

112TH CONGRESS
2D SESSION

H. R. 6639

To amend the Wildfire Suppressing Aircraft Transfer Act of 1996 to facilitate inter-agency agreements with the Air National Guard and the Air Force Reserve to secure Defense Support to Civil Authority (DSCA) missions in the initial airborne response to fighting wildfires.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 5, 2012

Mr. GALLEGLY introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Wildfire Suppressing Aircraft Transfer Act of 1996 to facilitate inter-agency agreements with the Air National Guard and the Air Force Reserve to secure Defense Support to Civil Authority (DSCA) missions in the initial airborne response to fighting wildfires.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. AIR NATIONAL GUARD AND AIR FORCE RE-**
2 **SERVE WILDFIRE RESPONSE.**

3 The Wildfire Suppressing Aircraft Transfer Act of
4 1996 (Public Law 104–307; 10 U.S.C. 2576 note) is
5 amended by adding at the end the following new section:

6 **“SEC. 3. USE OF AIR NATIONAL GUARD AND AIR FORCE RE-**
7 **SERVE FOR INITIAL AIRBORNE RESPONSE TO**
8 **FIGHTING WILDFIRES.**

9 “(a) INTER-AGENCY AGREEMENTS.—Subject to sub-
10 section (b), in order to prevent the loss of life and reduce
11 property losses from wildfires, section 1535(a)(4) of title
12 31, United States Code, shall not apply to limit the use
13 of inter-agency agreements with the Air National Guard
14 or Air Force Reserve to procure the services of a unit of
15 the Air National Guard or Air Force Reserve to conduct
16 Defense Support to Civil Authority (DSCA) missions uti-
17 lizing military fixed-wing aerial firefighting aircraft in-
18 cluding Modular Airborne FireFighting System (MAFFS)
19 units in the initial airborne response to fighting wildfires.

20 “(b) LIMITATIONS.—Section 1535(a)(4) of title 31,
21 United States Code, shall not apply to inter-agency agree-
22 ments described in subsection (a) only when the Incident
23 Commander determines—

24 “(1) privately contracted fixed-wing aerial fire-
25 fighting aircraft are unavailable;

1 “(2) it necessary for military fixed-wing aerial
2 firefighting aircraft including MAFFS units to per-
3 form an initial airborne response; or

4 “(3) it necessary that military fixed-wing aerial
5 firefighting aircraft including MAFFS units are
6 needed to supplement privately contracted fixed-wing
7 aerial firefighting aircraft.

8 “(c) RULE OF CONSTRUCTION.—Nothing in this Act
9 shall be interpreted as diminishing the role of contractor-
10 owned and operated fixed-wing aircraft as the primary
11 source of aerial firefighting assets for the Federal wildland
12 firefighting agencies”.

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