

107TH CONGRESS  
2D SESSION

# S. 2528

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.

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## IN THE SENATE OF THE UNITED STATES

MAY 16 (legislative day, MAY 9), 2002

Mr. DOMENICI (for himself, Mr. BAUCUS, Mr. HAGEL, Ms. SNOWE, Mr. KYL, Mr. SMITH of Oregon, Mr. SMITH of New Hampshire, Mr. GRAHAM, Mr. BURNS, Mr. BINGAMAN, Mr. CAMPBELL, Mr. WYDEN, and Mr. ALLARD) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## 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,*

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

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

6       (b) TABLE OF CONTENTS.—The table of contents of  
7       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 repositioning wildfire suppression resources.

### 1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) regional drought disasters in the United  
 4 States cause serious economic and environmental  
 5 losses, yet there is no national policy to ensure an  
 6 integrated and coordinated Federal strategy to pre-  
 7 pare for, mitigate, or respond to such losses;

8 (2) State, tribal, and local governments have to  
 9 coordinate efforts with each Federal agency involved

1 in drought monitoring, planning, mitigation, and re-  
2 sponse;

3 (3) effective drought monitoring—

4 (A) is a critical component of drought pre-  
5 paredness and mitigation; and

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

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

16 (5) according to the report issued by the Na-  
17 tional Drought Policy Commission in May 2000, the  
18 guiding principles of national drought policy should  
19 be—

20 (A) to favor preparedness over insurance,  
21 insurance over relief, and incentives over regu-  
22 lation;

23 (B) to establish research priorities based  
24 on the potential of the research to reduce  
25 drought impacts;

1 (C) to coordinate the delivery of Federal  
2 services through collaboration with State and  
3 local governments and other non-Federal enti-  
4 ties; and

5 (D) to improve collaboration among sci-  
6 entists and managers; and

7 (6) the National Drought Council, in coordina-  
8 tion with Federal agencies and State, tribal, and  
9 local governments, should provide the necessary di-  
10 rection, coordination, guidance, and assistance in de-  
11 veloping a comprehensive drought preparedness sys-  
12 tem.

13 **SEC. 3. DEFINITIONS.**

14 In this Act:

15 (1) COUNCIL.—The term “Council” means the  
16 National Drought Council established by section  
17 101(a).

18 (2) CRITICAL SERVICE PROVIDER.—The term  
19 “critical service provider” means an entity that pro-  
20 vides power, water (including water provided by an  
21 irrigation organization or facility), sewer services, or  
22 wastewater treatment.

23 (3) DIRECTOR.—The term “Director” means  
24 the Director of the Federal Emergency Management  
25 Agency.

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

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

7           (A) that may lead to a deficiency in sur-  
8       face and subsurface water supplies (including  
9       rivers, streams, wetlands, ground water, soil  
10      moisture, reservoir supplies, lake levels, and  
11      snow pack); and

12          (B) that causes or may cause—

13           (i) substantial economic or social im-  
14          pacts; or

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

17          (6) FUND.—The term “Fund” means the  
18       Drought Assistance Fund established by section  
19       121(a).

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

24          (8) MITIGATION.—The term “mitigation”  
25       means a short- or long-term action, program, or pol-

1        icy that is implemented in advance of or during a  
2        drought to minimize any risks and impacts of  
3        drought.

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

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

16           (11) OFFICE.—The term “Office” means the  
17        National Office of Drought Preparedness established  
18        under section 111.

19           (12) TRIGGER.—The term “trigger” means the  
20        thresholds or criteria that must be satisfied before  
21        mitigation or emergency assistance may be provided  
22        to an area—

23                    (A) in which drought is emerging; or

24                    (B) that is experiencing a drought.

1 **SEC. 4. EFFECT OF ACT.**

2 This Act does not affect—

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

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

7 **TITLE I—DROUGHT**  
8 **PREPAREDNESS**  
9 **Subtitle A—National Drought**  
10 **Council**

11 **SEC. 101. MEMBERSHIP AND VOTING.**

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

14 (b) **MEMBERSHIP.**—

15 (1) **COMPOSITION.**—The Council shall be com-  
16 posed of—

17 (A) the Director;

18 (B) the Secretary of the Interior;

19 (C) the Secretary of the Army;

20 (D) the Secretary of Agriculture;

21 (E) 4 members appointed by the Federal  
22 co-chair appointed under subsection (f), in co-  
23 ordination with the National Governors Associa-  
24 tion, of whom—

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

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

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

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

13 (F) 1 member appointed by the Federal  
14 co-chair, in coordination with the National As-  
15 sociation of Counties;

16 (G) 1 member appointed by the Federal  
17 co-chair, in coordination with the United States  
18 Conference of Mayors;

19 (H) 1 member appointed by the Secretary  
20 of the Interior, in coordination with Indian  
21 tribes, to represent the interests of tribal gov-  
22 ernments; and

23 (I) 1 member appointed by the Secretary  
24 of Agriculture, in coordination with the Na-  
25 tional Association of Conservation Districts, to

1 represent local soil and water conservation dis-  
2 tricts.

3 (2) DATE OF APPOINTMENT.—The appointment  
4 of each member of the Council shall be made not  
5 later than 120 days after the date of enactment of  
6 this Act.

7 (c) TERM; VACANCIES.—

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

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

11 (A) shall not affect the powers of the  
12 Council; and

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

15 (d) MEETINGS.—

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

18 (2) FREQUENCY.—The Council shall meet at  
19 least semiannually.

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

23 (f) CO-CHAIRS.—

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

1 (2) APPOINTMENT.—

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

4 (B) NON-FEDERAL CO-CHAIR.—The Coun-  
5 cil members appointed under subparagraphs  
6 (E) through (I) of subsection (b)(1) shall select  
7 a non-Federal co-chair from among the mem-  
8 bers appointed under those subparagraphs.

9 (g) DIRECTOR OF THE OFFICE.—

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

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

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

15 (a) IN GENERAL.—The Council shall—

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

19 (A)(i) delineates and integrates responsibil-  
20 ities for activities relating to drought (including  
21 drought preparedness, mitigation, research, risk  
22 management, training, and emergency relief)  
23 among Federal agencies; and

24 (ii) ensures that those activities are coordi-  
25 nated with the activities of the States, local

1 governments, Indian tribes, and neighboring  
2 countries;

3 (B) is consistent with—

4 (i) this Act and other applicable Fed-  
5 eral laws; and

6 (ii) the laws and policies of the States  
7 for water management;

8 (C) is integrated with drought manage-  
9 ment programs of the States, Indian tribes,  
10 local governments, and private entities; and

11 (D) avoids duplicating Federal, State, trib-  
12 al, local, and private drought preparedness and  
13 monitoring programs in existence on the date of  
14 enactment of this Act;

15 (2) evaluate Federal drought-related programs  
16 in existence on the date of enactment of this Act and  
17 make recommendations to Congress and the Presi-  
18 dent on means of eliminating—

19 (A) discrepancies between the goals of the  
20 programs and actual service delivery;

21 (B) duplication among programs; and

22 (C) any other circumstances that interfere  
23 with the effective operation of the programs;

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

1 (A) the establishment of common inter-  
2 agency triggers for authorizing Federal drought  
3 mitigation programs; and

4 (B) improving the consistency and fairness  
5 of assistance among Federal drought relief pro-  
6 grams;

7 (4) coordinate and prioritize specific activities  
8 that will improve the National Drought Monitoring  
9 Network by—

10 (A) taking into consideration the limited  
11 resources for—

12 (i) drought monitoring, prediction,  
13 and research activities; and

14 (ii) water supply forecasting; and

15 (B) providing for the development of an ef-  
16 fective drought information delivery system  
17 that—

18 (i) communicates drought conditions  
19 and impacts to—

20 (I) decisionmakers at the Fed-  
21 eral, regional, State, tribal, and local  
22 levels of government;

23 (II) the private sector; and

24 (III) the public; and

1 (ii) includes near-real-time data, infor-  
2 mation, and products developed at the  
3 Federal, regional, State, tribal, and local  
4 levels of government that reflect regional  
5 and State differences in drought condi-  
6 tions;

7 (5) encourage and facilitate the development of  
8 drought preparedness plans under subtitle C, includ-  
9 ing establishing the guidelines under sections 121(c)  
10 and 122(a);

11 (6) based on a review of drought preparedness  
12 plans, develop and make available to the public  
13 drought planning models to reduce water resource  
14 conflicts relating to water conservation and  
15 droughts;

16 (7) develop and coordinate public awareness ac-  
17 tivities to provide the public with access to under-  
18 standable, and informative materials on drought,  
19 including—

20 (A) explanations of the causes of drought,  
21 the impacts of drought, and the damages from  
22 drought;

23 (B) descriptions of the value and benefits  
24 of land stewardship to reduce the impacts of  
25 drought and to protect the environment;

1 (C) clear instructions for appropriate re-  
2 sponses to drought, including water conserva-  
3 tion, water reuse, and detection and elimination  
4 of water leaks; and

5 (D) information on State and local laws  
6 applicable to drought; and

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

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

12 (1) agricultural production, wildlife, and fishery  
13 interests;

14 (2) forestry and fire management interests;

15 (3) the credit community;

16 (4) rural and urban water associations;

17 (5) environmental interests;

18 (6) engineering and construction interests; and

19 (7) the portion of the science community that  
20 is concerned with drought and climatology.

21 (c) REPORTS TO CONGRESS.—

22 (1) ANNUAL REPORT.—

23 (A) IN GENERAL.—Not later than 1 year  
24 after the date of the first meeting of the Coun-  
25 cil, and annually thereafter, the Council shall

1 submit to Congress a report on the activities  
2 carried out under this title.

3 (B) INCLUSIONS.—

4 (i) IN GENERAL.—The annual report  
5 shall include a summary of drought pre-  
6 paredness plans completed under sections  
7 123 through 125.

8 (ii) INITIAL REPORT.—The initial re-  
9 port submitted under subparagraph (A)  
10 shall include any recommendations of the  
11 Council under paragraph (2) or (3) of sub-  
12 section (a).

13 (2) FINAL REPORT.—Not later than 7 years  
14 after the date of enactment of this Act, the Council  
15 shall submit to Congress a report that  
16 recommends—

17 (A) amendments to this Act; and

18 (B) whether the Council should continue.

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

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

24 (b) INFORMATION FROM FEDERAL AGENCIES.—

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

5           (2) PROVISION OF INFORMATION.—

6           (A) IN GENERAL.—Except as provided in  
7           subparagraph (B), on request of the Federal co-  
8           chair or non-Federal co-chair, the head of a  
9           Federal agency may provide information to the  
10          Council.

11          (B) LIMITATION.—The head of a Federal  
12          agency shall not provide any information to the  
13          Council that the Federal agency head deter-  
14          mines the disclosure of which may cause harm  
15          to national security interests.

16          (c) POSTAL SERVICES.—The Council may use the  
17          United States mail in the same manner and under the  
18          same conditions as other agencies of the Federal Govern-  
19          ment.

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

22          (e) FEDERAL FACILITIES.—If the Council proposes  
23          the use of a Federal facility for the purposes of carrying  
24          out this title, the Council shall solicit and consider the

1 input of the Federal agency with jurisdiction over the fa-  
2 cility.

3 **SEC. 104. COUNCIL PERSONNEL MATTERS.**

4 (a) COMPENSATION OF MEMBERS.—

5 (1) NON-FEDERAL EMPLOYEES.—A member of  
6 the Council who is not an officer or employee of the  
7 Federal Government shall serve without compensa-  
8 tion.

9 (2) FEDERAL EMPLOYEES.—A member of the  
10 Council who is an officer or employee of the United  
11 States shall serve without compensation in addition  
12 to the compensation received for services of the  
13 member as an officer or employee of the Federal  
14 Government.

15 (b) TRAVEL EXPENSES.—A member of the Council  
16 shall be allowed travel expenses at rates authorized for an  
17 employee of an agency under subchapter I of chapter 57  
18 of title 5, United States Code, while away from the home  
19 or regular place of business of the member in the perform-  
20 ance of the duties of the Council.

21 **SEC. 105. AUTHORIZATION OF APPROPRIATIONS.**

22 There is authorized to be appropriated to carry out  
23 this title \$2,000,000 for each of fiscal years 2003 through  
24 2010.

1 **SEC. 106. TERMINATION OF COUNCIL.**

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

4 **Subtitle B—National Office of**  
5 **Drought Preparedness**

6 **SEC. 111. ESTABLISHMENT.**

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

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

12 (a) APPOINTMENT.—

13 (1) IN GENERAL.—The Director shall appoint a  
14 Director of the Office under sections 3371 through  
15 3375 of title 5, United States Code.

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

18 (A) public administration; and

19 (B) drought mitigation or drought man-  
20 agement.

21 (b) POWERS.—The Director of the Office may hire  
22 such other additional personnel or contract for services  
23 with other entities as necessary to carry out the duties  
24 of the Office.

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

2 (a) IN GENERAL.—An employee of the Federal Gov-  
3 ernment may be detailed to the Office without reimburse-  
4 ment, unless the Federal co-chair, on the recommendation  
5 of the Director of the Office, determines that reimburse-  
6 ment is appropriate.

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

10 **Subtitle C—Drought Preparedness**  
11 **Plans**

12 **SEC. 121. DROUGHT ASSISTANCE FUND.**

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

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

18 (1) providing technical and financial assistance  
19 (including grants and cooperative assistance) to  
20 States, Indian tribes, local governments, and critical  
21 service providers for the development and implemen-  
22 tation of drought preparedness plans under sections  
23 123 through 125;

24 (2) providing to States, Indian tribes, local gov-  
25 ernments, and critical service providers the Federal  
26 share, as determined by the Federal co-chair, in con-

1 sultation with the other members of the Council, of  
2 the cost of mitigating the overall risk and impacts  
3 of droughts;

4 (3) assisting States, Indian tribes, local govern-  
5 ments, and critical service providers in the develop-  
6 ment of mitigation measures to address environ-  
7 mental, economic, and human health and safety  
8 issues relating to drought;

9 (4) expanding the technology transfer of  
10 drought and water conservation strategies and inno-  
11 vative water supply techniques;

12 (5) developing post-drought evaluations and  
13 recommendations; and

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

16 (c) GUIDELINES.—

17 (1) IN GENERAL.—The Federal co-chair of the  
18 Council shall, in consultation with other members of  
19 the Council, promulgate guidelines implementing  
20 this section.

21 (2) REQUIREMENTS.—The guidelines shall—

22 (A) ensure the distribution of amounts  
23 from the Fund within a reasonable period of  
24 time;

1 (B) take into consideration regional dif-  
2 ferences; and

3 (C) prohibit the use of amounts from the  
4 Fund for Federal salaries that are not directly  
5 related to the provision of drought assistance.

6 (d) AUTHORIZATION OF APPROPRIATIONS.—There  
7 are authorized to be appropriated to the Fund such sums  
8 as are necessary to carry out the purposes described in  
9 subsection (b).

10 **SEC. 122. DROUGHT PREPAREDNESS PLANS.**

11 (a) IN GENERAL.—The Director, in consultation with  
12 the Council, shall publish guidelines for administering a  
13 national program to provide technical and financial assist-  
14 ance to States, Indian tribes, local governments, and crit-  
15 ical service providers for the development, maintenance,  
16 and implementation of drought preparedness plans.

17 (b) REQUIREMENTS.—To build on the experience and  
18 avoid duplication of efforts of Federal, State, local, tribal,  
19 and regional drought plans in existence on the date of en-  
20 actment of this Act, the guidelines may recognize and in-  
21 corporate those plans.

22 **SEC. 123. FEDERAL PLANS.**

23 (a) IN GENERAL.—The Director, the Secretary of  
24 Agriculture, the Secretary of the Interior, the Secretary  
25 of the Army, and other appropriate Federal agency heads

1 shall develop and implement Federal drought prepared-  
2 ness plans for agencies under the jurisdiction of the appro-  
3 priate Federal agency head.

4 (b) REQUIREMENTS.—The Federal plans—

5 (1) shall be integrated with each other;

6 (2) may be included as components of other  
7 Federal planning requirements;

8 (3) shall be integrated with drought prepared-  
9 ness plans of State, tribal, and local governments  
10 that are affected by Federal projects and programs;  
11 and

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

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

15 States and Indian tribes may develop and implement  
16 State and tribal drought preparedness plans that—

17 (1) address monitoring of resource conditions  
18 that are related to drought;

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

21 (3) describes mitigation strategies to address  
22 and reduce the vulnerability of an area to drought;  
23 and

1           (4) are integrated with State, tribal, and local  
2           water plans in existence on the date of enactment of  
3           this Act.

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

5           Local governments and regional water providers may  
6           develop and implement drought preparedness plans that—

7           (1) address monitoring of resource conditions  
8           that are related to drought;

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

11          (3) describe mitigation strategies to address  
12          and reduce the vulnerability of an area to drought;  
13          and

14          (4) are integrated with corresponding State  
15          plans.

16 **SEC. 126. PLAN ELEMENTS.**

17          The drought preparedness plans developed under sec-  
18          tions 123 through 125—

19          (1) shall be consistent with Federal and State  
20          laws, contracts, and policies;

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

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

1 (4) may include—

2 (A) provisions for water management  
3 strategies to be used during various drought or  
4 water shortage thresholds, consistent with State  
5 water law;

6 (B) provisions to address key issues relat-  
7 ing to drought (including public health, safety,  
8 economic factors, and environmental issues such  
9 as water quality, water quantity, protection of  
10 threatened and endangered species, and fire  
11 management);

12 (C) provisions that allow for public partici-  
13 pation in the development, adoption, and imple-  
14 mentation of drought plans;

15 (D) provisions for periodic drought exer-  
16 cises, revisions, and updates;

17 (E) a hydrologic characterization study to  
18 determine how water is being used during times  
19 of normal water supply availability to anticipate  
20 the types of drought mitigation actions that  
21 would most effectively improve water manage-  
22 ment during a drought;

23 (F) drought triggers;

24 (G) specific implementation actions for  
25 droughts;

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

3 (I) comprehensive insurance and financial  
 4 strategies to manage the risks and financial im-  
 5 pacts of droughts; and

6 (5) shall take into consideration—

7 (A) the financial impact of the plan on the  
 8 ability of the utilities to ensure rate stability  
 9 and revenue stream; and

10 (B) economic impacts from water short-  
 11 ages.

## 12 **TITLE II—WILDFIRE** 13 **SUPPRESSION**

### 14 **SEC. 201. GRANTS FOR PREPOSITIONING WILDFIRE SUP-** 15 **PRESSION RESOURCES.**

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

### 19 **“SEC. 205. GRANTS FOR PREPOSITIONING WILDFIRE SUP-** 20 **PRESSION RESOURCES.**

21 “(a) FINDINGS AND PURPOSE.—

22 “(1) FINDINGS.—Congress finds that—

23 “(A) droughts increase the risk of cata-  
 24 strophic wildfires that—

1           “(i) drastically alter and otherwise ad-  
2           versely affect the landscape for commu-  
3           nities and the environment;

4           “(ii) because of the potential of such  
5           wildfires to overwhelm State wildfire sup-  
6           pression resources, require a coordinated  
7           response among States, Federal agencies,  
8           and neighboring countries; and

9           “(iii) result in billions of dollars in  
10          losses each year;

11          “(B) the Federal Government must, to the  
12          maximum extent practicable, prevent and sup-  
13          press such catastrophic wildfires to protect  
14          human life and property;

15          “(C) not taking into account State, local,  
16          and private wildfire suppression costs, during  
17          the period of 1996 through 2000, the Federal  
18          Government expended over \$630,000,000 per  
19          year for wildfire suppression costs;

20          “(D) it is more cost-effective to prevent  
21          wildfires by prepositioning wildfire fighting re-  
22          sources to catch flare-ups than to commit mil-  
23          lions of dollars to respond to large uncontrol-  
24          lable fires; and

1           “(E) it is in the best interest of the United  
2 States to invest in catastrophic wildfire preven-  
3 tion and mitigation by easing the financial bur-  
4 den of repositioning wildfire suppression re-  
5 sources.

6           “(2) PURPOSE.—The purpose of this section is  
7 to encourage the mitigation and prevention of  
8 wildfires by providing financial assistance to States  
9 for repositioning of wildfire suppression resources.

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

18          “(c) ELIGIBILITY.—Wildfire suppression resources of  
19 the Federal Government, neighboring countries, and any  
20 State other than the State requesting assistance are eligi-  
21 ble for reimbursement under this section.

22          “(d) REIMBURSEMENT.—

23           “(1) IN GENERAL.—The Director may reim-  
24 burse a State for the costs of repositioning of wild-  
25 fire suppression resources of the entities specified in

1 subsection (c), including mobilization to, and demo-  
2 bilization from, the staging or prepositioning area.

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

5 “(A) any resource provided by an entity  
6 specified in subsection (c) shall have been spe-  
7 cifically requested by the State seeking reim-  
8 bursement; and

9 “(B) staging or prepositioning costs—

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

12 “(ii) shall be reasonable.”.

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