

117TH CONGRESS  
1ST SESSION

# S. 1221

To require the Director of the Office of Personnel Management to create a classification that more accurately reflects the vital role of wildland firefighters.

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## IN THE SENATE OF THE UNITED STATES

APRIL 20, 2021

Mr. DAINES (for himself and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To require the Director of the Office of Personnel Management to create a classification that more accurately reflects the vital role of wildland firefighters.

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. SHORT TITLE.**

4 This Act may be cited as the “Wildland Firefighter  
5 Recognition Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

8 (1) the term “Director” means the Director of  
9 the Office of Personnel Management;

1           (2) the term “employee” has the meaning given  
2 the term in section 2105 of title 5, United States  
3 Code;

4           (3) the term “Federal land management agen-  
5 cy” means—

6           (A) within the Department of the Inte-  
7 rior—

8           (i) the Bureau of Land Management;

9           (ii) the Bureau of Indian Affairs;

10          (iii) the National Park Service; and

11          (iv) the United States Fish and Wild-  
12 life Service; and

13          (B) within the Department of Agriculture,  
14 the Forest Service;

15          (4) the term “wildland fire”—

16          (A) means any non-structure fire that oc-  
17 curs in vegetation or natural fuels; and

18          (B) includes prescribed fire and wildfire;  
19 and

20          (5) the term “wildland firefighter” means—

21          (A) an employee of a Federal land man-  
22 agement agency, the duties of whose position  
23 are primarily to perform work directly related  
24 to the prevention, control, suppression, or man-  
25 agement of wildland fires, including an em-

1            ployee of a Federal land management agency  
2            who is assigned to support wildland fire activi-  
3            ties; and

4            (B) an employee of a Federal land man-  
5            agement agency who is transferred to a super-  
6            visory or administrative position from a position  
7            described in subparagraph (A).

8 **SEC. 3. CLASSIFICATION OF WILDLAND FIREFIGHTERS.**

9            (a) REQUIREMENTS.—

10            (1) IN GENERAL.—Not later than 30 days after  
11            the date of enactment of this Act, the Director, in  
12            cooperation with the Federal land management  
13            agencies, shall commence development of a distinct  
14            wildland firefighter occupational series that more ac-  
15            curately reflects the variety of duties performed by  
16            wildland firefighters.

17            (2) DESIGNATION.—The official title assigned  
18            to any occupational series established under para-  
19            graph (1) shall include the designation of “Wildland  
20            Firefighter”.

21            (3) POSITIONS DESCRIBED.—Paragraph (1)  
22            shall apply with respect to any class or other cat-  
23            egory of positions that consists primarily or exclu-  
24            sively of forestry technician positions, range techni-

1 cian positions, or any other positions the duties and  
2 responsibilities of which include—

3 (A) significant prevention, preparedness,  
4 control, suppression, or management activities  
5 for wildland fires; or

6 (B) activities necessary to meet any other  
7 emergency incident to which assigned.

8 (4) CONSULTATION.—It is the sense of Con-  
9 gress that the Director should consult with employee  
10 associations and any other groups that represent  
11 wildland firefighters in carrying out this subsection.

12 (5) IMPLEMENTATION.—Not later than 2 years  
13 after the date of enactment of this Act—

14 (A) the Director shall complete the devel-  
15 opment of the wildland firefighter occupational  
16 series required under paragraph (1); and

17 (B) the Secretary of the Interior and the  
18 Secretary of Agriculture shall use the wildland  
19 firefighter occupational series developed under  
20 paragraph (1) in the advertising and hiring of  
21 a wildland firefighter.

22 (b) HAZARDOUS DUTY DIFFERENTIAL NOT AF-  
23 FECTED.—Section 5545(d)(1) of title 5, United States  
24 Code, is amended by striking “except” and all that follows  
25 and inserting the following: “except—

1           “(A) an employee in an occupational series  
2           covering positions for which the primary duties  
3           involve the prevention, control, suppression, or  
4           management of wildland fires, as determined by  
5           the Office; and

6           “(B) in such other circumstances as the  
7           Office may by regulation prescribe; and”.

8           (c) CURRENT EMPLOYEES.—Any individual employed  
9           as a wildland firefighter on the date on which the occupa-  
10          tional series established under subsection (a) takes effect  
11          may elect to—

12           (1) remain in the occupational series in which  
13           the individual is working; or

14           (2) be included in the wildland firefighter occupa-  
15          tional series established under subsection (a).

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