) shall have a federal share of not less than 75 percent. This section shall only apply to funds appropriated after the enactment of this Act.

*Sec. 3. Rulemaking*

This section requires the Federal Emergency Management Agency (FEMA) to conduct and complete a rulemaking to establish criteria that will be used to inform when the FEMA administrator may recommend a cost share adjustment to the president for FMAGs of a certain magnitude.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill,

as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

**ROBERT T. STAFFORD DISASTER RELIEF AND  
EMERGENCY ASSISTANCE ACT**

\* \* \* \* \*

**TITLE IV—MAJOR DISASTER  
ASSISTANCE PROGRAMS**

\* \* \* \* \*

**SEC. 420. FIRE MANAGEMENT ASSISTANCE.**

(a) **IN GENERAL.**—The President is authorized to provide assistance, including grants, equipment, supplies, and personnel, to any State or local government for the mitigation, management, and control of any fire on public or private forest land or grassland that threatens such destruction as would constitute a major disaster.

(b) **COORDINATION WITH STATE AND TRIBAL DEPARTMENTS OF FORESTRY.**—In providing assistance under this section, the President shall coordinate with State and tribal departments of forestry.

(c) **ESSENTIAL ASSISTANCE.**—In providing assistance under this section, the President may use the authority provided under section 403.

(d) **HAZARD MITIGATION ASSISTANCE.**—Whether or not a major disaster is declared, the President may provide hazard mitigation assistance in accordance with section 404 in any area affected by a fire for which assistance was provided under this section.

(e) **FEDERAL SHARE.**—*The Federal share of assistance under this section shall be not less than 75 percent of the eligible cost of such assistance.*

**[(e)] (f) RULES AND REGULATIONS.**—The President shall prescribe such rules and regulations as are necessary to carry out this section.

\* \* \* \* \*