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Legislative Bulletin.....March 25, 2009

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H.R. 1404—Federal Land Assistance, Management and Enhancement (Flame) Act

H.R. 1404—Federal Land Assistance, Management and Enhancement (FLAME) Act (*Rahall, D-WV*)

Order of Business: The bill is scheduled to be considered on Wednesday, March 25, 2009, under a structured rule (H.Res. 281). The rule waives all points of order against considering the bill (except those for PAYGO and earmarks), provides for one hour of general debate, and makes in order 13 amendments.

Major Changes Since the Last Time This Legislation Was Before the House: Similar legislation passed the House by voice vote on July 9, 2008 (H.R. 5541). The Senate did not take subsequent action.

Summary: H.R. 1404 would establish the Federal Land Assistance, Management, and Enhancement Fund (the Flame Fund). The bill would require that amounts in the Flame Fund be made available to the Secretary of the Interior and the Secretary of Agriculture to pay the costs of catastrophic emergency wildland fire suppression activities that are separate from amounts annually appropriated for the predicted annual workload for such activities.

The Flame Fund would finance some fire suppression activities managed by the Forest Service and the Bureau of Land Management (BLM). The bill also would authorize the Forest Service and the BLM to provide grants to certain communities to improve local firefighting capabilities. The bill would require that the Secretaries establish an accounting and reporting system for the Flame Fund. In addition, it requires the Secretaries to annually report on the use of the funds from the Flame Fund, and submit a report that contains a cohesive wildland fire management strategy.

Committee Action: None.

Administration Position: No Statement of Administration Policy (SAP) is available.

Cost to Taxpayers: A CBO score of H.R. 1404 is unavailable. However, CBO estimated that similar legislation (H.R. 5541) would authorize about \$100 million over a five year period, subject to appropriation.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, the legislation creates a new grant program for fire suppression.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: An earmarks/revenue benefits statement required under House Rule XXI, Clause 9(a) was not available at press time.

Constitutional Authority: A committee report citing constitutional authority is not available.

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