AMENDMENT TO RULES COMMITTEE PRINT 116-2

OFFERED BY MR. TIPTON OF COLORADO

At the end of the bill (before the short title), insert the following:

1 **SEC. 1102. FEDERAL LANDS WILDFIRE DISASTER DECLARA-**

2 **TION; ELIGIBILITY FOR SBA ECONOMIC IN-**

3 **JURY DISASTER LOANS.**

4 (a) FEDERAL LANDS WILDFIRE DISASTER DEC-

5 LARATION.—

6 (1) ELIGIBLE WILDFIRES.—The President may

7 declare a Federal lands wildfire disaster under this

8 subsection for any wildfire—

9 (A) for which a request for a declaration

10 under this section has been made pursuant to

11 paragraph (2); and

12 (B) that in the determination of the Presi-

13 dent causes damage of sufficient severity and

14 magnitude to warrant assistance under this Act

15 to supplement the efforts and available re-

16 sources of States, local governments, Indian

17 tribes, and disaster relief organizations in alle-

18 viating the damage, loss, hardship, or suffering

19 caused thereby.

1   (2) REQUEST FOR DECLARATION.—

2   (A) MAKING.—A request for a declaration

3   of a Federal lands wildfire disaster may be

4   made by—

5   (i) the Governor of a State affected by

6   a wildfire; or

7   (ii) the Chief Executive of an Indian

8   tribal government affected by a wildfire.

9   (B) BASIS.—A request for a declaration of

10   a Federal lands wildfire disaster shall be based

11   on a finding that the wildfire is of such severity

12   and magnitude that effective response is beyond

13   the capabilities of the State and the affected

14   local governments and that Federal assistance

15   is necessary. As part of such request, and as a

16   prerequisite to assistance under this Act, the

17   Governor or Chief Executive of the Indian trib-

18   al government making the request shall take

19   appropriate response action under State or trib-

20   al law and direct execution of the State's or

21   tribe's emergency plan. The Governor or Chief

22   Executive shall furnish to the President and the

23   Secretary of Housing and Urban Development

24   information on the nature and amount of State,

25   local, and tribal resources which have been or

1 will be committed to alleviating the results of

2 the wildfire, and shall certify that, for the cur-

3 rent wildfire, State, local, or tribal government

4 obligations and expenditures, as applicable (of

5 which State or tribal commitments shall be a

6 significant proportion) will comply with all ap-

7 plicable cost-sharing requirements of this Act.

8 (b) ELIGIBILITY FOR SBA ECONOMIC INJURY DIS-

9 ASTER LOANS.—

10 (1) IN GENERAL.—Section 7(b)(2) of the Small

11 Business Act (15 U.S.C. 636(b)(2)) is amended—

12 (A) in subparagraph (C), by striking "or"

13 at the end;

14 (B) by redesignating subparagraph (D) as

15 subparagraph (E);

16 (C) by inserting after subparagraph (C)

17 the following:

18 "(D) a Federal lands wildfire disaster, as

19 declared by the President under section 1102(a)

20 of the Supplemental Appropriations Act, 2019;

21 or"; and

22 (D) in subparagraph (E), as so redesig-

23 nated, by striking "subparagraph (A), (B), or

24 (C)" and inserting "subparagraph (A), (B),

25 (C), or (D)".

4

1   (2) EXTENSION OF ELIGIBILITY TO BUSINESSES

2   IMPACTED BY SECONDARY AND TERTIARY DAM-

3   AGE.—Section 7(b) of the Small Business Act (15

4   U.S.C. 636(b)) is amended by inserting after para-

5   graph (15) the following:

6   "(16) EXTENSION OF ELIGIBILITY TO BUSI-

7   NESSES IMPACTED BY SECONDARY AND TERTIARY

8   DAMAGE FROM A FEDERAL LANDS WILDFIRE DIS-

9   ASTER.—Any business impacted by the secondary or

10   tertiary damage in connection with a Federal lands

11   wildfire disaster (as declared by the President under

12   section 1102(a) of the Supplemental Appropriations

13   Act, 2019), including mudslides, rockslides, falling

14   trees, and other events causing damage that is not

15   directly caused by fire, shall be eligible to receive

16   loans under paragraph (2) to the same extent as a

17   small business concern, private nonprofit organiza-

18   tion, or small agricultural cooperative eligible to re-

19   ceive loans under such paragraph in connection with

20   the Federal lands wildlife disaster.".

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