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(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

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

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.

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IN THE HOUSE OF REPRESENTATIVES

Mr. LAMALFA introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

\_\_\_\_\_  
**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,*

3 **SECTION 1. SHORT TITLE.**

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

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

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

7 (b) **PERMITTING REQUIREMENTS.**—Notwithstanding  
8 any provision of the Federal Water Pollution Control Act  
9 (33 U.S.C. 1251 et seq.), a permit under section 402 of  
10 such Act (33 U.S.C. 1342) shall not be required for the  
11 activities authorized by subsection (a) or for similar activi-  
12 ties conducted by a covered entity.

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

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