

118TH CONGRESS
1ST SESSION

H. R. 3499

To amend title 5, United States Code, to provide direct hire authority to appoint individuals to Federal wildland firefighting and firefighting support positions in the Forest Service or the Department of the Interior, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 18, 2023

Mr. ISSA (for himself and Mr. LAMALFA) introduced the following bill; which was referred to the Committee on Oversight and Accountability, 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 amend title 5, United States Code, to provide direct hire authority to appoint individuals to Federal wildland firefighting and firefighting support positions in the Forest Service or the Department of the Interior, 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. SHORT TITLE.**

4 This Act may be cited as the “Direct Hire To Fight
5 Fires”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Veterans are an appreciated and sought
4 after population for positions within the Forest
5 Service and in the positions contained in this Act.

6 (2) Veterans deserve expedited hiring and em-
7 ployment.

8 (3) In fiscal year 2020, the use of the Fire Di-
9 rect Hire Authority (“DHA”) was on average 31
10 days compared to non-use of the Fire DHA at 51
11 days and overall Forest Service (“FS”) hiring at 65
12 days.

13 (4) In fiscal year 2021, the use of the Fire
14 DHA was on average 40 days compared to non-use
15 of Fire DHA at 94 days and overall FS hiring at
16 73 days.

17 (5) In fiscal year 2022, the use of the Fire
18 DHA was on average 58 days compared to non-use
19 of Fire DHA at 96 days and overall FS hiring at
20 104 days.

21 (6) In fiscal year 2020, the number of days
22 from authorization to employee entry on duty aver-
23 aged 55 days with the use of the Fire DHA com-
24 pared to non-use of the Fire DHA at 103 days and
25 overall FS hiring at 92 days.

1 (7) In fiscal year 2021, the number of days
2 from authorization to employee entry on duty aver-
3 aged 57 days with the use of the Fire DHA com-
4 pared to non-use of the Fire DHA at 105 days and
5 overall FS hiring at 94 days.

6 (8) In fiscal year 2022, the number of days
7 from authorization to employee entry on duty aver-
8 aged 101 days with the use of the Fire DHA com-
9 pared to non-use of the Fire DHA at 139 days and
10 overall FS hiring at 146 days.

11 **SEC. 3. DIRECT HIRE AUTHORITY TO APPOINT INDIVID-**
12 **UALS TO FEDERAL WILDLAND FIREFIGHTING**
13 **AND FIREFIGHTING SUPPORT POSITIONS IN**
14 **THE FOREST SERVICE OR THE DEPARTMENT**
15 **OF THE INTERIOR.**

16 (a) IN GENERAL.—Chapter 96 of title 5, United
17 States Code, is amended by adding at the end the fol-
18 lowing:

19 **“§ 9603. Direct hire authority to appoint individuals**
20 **to Federal wildland firefighting and fire-**
21 **fighting support positions in Forest Serv-**
22 **ice and Department of the Interior**

23 “(a) IN GENERAL.—The Secretary of Agriculture
24 and the Secretary of the Interior may appoint, without
25 regard to the provisions of sections 3309 through 3318

1 of title 5, United States Code (other than sections 3303
2 and 3328 of such chapter), and part 211 and part 337
3 of subpart A of title 5, Code of Federal Regulations, quali-
4 fied candidates to any position described in subsection (b)
5 in the Forest Service or the Department of the Interior,
6 respectively.

7 “(b) POSITIONS.—A position described in this sub-
8 section is any Federal wildland firefighting position, or
9 any position in support of such firefighting position, with-
10 in any of the following occupational series (or any suc-
11 cessor series):

12 “(1) Forestry Technician Series, GS–0462.

13 “(2) Aircraft Operation Series, GS–2181.

14 “(3) Miscellaneous Administration and Pro-
15 gram Series, GS–0301, that supports firefighting
16 and is eligible for primary or secondary firefighter
17 retirement coverage.

18 “(4) General Natural Resources Management
19 and Biological Sciences Series, GS–0401, that sup-
20 ports firefighting and is eligible for primary or sec-
21 ondary firefighter retirement coverage.

22 “(5) Aviation Management Specialist Series,
23 GS–2101.

24 “(6) Engineering Equipment Operator, WG,
25 WL, or WS–5716, that supports firefighting and is

1 eligible for primary or secondary firefighter retire-
2 ment coverage.

3 “(7) Dispatching Series, GS–2151, that sup-
4 ports firefighting and is eligible for primary or sec-
5 ondary firefighter retirement coverage.

6 “(8) Equipment Specialist, GS–1670.

7 “(9) Any additional occupational series devel-
8 oped specifically for wildland firefighting.”.

9 (b) CLERICAL AMENDMENT.—The table of sections
10 for such chapter is amended by adding after the item re-
11 lating to section 9602 the following:

“9603. Direct hire authority to appoint individuals to Federal wildland fire-
fighting and firefighting support positions in Forest Service
and Department of the Interior.”.

12 **SEC. 4. STREAMLINING AND TRANSPARENCY IN FEDERAL**
13 **WILDLAND FIREFIGHTING HIRING AT THE**
14 **FOREST SERVICE AND THE DEPARTMENT OF**
15 **THE INTERIOR.**

16 (a) STREAMLINED HIRING.—Not later than 1 year
17 after the date of enactment of this Act, the Secretaries,
18 in consultation with the Director of the Office of Per-
19 sonnel Management, shall implement policies to recruit
20 and retain wildland firefighters that—

21 (1) reduce the amount of time required to hire
22 wildland firefighters and wildland firefighting sup-
23 port personnel;

1 (2) address and eliminate redundancies in the
2 Federal hiring process for wildland firefighters and
3 wildland firefighting support personnel;

4 (3) streamline the process for hiring wildland
5 firefighters and wildland firefighting support per-
6 sonnel who were employed by the agencies in prior
7 years; and

8 (4) reduce barriers for wildland firefighters
9 transferring between agencies.

10 (b) TRANSPARENCY.—

11 (1) IN GENERAL.—Beginning 1 year after the
12 date of the enactment of this Act and annually
13 thereafter, the Secretaries shall each submit a report
14 to the relevant Congressional Committees that in-
15 cludes the information described in paragraph (2) no
16 later than February 1st of each calendar year.

17 (2) REQUIREMENTS.—As part of the report
18 submitted under paragraph (1), the Secretaries shall
19 include information regarding—

20 (A) the number of wildland firefighters
21 and wildland firefighting support personnel the
22 agency anticipates it will need for that calendar
23 year, delineated by position;

24 (B) the number of hiring events the agency
25 is planning to hold that calendar year;

1 (C) the number of wildland firefighters and
2 wildland firefighting support personnel cur-
3 rently employed by the agency, delineated by
4 position;

5 (D) the number of wildland firefighting va-
6 cancies by State;

7 (E) any barriers the agency is facing to
8 meet the hiring goal outlined in subsection (a);

9 (F) the implementation of the direct hiring
10 authority provided in section 3 of this Act;

11 (G) the implementation of the streamlined
12 hiring policies developed under subsection (a);
13 and

14 (H) recommendations to Congress to fur-
15 ther improve the recruitment and retention of
16 wildland firefighters and wildland firefighting
17 support personnel.

18 (3) PUBLIC AVAILABILITY.—The Secretaries
19 shall each annually publish the report submitted
20 under paragraph (1) on a publicly available website.

21 (4) DEFINITIONS.—In this section:

22 (A) AGENCY.—The term “agency”
23 means—

24 (i) the Forest Service, with respect to
25 National Forest System lands; and

1 (ii) the Department of the Interior,
2 with respect to lands under the jurisdiction
3 of the Secretary of the Interior.

4 (B) RELEVANT CONGRESSIONAL COMMIT-
5 TEES.—The term “relevant Congressional Com-
6 mittees” means—

7 (i) the Committees on Agriculture and
8 Natural Resources of the House of Rep-
9 resentatives; and

10 (ii) the Committees on Agriculture,
11 Nutrition, and Forestry and Energy and
12 Natural Resources of the Senate.

13 (C) SECRETARIES.—The term “Secre-
14 taries” means the Secretary of Agriculture and
15 the Secretary of the Interior.

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