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(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend section 5545 of title 5, United States Code, to provide hazard pay for carrying out prescribed burns, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

Ms. MALLOY introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend section 5545 of title 5, United States Code, to provide hazard pay for carrying out prescribed burns, and for other purposes.

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. SENSE OF CONGRESS.**

4       It is the sense of Congress that the control and sup-  
5       pression of prescribed fires is an important part of fire  
6       preparedness and land management. Firefighters who en-  
7       gage in such suppression of prescribed fires take on risks,  
8       smoke exposure, and arduous tasks comparable to those

1 in wildfire suppression. They should receive hazard pay  
2 to fairly compensate their risk and efforts. Likewise,  
3 smokejumpers are aerial delivery firefighters whose role  
4 in firefighting necessitates jumping from airplanes, which  
5 is a hazardous duty that should receive hazard pay.

6 **SEC. 2. HAZARD PAY FOR PERFORMING PRESCRIBED**  
7 **BURNS.**

8 (a) IN GENERAL.—Section 5545 of title 5, United  
9 States Code, is amended by adding at the end the fol-  
10 lowing new subsection:

11 “(e)(1) For the purposes of subsection (d), duties in-  
12 volving the ignition, control, or suppression of a prescribed  
13 burn and duties involving parachute jumps from flying air-  
14 craft by smokejumper firefighters for training, proficiency,  
15 or operational purposes are duties involving unusual phys-  
16 ical hardship or hazard for which the applicable pay dif-  
17 ferential under such subsection shall be equal to the pay  
18 differential for fighting forest and range fires on the  
19 fireline.

20 “(2) In this subsection, the term ‘prescribed burn’  
21 means the intentional application of fire to live or dead  
22 vegetation or forestry, range, or other landscapes for the  
23 purposes of land or resource management.”.

24 (b) REGULATIONS.—Not later than 90 days after the  
25 date of the enactment of this Act, the Director of the Of-

1 fice of Personnel Management shall issue such regulations  
2 as are necessary to implement the amendment made by  
3 subsection (a).

4 (c) APPLICABILITY.—The amendment made by sub-  
5 section (a) shall apply with respect to pay periods begin-  
6 ning after the earlier of—

- 7 (1) the date on which the Director of the Office  
8 of Personnel Management issues the regulations re-  
9 quired by subsection (b); or  
10 (2) the date that is 90 days after the date of  
11 the enactment of this Act.

12 (d) RULE OF CONSTRUCTION.—This section and the  
13 amendments made this section may not be construed as  
14 rescinding, replacing, or otherwise affecting any deter-  
15 mination of the duties for which a pay differential is pro-  
16 vided under subsection (d) of section 5545 of title 5,  
17 United States Code, as of the date of the enactment of  
18 this Act, except to the extent necessary for any such pay  
19 differential for a duty described in subsection (e)(1) of  
20 such section, as added by subsection (a), to comply with  
21 such subsection (e)(1).