

**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;

(II) a summary of any actions taken by the Secretaries to ensure that the provisions relating to safety practices, including training, are complied with by the non-Federal entity; and

(III) the results of those actions.

(Pub. L. 111-11, title III, §3101, Mar. 30, 2009, 123 Stat. 1127.)

**§ 552. Consent to agreement by States for conservation of forests and water supply**

Consent of the Congress of the United States is given to each of the several States of the Union to enter into any agreement or compact, not in conflict with any law of the United States, with any other State or States for the purpose of conserving the forests and the water supply of the States entering into such agreement or compact.

(Mar. 1, 1911, ch. 186, §1, 36 Stat. 961.)

**Statutory Notes and Related Subsidiaries**

SHORT TITLE

Act Mar. 1, 1911, ch. 186, 36 Stat. 961, which enacted this section, former sections 513 and 514 of this title, and sections 515 to 519, 521, and 563 of this title and amended sections 480 and 500 of this title, is popularly known as the Weeks Law.

**§ 552a. Restoration of withdrawn national forest lands to appropriation**

The President, upon recommendation of the Secretaries of the Interior and Agriculture, may, by Executive order, when in his judgment the public interest would best be served thereby and after reasonable notice has been given through the Department of the Interior, restore any reserved national-forest lands covered by a cooperative agreement with the Secretary of Agriculture for the protection of a watershed within a national forest from which water is secured, to appropriation under any applicable public-lands law.

(May 28, 1940, ch. 220, §1, 54 Stat. 224; Pub. L. 94-579, title VII, §704(a), Oct. 21, 1976, 90 Stat. 2792.)

**Editorial Notes**

CODIFICATION

The words “restore any of the lands so withdrawn” have been changed to “restore any reserved national-forest lands covered by a cooperative agreement with the Secretary of Agriculture for the protection of a watershed within a national forest from which water is secured” to reflect the change made by Pub. L. 94-579. See 1976 Amendment note below.

AMENDMENTS

1976—Pub. L. 94-579 struck out everything preceding second proviso which read: “Whenever a municipality obtains its water supply from a national forest and has entered into a cooperative agreement with the Secretary of Agriculture for the protection of the watershed within the national forest from which the water is secured, the President of the United States may, and he is, authorized, upon application by said municipality, and endorsed by the governing board of the county or counties in which the lands concerned are located and approved by the Secretaries of Agriculture and the Interior, to reserve and set aside from all forms of loca-

tion, entry, or appropriation any national-forest lands, which are covered by such cooperative agreement, subject, however, to valid, existing rights and claims, and such reservation shall remain in force until revoked by the President or by an Act of Congress: *Provided*, That nothing herein shall affect the power of the Secretary of the Interior to withdraw and utilize withdrawn lands under the Federal reclamation laws”.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 1976 AMENDMENT

Section 704(a) of Pub. L. 94-579 provided in part that this section is amended effective on and after Oct. 21, 1976.

SAVINGS PROVISION

Amendment by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see note set out under section 1701 of Title 43, Public Lands.

**§ 552b. Administration of withdrawn lands; rules and regulations**

Lands withdrawn under the provisions of sections 552a to 552d of this title shall be administered by the Secretary of Agriculture under such agreements for the protection of the watershed as he may make with the municipality concerned, and the Secretary of Agriculture is authorized, in addition to the rules and regulations adopted for the administration of the national forests, to adopt and prescribe such further rules and regulations as he considers necessary to effect the adequate protection of the watershed, including a rule or regulation forbidding persons other than forest officers and representatives of the municipality from going on the lands so reserved or making any use whatever thereof.

(May 28, 1940, ch. 220, §2, 54 Stat. 224.)

**§ 552c. Reimbursement of United States for loss of revenue**

Whenever national-forest lands are withdrawn under sections 552a to 552d of this title, and the municipality concerned objects to the utilization of the timber or other resources of lands withdrawn, and the Secretary of Agriculture agrees to withhold such resources from utilization, said municipality shall pay to the Forest Service annually an amount which the Secretary of Agriculture shall determine is necessary to reimburse the United States for the loss of net annual revenues which would be derived from the resources so withheld from disposition.

(May 28, 1940, ch. 220, §3, 54 Stat. 225.)

**§ 552d. Punishment of violations of regulations**

Any violation of the regulations issued under sections 552a to 552d of this title shall be punished as is provided in section 1853 of title 18.

(May 28, 1940, ch. 220, §4, 54 Stat. 225.)

**Editorial Notes**

CODIFICATION

“Section 1853 of title 18” substituted in text for “section 104 of title 18” on authority of act June 25, 1948, ch. 645, 62 Stat. 683, the first section of which enacted Title 18, Crimes and Criminal Procedure.