

lows: “Notwithstanding the provisions of subsection (a), all sums received for any Department of Defense activity for fire protection rendered pursuant to this subchapter shall be credited to the appropriation fund or account from which the expenses were paid. Amounts so credited shall be merged with funds in such appropriation fund or account and shall be available for the same purposes and subject to the same limitations as the funds with which the funds are merged.”

2008—Pub. L. 110-181 designated existing provisions as subsec. (a) and added subsec. (b).

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 2011 AMENDMENT

Pub. L. 112-81, div. A, title III, §364(b), Dec. 31, 2011, 125 Stat. 1380, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to reimbursements for expenditures of funds appropriated after the date of the enactment of this Act [Dec. 31, 2011].”

**§ 1856e. Reimbursement of fire funds**

**(a) Definition of State**

In this section, the term “State” means—

- (1) a State; and
- (2) the Commonwealth of Puerto Rico.

**(b) In general**

If a State seeks reimbursement for amounts expended for resources and services provided to another State for the management and suppression of a wildfire, the Secretary, subject to subsections (c) and (d)—

- (1) may accept the reimbursement amounts from the other State; and
- (2) shall pay those amounts to the State seeking reimbursement.

**(c) Mutual assistance agreement**

As a condition of seeking and providing reimbursement under subsection (b), the State seeking reimbursement and the State providing reimbursement must each have a mutual assistance agreement with the Forest Service or another Federal agency for providing and receiving wildfire management and suppression resources and services.

**(d) Terms and conditions**

The Secretary may prescribe the terms and conditions determined to be necessary to carry out subsection (b).

**(e) Effect on prior reimbursements**

Any acceptance of funds or reimbursements made by the Secretary before February 7, 2014, that otherwise would have been authorized under this section shall be considered to have been made in accordance with this section.

(Pub. L. 113-79, title VIII, §8304, Feb. 7, 2014, 128 Stat. 924.)

**Editorial Notes**

CODIFICATION

Section was enacted as part of the Agricultural Act of 2014, and not as part of act May 27, 1955, which comprises this subchapter.

Section is comprised of section 8304 of Pub. L. 113-79. Subsec. (f) of section 8304 of Pub. L. 113-79 amended section 1856d of this title.

**Statutory Notes and Related Subsidiaries**

DEFINITION OF “SECRETARY”

“Secretary” as meaning the Secretary of Agriculture, see section 9001 of Title 7, Agriculture.

**SUBCHAPTER II—WILDFIRE SUPPRESSION WITH FOREIGN FIRE ORGANIZATION**

**§ 1856m. Definitions**

In this subchapter:

**(1) Assume any and all liability**

The term “assume any and all liability” means—

- (A) the payment of—
  - (i) any judgment, settlement, fine, penalty, or cost assessment (including prevailing party legal fees) associated with the applicable litigation; and
  - (ii) any cost incurred in handling the applicable litigation (including legal fees); and
- (B) with respect to a Federal firefighter, arranging for, and paying the costs of, representation in the applicable litigation.

**(2) Federal firefighter**

The term “Federal firefighter” means an individual furnished by the Secretary of Agriculture or the Secretary of the Interior under an agreement entered into under section 1856n of this title.

**(3) Foreign fire organization**

The term “foreign fire organization” means any foreign governmental, public, or private entity that has wildfire protection resources.

**(4) Foreign firefighter**

The term “foreign firefighter” means an individual furnished by a foreign fire organization under an agreement entered into under section 1856n of this title.

**(5) Wildfire**

The term “wildfire” means any forest or range fire.

**(6) Wildfire protection resources**

The term “wildfire protection resources” means any personnel, supplies, equipment, or other resources required for wildfire presuppression and suppression activities.

(Pub. L. 100-428, §2, as added Pub. L. 112-74, div. E, title IV, §411(2), Dec. 23, 2011, 125 Stat. 1039.)

**Editorial Notes**

PRIOR PROVISIONS

A prior section 1856m, Pub. L. 100-428, §2, Sept. 9, 1988, 102 Stat. 1615, related to definitions, prior to repeal by Pub. L. 112-74, div. E, title IV, §411(2), Dec. 23, 2011, 125 Stat. 1039.

**Statutory Notes and Related Subsidiaries**

SHORT TITLE OF 1989 AMENDMENT

Pub. L. 101-11, §1, Apr. 7, 1989, 103 Stat. 15, provided that: “This Act [repealing section 1856p of this title] may be cited as the ‘Wildfire Suppression Assistance Act.’”

SHORT TITLE

Pub. L. 100-428, §1, Sept. 9, 1988, 102 Stat. 1615, as amended by Pub. L. 112-74, div. E, title IV, §411(1), Dec.