

United States Senate

WASHINGTON, DC 20510

July 28, 2026

Mr. Robert Fenton
Acting Administrator
Federal Emergency Management Agency
U.S. Department of Homeland Security
500 C Street, SW
Washington, DC 20024

Mr. Vincent J. Maykovich
Acting Regional Administrator, Region 10
Federal Emergency Management Agency
U.S. Department of Homeland Security
130 228th Street, SW
Bothell, WA 98021

Dear Mr. Fenton and Mr. Maykovich,

We write to express deep concern over the Federal Emergency Management Agency's handling of the Fire Management Assistance Grant (FMAG) program in light of recent events. The State of Oregon is currently in a dire wildfire situation—the worst in the nation—with 86 active fires, as of July 27th, burning over 1 million acres with over 33,000 Oregonians under some level of evacuation and widespread impacts to critical infrastructure, including water and power, affecting alert and warning and 911 capabilities.¹

While we appreciate FEMA's approval of FMAGs for select recent fires, including the Lower Dry Creek Fire, Akawa Butte Fire, and Grasshopper Fire, we are deeply concerned by the agency's denial of FMAGs for the East Evans Creek Fire and Rowe Creek Fire Complex, which at the time of application was the largest fire in the country.

In the case of the East Evans Creek Fire, the State reported that the fire had reached nearly 16,000 acres with over 230 homes at a Level 3 “Go Now” Evacuation and was denied by FEMA on July 22, 2026. The fire was also threatening county, state, and federal roads and bridges, radio and cell towers, gas and private electric utilities, campgrounds, trails, retail businesses, irrigation infrastructure, and agricultural operations.

The Rowe Creek Fire Complex was denied an FMAG under similarly severe circumstances with over 401 people at a Level 3 “Go Now” Evacuation on July 24, 2026. The fire was also threatening private electrical cooperatives, public safety radio, private commercial radio, and transmission lines. Since that denial, the fire has surpassed 200,000 acres and the State is preparing for the Complex to merge with the nearby Brewer Fire.²

¹ Oregon Office of Emergency Management. “Fires Overview Map.” *State of Oregon Fires Dashboard*, 26 July. 2026, <https://arcg.is/0KOev8>.

² “Rowe Creek Complex surpasses 200,000 acres as fire officials prepare for merger with Brewer Fire.” *Newsroom*. State of Oregon, 26 July. 2026. <https://apps.oregon.gov/oregon-newsroom/OR/OSFM/Posts/Post/rowe-creek-726>.

FEMA’s decision to deny these FMAGs is a significant departure from FEMA’s historical criteria and agency guidance. According to State officials, FEMA’s criteria for an FMAG has been, in part, that 150 primary residences must be in immediate threat of wildfire, gauged often as Level 3 “Go Now” Evacuation status. In recent years, State officials have seen an increase to over 200 primary residences as a threshold—which the East Evans Creek Fire and the Rowe Creek Fire Complex had still surpassed.

FEMA has also indicated that the East Evans Creek Fire and the Rowe Creek Fire Complex were denied an FMAG because they did not meet the criteria for a major disaster declaration. This is a major shift in administrative policy and contrary to Federal regulation and FEMA’s own policy manual, which states that an FMAG designation is warranted when a fire “*threatens* such destruction as would constitute a major disaster.”³ This program is meant to provide resources to fires that have the potential to become major disasters if left unchecked. Resources should not—and are not supposed to be—withheld until a fire becomes so destructive as to receive a major disaster declaration.

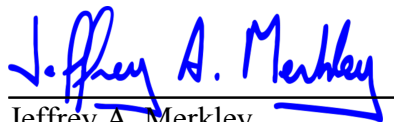
Inconsistent criteria for the approval of FMAGs is creating unnecessary confusion for emergency responders. For this reason, we request further information on FEMA’s decision-making and criteria for FMAG approvals and denials. Please provide a response to the following no later than August 10, 2026:

1. Pursuant to 44 CFR 204.21, what criteria is being used to determine a fire’s eligibility for an FMAG? Please include all quantitative metrics.
 - a. Explain how the East Evans Creek Fire and Rowe Creek Complex Fire did not meet each of these criteria.
2. Who at the Department of Homeland Security and FEMA is involved in determining an FMAG designation, and what guidance has been issued to the officials involved in determining an FMAG designation? Please provide copies of all relevant guidance, including informal communications and official documents.
3. Which FMAG eligibility criteria changed from 2025 to 2026? How were these changes developed and who was consulted prior to implementing them?
4. What data, in addition to the state-provided data, is FEMA relying on to make their determination?
5. Broken down by state, how many FMAGs have been approved and denied per year in the past 10 years?

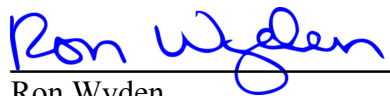
³ 44 CFR 204.21; Federal Emergency Management Agency. *Fire Management Assistance Grant Program and Policy Guide*. Dept. of Homeland Security, June 2021, https://www.fema.gov/sites/default/files/documents/fema_fmaggpg_063121.pdf (emphasis added).

We want to stress that this is not the time for creating new or different criteria for accessing this critical funding to support initial attack. As you know, Oregon is strained for resources, and the State is still at the beginning of its wildfire season. We urge the agency to provide clarity and maintain consistency with prior years' approval process.

Sincerely,

A handwritten signature in blue ink that reads "Jeffrey A. Merkley". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jeffrey A. Merkley
United States Senator

A handwritten signature in blue ink that reads "Ron Wyden". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ron Wyden
United States Senator