

119TH CONGRESS
2D SESSION

S. _____

To provide for a procedure for Congress to carry out a reversal of a decision by the President not to declare a major disaster requested by the Governor of a State under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. BENNET (for himself and Mr. HICKENLOOPER) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To provide for a procedure for Congress to carry out a reversal of a decision by the President not to declare a major disaster requested by the Governor of a State under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 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.**

4 This Act may be cited as the “Disaster Declaration
5 Transparency Act of 2026”.

1 **SEC. 2. PROCESS FOR CONGRESSIONAL REVERSAL OF RE-**
2 **FUSAL TO DECLARE MAJOR DISASTER.**

3 Section 401 of the Robert T. Stafford Disaster Relief
4 and Emergency Assistance Act (42 U.S.C. 5170) is
5 amended by adding at the end the following:

6 “(d) NOTIFICATION TO CONGRESS.—

7 “(1) COVERED REFUSAL.—in this subsection,
8 the term ‘covered refusal’ means an instance in
9 which—

10 “(A) the Governor of a State requests a
11 declaration by the President of a major disaster
12 under subsection (a); and

13 “(B) the President declines to declare such
14 a major disaster—

15 “(i) contrary to a recommendation
16 provided by the Administrator of the Fed-
17 eral Emergency Management Agency; or

18 “(ii) based on a recommendation by
19 the Administrator of the Federal Emer-
20 gency Management Agency not to approve
21 the declaration that is contrary to estab-
22 lished precedent.

23 “(2) NOTIFICATION REQUIREMENT.—Not later
24 than 24 hours after issuing a covered refusal, the
25 President shall submit to the Speaker of the House

1 of Representatives and the President of the Senate
2 a written explanation of the covered refusal.

3 “(e) DECLARATION BY JOINT RESOLUTION.—

4 “(1) DEFINITIONS.—In this subsection:

5 “(A) COVERED JOINT RESOLUTION.—The
6 term ‘covered joint resolution’ means only a
7 joint resolution of either House of Congress—

8 “(i) introduced not later than 14 cal-
9 endar days after the date on which Con-
10 gress receives a notification under sub-
11 section (d)(2) relating to a covered refusal;
12 and

13 “(ii) the sole matter after the resolv-
14 ing clause of which is as follows: ‘That the
15 President shall declare a major disaster
16 under section 401 of the Robert T. Staf-
17 ford Disaster Relief and Emergency Assist-
18 ance Act (42 U.S.C. 5170) relating to
19 _____’, the blanks being filled
20 in with a description of the disaster that is
21 the subject of the covered refusal.

22 “(B) COVERED REFUSAL.—The term ‘cov-
23 ered refusal’ has the meaning given the term in
24 subsection (d).

1 “(2) INTRODUCTION.—A covered joint resolu-
2 tion may be introduced—

3 “(A) in the House of Representatives, by
4 the majority leader (or the majority leader’s
5 designee) or the minority leader (or the minor-
6 ity leader’s designee); and

7 “(B) in the Senate, by the majority leader
8 (or the majority leader’s designee) or the mi-
9 nority leader (or the minority leader’s des-
10 ignee).

11 “(3) FLOOR CONSIDERATION IN HOUSE OF
12 REPRESENTATIVES.—

13 “(A) DISCHARGE FROM COMMITTEE.—If a
14 committee of the House of Representatives to
15 which a covered joint resolution has been re-
16 ferred has not reported the joint resolution
17 within 2 calendar days after the date of referral
18 of the joint resolution, the committee shall be
19 discharged from further consideration of the
20 joint resolution and the joint resolution shall be
21 placed on the appropriate calendar.

22 “(B) MOVING TO CONSIDERATION.—At
23 any time after a covered joint resolution has
24 been placed on the appropriate calendar, it is in
25 order for the sponsor of the joint resolution (or

1 a designee) to move for the consideration of
2 that joint resolution.

3 “(C) POINTS OF ORDER; MOTIONS.—All
4 points of order against the covered joint resolu-
5 tion and its consideration are waived. If the mo-
6 tion under subparagraph (B) is agreed to, the
7 joint resolution shall remain the unfinished
8 business of the House until disposed of, except
9 as provided in paragraph (5).

10 “(D) NO AMENDMENTS.—A covered joint
11 resolution shall not be subject to amendment in
12 the House of Representatives.

13 “(E) DEBATE.—General debate on a cov-
14 ered joint resolution shall not exceed 4 hours,
15 which shall be equally divided and controlled by
16 the sponsor of the joint resolution (or a des-
17 ignee) and an opponent.

18 “(F) FINAL PASSAGE.—At the conclusion
19 of debate, the previous question shall be consid-
20 ered as ordered on the resolution, and the
21 House of Representatives shall vote on final
22 passage without intervening motion.

23 “(4) CONSIDERATION IN THE SENATE.—

24 “(A) REPORTING AND DISCHARGE.—If the
25 committee of the Senate to which a covered

1 joint resolution was referred has not reported
2 the joint resolution within 2 calendar days after
3 the date of referral of the joint resolution, that
4 committee shall be discharged from further con-
5 sideration of the joint resolution and the joint
6 resolution shall be placed on the appropriate
7 calendar.

8 “(B) PROCEEDING TO CONSIDERATION.—
9 Notwithstanding Rule XXII of the Standing
10 Rules of the Senate, it is in order at any time
11 after the committee of the Senate to which a
12 covered joint resolution was referred reports the
13 joint resolution to the Senate or has been dis-
14 charged from consideration of the joint resolu-
15 tion (even though a previous motion to the
16 same effect has been disagreed to) to move to
17 proceed to the consideration of the joint resolu-
18 tion, and all points of order against the joint
19 resolution (and against consideration of the
20 joint resolution) are waived. The motion to pro-
21 ceed is not debatable. The motion is not subject
22 to a motion to postpone.

23 “(C) NO AMENDMENTS.—An amendment
24 to a covered joint resolution, or a motion to
25 postpone, or a motion to proceed to the consid-

1 eration of other business, or a motion to recom-
2 mit a covered joint resolution, is not in order.

3 “(D) CONSIDERATION.—

4 “(i) LIMITATION ON DEBATE.—Con-
5 sideration in the Senate of a covered joint
6 resolution shall be limited to not more than
7 10 hours, which shall be equally divided
8 between, and controlled by, the majority
9 leader and the minority leader, or by their
10 designees.

11 “(ii) VOTE ON ADOPTION.—Whenever
12 all the time for debate on a covered joint
13 resolution has been used or yielded back,
14 the vote on the passage of the resolution
15 shall occur without any intervening motion
16 or amendment, except that a single
17 quorum call at the conclusion of the debate
18 if requested in accordance with the Rules
19 of the Senate may occur immediately be-
20 fore such vote.

21 “(E) RULINGS OF THE CHAIR ON PROCE-
22 DURE.—Appeals from the decisions of the Chair
23 relating to the application of the rules of the
24 Senate, as the case may be, to the procedure re-

1 relating to a covered joint resolution shall be de-
2 cided without debate.

3 “(F) CONSIDERATION OF VETO MES-
4 SAGES.—Debate in the Senate of any veto mes-
5 sage with respect to a covered joint resolution,
6 including all debatable motions and appeals in
7 connection with the joint resolution, shall be
8 limited to 10 hours, to be equally divided be-
9 tween, and controlled by, the majority leader
10 and the minority leader or their designees.

11 “(5) RULES RELATING TO SENATE AND HOUSE
12 OF REPRESENTATIVES.—

13 “(A) TREATMENT OF SENATE JOINT RESO-
14 LUTION IN HOUSE.—In the House of Rep-
15 resentatives, the following procedures shall
16 apply to a covered joint resolution received from
17 the Senate (unless the House has already
18 passed a joint resolution relating to the same
19 proposed action):

20 “(i) The joint resolution shall be re-
21 ferred to the appropriate committees.

22 “(ii) If a committee to which a joint
23 resolution has been referred has not re-
24 ported the joint resolution within 2 cal-
25 endar days after the date of referral, that

1 committee shall be discharged from further
2 consideration of the joint resolution.

3 “(iii) Beginning on the third legisla-
4 tive day after the committee to which a
5 joint resolution has been referred reports
6 the joint resolution to the House or has
7 been discharged from further consideration
8 thereof, it shall be in order to move to pro-
9 ceed to consider the joint resolution in the
10 House. All points of order against the mo-
11 tion are waived. Such a motion shall not be
12 in order after the House has disposed of a
13 motion to proceed on the joint resolution.
14 The previous question shall be considered
15 as ordered on the motion to its adoption
16 without intervening motion. The motion
17 shall not be debatable. A motion to recon-
18 sider the vote by which the motion is dis-
19 posed of shall not be in order.

20 “(iv) The joint resolution shall be con-
21 sidered as read. All points of order against
22 the joint resolution and against its consid-
23 eration are waived. The previous question
24 shall be considered as ordered on the joint
25 resolution to final passage without inter-

1 vening motion except 4 hours of debate
2 equally divided and controlled by the spon-
3 sor of the joint resolution (or a designee)
4 and an opponent. A motion to reconsider
5 the vote on passage of the joint resolution
6 shall not be in order.

7 “(B) TREATMENT OF HOUSE JOINT RESO-
8 LUTION IN SENATE.—

9 “(i) RECEIPT BEFORE PASSAGE.—If,
10 before the passage by the Senate of a cov-
11 ered joint resolution, the Senate receives
12 an identical joint resolution from the
13 House of Representatives, the following
14 procedures shall apply:

15 “(I) That joint resolution shall
16 not be referred to a committee.

17 “(II) With respect to that joint
18 resolution—

19 “(aa) the procedure in the
20 Senate shall be the same as if no
21 joint resolution had been received
22 from the House of Representa-
23 tives; but

24 “(bb) the vote on passage
25 shall be on the joint resolution

1 from the House of Representa-
2 tives.

3 “(ii) RECEIPT AFTER PASSAGE.—If,
4 following passage of a covered joint resolu-
5 tion in the Senate, the Senate receives an
6 identical joint resolution from the House of
7 Representatives, that joint resolution shall
8 be placed on the appropriate Senate cal-
9 endar.

10 “(iii) NO COMPANION MEASURE.—If a
11 covered joint resolution is received from
12 the House, and no companion joint resolu-
13 tion has been introduced in the Senate, the
14 Senate procedures under this subsection
15 shall apply to the House joint resolution.

16 “(C) APPLICATION TO REVENUE MEAS-
17 URES.—The provisions of this paragraph shall
18 not apply in the House of Representatives to a
19 covered joint resolution that is a revenue meas-
20 ure.

21 “(6) RULES OF HOUSE OF REPRESENTATIVES
22 AND SENATE.—This subsection is enacted by Con-
23 gress—

24 “(A) as an exercise of the rulemaking
25 power of the Senate and the House of Rep-

1 representatives, respectively, and as such is deemed
2 a part of the rules of each House, respectively,
3 and supersedes other rules only to the extent
4 that it is inconsistent with such rules; and

5 “(B) with full recognition of the constitu-
6 tional right of either House to change the rules
7 (so far as relating to the procedure of that
8 House) at any time, in the same manner, and
9 to the same extent as in the case of any other
10 rule of that House.”.