

§ 551c. Planning for fire protection

(a) Volunteer firefighters

The Secretaries of Agriculture and the Interior shall annually offer training programs to certify volunteers for suppressing forest fires on National Forest System lands, National Park System lands and Bureau of Land Management public lands in the event that the appropriate Secretary determines that such volunteers are needed. In carrying out this subsection, the Secretaries should utilize existing authorities to train volunteer firefighters for use in fire emergencies. The Secretaries should assess the capabilities of educational institutions and other public and private organizations to provide such training programs.

(b) “Educational institutions” defined

For the purposes of this section, the term “educational institutions” shall include institutions established pursuant to the Act of July 2, 1862 (7 U.S.C. 301 et seq., commonly known as the “Morrill Act”), or the Act of August 30, 1890 (7 U.S.C. 321 et seq., commonly known as the “Second Morrill Act”).

(c) Mobilization of local equipment

Not later than one year after May 9, 1990—

(1) the Secretary of Agriculture shall submit to the Congress information with respect to regions of the National Forest System, and

(2) the Secretary of the Interior shall submit to the Congress information with respect to the Bureau of Land Management public lands on a State-by-State basis and each region of the National Park System

that documents mobilization plans that provide for the use of firefighting equipment in cases of fire emergencies that may occur in each such area that may be highly prone to disastrous forest fires.

(d) Presuppression needs

Not later than one year after May 9, 1990, information from the Secretary of Agriculture on presuppression needs for each region of the National Forest System and information from the Secretary of the Interior on the presuppression needs for each region of the National Park System and for each State unit of the Bureau of Land Management shall be submitted to Congress. These reports shall include needs, including an estimate of the funds required, for fire prevention, fuel reduction, training and seasonal fire crews.

(Pub. L. 101-286, title II, §203, May 9, 1990, 104 Stat. 175.)

REFERENCES IN TEXT

Act of July 2, 1862, referred to in subsec. (b), is act July 2, 1862, ch. 130, 12 Stat. 503, as amended, popularly known as the Morrill Act and also as the First Morrill Act, which is classified generally to subchapter I (§301 et seq.) of chapter 13 of Title 7, Agriculture. For complete classification of this Act to the Code, see Short Title note set out under section 301 of Title 7 and Tables.

Act of August 30, 1890, referred to in subsec. (b), is act Aug. 30, 1890, ch. 841, 26 Stat. 417, as amended, popularly known as the Agricultural College Act of 1890 and also as the Second Morrill Act, which is classified generally to subchapter II (§321 et seq.) of chapter 13 of Title 7.

For complete classification of this Act to the Code, see Short Title note set out under section 321 of Title 7 and Tables.

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.)

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