

Statutory Notes and Related Subsidiaries**FOREST SERVICE LARGE AIRTANKER AND AERIAL ASSET
FIREFIGHTING RECAPITALIZATION PILOT PROGRAM**

Pub. L. 113-79, title VIII, §8305, Feb. 7, 2014, 128 Stat. 925, provided that:

“(a) **IN GENERAL.**—Subject to the availability of appropriations, the Secretary [of Agriculture], acting through the Chief of the Forest Service, may establish a large airtanker and aerial asset lease program in accordance with this section.

“(b) **AIRCRAFT REQUIREMENTS.**—In carrying out the program described in subsection (a), the Secretary may enter into a multiyear lease contract for up to 5 aircraft that meet the criteria—

“(1) described in the Forest Service document entitled ‘Large Airtanker Modernization Strategy’ and dated February 10, 2012, for large airtankers; and

“(2) determined by the Secretary, for other aerial assets.

“(c) **LEASE TERMS.**—The term of any individual lease agreement into which the Secretary enters under this section shall be—

“(1) up to 5 years, inclusive of any options to renew or extend the initial lease term; and

“(2) in accordance with section 3903 of title 41, United States Code.

“(d) **PROHIBITION.**—No lease entered into under this section shall provide for the purchase of the aircraft by, or the transfer of ownership to, the Forest Service.”

**FOREST FIREFIGHTING PLANNING AND COOPERATION;
FINDINGS**

Pub. L. 101-286, title II, §201, May 9, 1990, 104 Stat. 174, provided that: “The Congress finds that—

“(1) it is in the best interest of the Nation to take swift action to rehabilitate burned forests, and an assessment of the situation is necessary to accomplish this; and

“(2) volunteers should be trained to assist where possible.”

§ 551c-1. Limitations on prescribed burns**(a) In general**

Except as provided in subsection (b), the Secretary shall not authorize a prescribed burn on Forest Service land if, for the county or contiguous county in which the land is located, the national fire danger rating system indicates an extreme fire danger level.

(b) Exception

The Secretary may authorize a prescribed burn under a condition described in subsection (a) if the Secretary coordinates with the applicable State government and local fire officials.

(c) Report

At the end of each fiscal year, the Secretary shall submit to Congress a report describing—

(1) the number and locations of prescribed burns during that fiscal year; and

(2) each prescribed burn during that fiscal year that was authorized by the Secretary pursuant to subsection (b).

(Pub. L. 114-275, §3, Dec. 14, 2016, 130 Stat. 1405.)

Statutory Notes and Related Subsidiaries**DEFINITIONS**

Pub. L. 114-275, §2, Dec. 14, 2016, 130 Stat. 1405, provided that: “In this Act [enacting this section and provisions set out as a note under section 551 of this title]:

“(1) **NATIONAL FIRE DANGER RATING SYSTEM.**—The term ‘national fire danger rating system’ means the

national system used to provide a measure of fire danger according to a range of low to moderate to high to very high to extreme.

“(2) **PRESCRIBED BURN.**—The term ‘prescribed burn’ means a planned fire intentionally ignited.

“(3) **SECRETARY.**—The term ‘Secretary’ means the Secretary of Agriculture, acting through the Chief of the Forest Service.”

§ 551d. Wildland firefighter safety**(a) Definitions**

In this section:

(1) Secretaries

The term “Secretaries” means—

(A) the Secretary of the Interior, acting through the Directors of the Bureau of Land Management, the United States Fish and Wildlife Service, the National Park Service, and the Bureau of Indian Affairs; and

(B) the Secretary of Agriculture, acting through the Chief of the Forest Service.

(2) Wildland firefighter

The term “wildland firefighter” means any person who participates in wildland firefighting activities—

(A) under the direction of either of the Secretaries; or

(B) under a contract or compact with a federally recognized Indian tribe.

(b) Annual report to Congress**(1) In general**

The Secretaries shall jointly submit to Congress an annual report on the wildland firefighter safety practices of the Secretaries, including training programs and activities for wildland fire suppression, prescribed burning, and wildland fire use, during the preceding calendar year.

(2) Timeline

Each report under paragraph (1) shall—

(A) be submitted by not later than March of the year following the calendar year covered by the report; and

(B) include—

(i) a description of, and any changes to, wildland firefighter safety practices, including training programs and activities for wildland fire suppression, prescribed burning, and wildland fire use;

(ii) statistics and trend analyses;

(iii) an estimate of the amount of Federal funds expended by the Secretaries on wildland firefighter safety practices, including training programs and activities for wildland fire suppression, prescribed burning, and wildland fire use;

(iv) progress made in implementing recommendations from the Inspector General, the Government Accountability Office, the Occupational Safety and Health Administration, or an agency report relating to a wildland firefighting fatality issued during the preceding 10 years; and

(v) a description of—

(I) the provisions relating to wildland firefighter safety practices in any Federal contract or other agreement governing the provision of wildland firefighters by a non-Federal entity;