

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 178
OFFERED BY MR. MCCLINTOCK OF CALIFORNIA

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Put Out The Fire
3 Act”.

4 SEC. 2. SUPPRESSION OF WILDFIRES.

5 (a) IN GENERAL.—With respect to covered lands, the
6 Secretary concerned—

7 (1) shall—

8 (A) use all available resources to carry out
9 wildfire suppression with the purpose of extin-
10 guishing wildfires detected on such lands not
11 later than 24 hours after such a wildfire is de-
12 tected;

13 (B) carry out wildfire suppression under
14 subparagraph (A) in a manner that is con-
15 sistent with interagency agreements and appli-
16 cable standards of firefighter safety; and

17 (C) immediately suppress any prescribed
18 fire that exceeds prescription;

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

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

7 (4) may only initiate a backfire or burnout dur-
8 ing a wildfire—

9 (A) by order of the responsible incident
10 commander; or

11 (B) in instances that are necessary to pro-
12 tect the health and safety of firefighting per-
13 sonnel;

14 (5) shall use all available resources to control
15 any such initiated backfire or burnout until extin-
16 guished;

17 (6) shall use all available resources, including
18 infrared technologies, to ensure prescribed fires are
19 extinguished; and

20 (7) shall update the prescribed fire policies of
21 the Forest Service to reflect the findings and rec-
22 ommendations included in the report entitled “Na-
23 tional Prescribed Fire Program Review” published
24 in September 2022 by the Forest Service.

25 (b) DEFINITIONS.—In this section:

1 (1) COVERED LAND.—The term “covered
2 lands” means any area located within the National
3 Forest System or land administered by the Secretary
4 of the Interior—

5 (A) that—

6 (i) the U.S. Drought Monitor has
7 rated as having a D2 (severe drought) in-
8 tensity, D3 (extreme drought) intensity, or
9 D4 (exceptional drought) intensity; or

10 (ii) the Secretary concerned has iden-
11 tified as being located in a fireshed ranked
12 in the top 10 percent of wildfire exposure
13 (as determined using the most recently
14 published models of fireshed risk exposure
15 published by the Secretary concerned); or

16 (B) during a period in which the National
17 Multi-Agency Coordination Group of the Na-
18 tional Interagency Fire Center has established
19 a National Wildland Fire Preparedness level of
20 5.

21 (2) NATIONAL FOREST SYSTEM.—The term
22 “National Forest System” has the meaning given
23 such term in section 11(a) of the Forest and Range-
24 land Renewable Resources Planning Act of 1974 (16
25 U.S.C. 1609(a)).

1 (3) SECRETARY CONCERNED.—The term “Sec-
2 retary concerned” means—

3 (A) in the case of the National Forest Sys-
4 tem, the Secretary of Agriculture, acting
5 through the Chief of the Forest Service; and

6 (B) in the case of land administered by the
7 Secretary of the Interior, the Secretary of the
8 Interior.

