

118TH CONGRESS  
1ST SESSION

# H. R. 934

To require the Secretary of Agriculture to carry out activities to suppress wildfires, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 2023

Mr. McCLINTOCK (for himself and Mr. LAMALFA) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Natural Resources, 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

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## A BILL

To require the Secretary of Agriculture to carry out activities to suppress wildfires, 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. SUPPRESSION OF WILDFIRES.**

4 (a) IN GENERAL.—With respect to covered National  
5 Forest System lands, the Secretary of Agriculture, acting  
6 through the Chief of the Forest Service—

7 (1) shall—

8 (A) use all available resources to carry out  
9 wildfire suppression with the purpose of extin-

1           guishing wildfires detected on such lands not  
2           later than 24 hours after such a wildfire is de-  
3           tected; and

4                   (B) immediately suppress any prescribed  
5           fire that exceeds prescription;

6           (2) shall not inhibit the suppression efforts of  
7           State or local firefighting agencies that are author-  
8           ized to respond to wildfire on such lands;

9           (3) may only use fire as a resource manage-  
10          ment tool if the fire is a prescribed fire that com-  
11          plies with applicable law and regulations;

12          (4) may only initiate a backfire or burnout dur-  
13          ing a wildfire—

14                   (A) by order of the responsible incident  
15          commander; or

16                   (B) in instances that are necessary to pro-  
17          tect the health and safety of firefighting per-  
18          sonnel; and

19          (5) shall use all available resources to control  
20          any such initiated backfire or burnout until extin-  
21          guished.

22          (b) COVERED NATIONAL FOREST SYSTEM LANDS  
23          DEFINED.—In this section, the term “covered National  
24          Forest System lands” means any area—

1           (1) located within National Forest System  
2 lands; and

3           (2) that—

4                 (A) the U.S. Drought Monitor has rated as  
5 having a D2 (severe drought) intensity, D3 (ex-  
6 treme drought) intensity, or D4 (exceptional  
7 drought) intensity;

8                 (B) the National Interagency Fire Center  
9 declares has a National Wildland Fire Pre-  
10 paredness level of 5; or

11                (C) the Forest Service has identified as  
12 being located in a fireshed ranked in the top 10  
13 percent of wildfire exposure (as determined  
14 using the most recently published models of  
15 fireshed risk exposure published by the Forest  
16 Service).

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