

118TH CONGRESS
1ST SESSION

H. R. 1586

To allow the Secretary of the Interior and the Secretary of Agriculture to use a fire retardant, chemical, or water for fire suppression, control, or prevention activities.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2023

Mr. LAMALFA (for himself, Mr. PANETTA, Mr. NEWHOUSE, Mr. FULCHER, Mr. AUSTIN SCOTT of Georgia, Mr. MCCLINTOCK, Mrs. RADEWAGEN, Mr. NEHLS, Mrs. BOEBERT, Mr. CRAWFORD, Mrs. KIM of California, Mr. ZINKE, Mr. GARAMENDI, Mr. MOORE of Utah, Mr. OWENS, Mr. SIMPSON, Mr. KELLY of Mississippi, Mr. CALVERT, Mr. STAUBER, Mr. ISSA, Mrs. MILLER of Illinois, Mr. KILEY, Mr. ROSENDALE, Mr. COSTA, and Ms. HAGEMAN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Natural Resources, and Agriculture, 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

A BILL

To allow the Secretary of the Interior and the Secretary of Agriculture to use a fire retardant, chemical, or water for fire suppression, control, or prevention activities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Forest Protection and
3 Wildland Firefighter Safety Act of 2023”.

4 **SEC. 2. PERMITTING REQUIREMENTS FOR CERTAIN DIS-**
5 **CHARGES OF FIRE RETARDANT.**

6 (a) **AUTHORIZED USES.**—The Secretary of the Inte-
7 rior and the Secretary of Agriculture are each authorized
8 to discharge a fire retardant, chemical, or water for fire
9 suppression, control, or prevention activities.

10 (b) **PERMITTING REQUIREMENTS.**—Notwithstanding
11 any provision of the Federal Water Pollution Control Act
12 (33 U.S.C. 1251 et seq.), a permit under section 402 of
13 such Act (33 U.S.C. 1342) shall not be required for the
14 activities authorized by subsection (a) or for similar activi-
15 ties conducted by a covered entity.

16 (c) **DEFINITION.**—In this section, the term “covered
17 entity” means—

- 18 (1) the Forest Service;
- 19 (2) the National Park Service;
- 20 (3) the Bureau of Land Management;
- 21 (4) the United States Fish and Wildlife Service;
- 22 (5) the Bureau of Indian Affairs;
- 23 (6) the Federal Emergency Management Agen-
24 cy;
- 25 (7) a State or a political subdivision thereof; or

1 (8) a Tribal government.

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