

118TH CONGRESS  
1ST SESSION

# S. 3268

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 and the Department of the Interior, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 9, 2023

Mr. DAINES (for himself and Mr. LANKFORD) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## 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 and 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 Act of 2023”.

1 **SEC. 2. DIRECT HIRE AUTHORITY TO APPOINT INDIVID-**  
2 **UALS TO FEDERAL WILDLAND FIREFIGHTING**  
3 **AND FIREFIGHTING SUPPORT POSITIONS IN**  
4 **THE FOREST SERVICE OR THE DEPARTMENT**  
5 **OF THE INTERIOR.**

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

9 **“§ 9603. Direct hire authority to appoint individuals**  
10 **to Federal wildland firefighting and fire-**  
11 **fighting support positions in Forest Serv-**  
12 **ice and Department of the Interior**

13 “(a) IN GENERAL.—The Secretary of Agriculture or  
14 the Secretary of the Interior may appoint, without regard  
15 to the provisions of sections 3309 through 3318 and part  
16 211 and subpart A of part 337 of title 5, Code of Federal  
17 Regulations, or any successor regulations, a qualified can-  
18 didate to any position described in subsection (b) in the  
19 Forest Service or the Department of the Interior, respec-  
20 tively.

21 “(b) POSITIONS.—A position described in this sub-  
22 section is any Federal wildland firefighting position, or  
23 any position in support of such a firefighting position, that  
24 is described as follows:

25 “(1) Such a position within the Forestry Tech-  
26 nician Series, GS–0462, or any successor series.

1           “(2) Such a position within the Aircraft Oper-  
2           ation Series, GS–2181, or any successor series.

3           “(3) Such a position within the Miscellaneous  
4           Administration and Program Series, GS–0301, or  
5           any successor series, if the position supports fire-  
6           fighting and is eligible for primary or secondary fire-  
7           fighter retirement coverage.

8           “(4) Such a position within the General Nat-  
9           ural Resources Management and Biological Sciences  
10          Series, GS–0401, or any successor series, if the posi-  
11          tion supports firefighting and is eligible for primary  
12          or secondary firefighter retirement coverage.

13          “(5) Such a position within the Aviation Man-  
14          agement Specialist Series, GS–2101, or any suc-  
15          cessor series.

16          “(6) Such a position as an Engineering Equip-  
17          ment Operator, WG, WL, or WS–5716, or any suc-  
18          cessor series, if the position supports firefighting  
19          and is eligible for primary or secondary firefighter  
20          retirement coverage.

21          “(7) Such a position within the Dispatching Se-  
22          ries, GS–2151, if the position supports firefighting  
23          and is eligible for primary or secondary firefighter  
24          retirement coverage.

1           “(8) Such a position as an Equipment Spe-  
2           cialist, GS–1670, or any successor series.

3           “(9) Such a position within any additional occu-  
4           pational series developed specifically for wildland  
5           firefighting.”.

6           (b) CLERICAL AMENDMENT.—The table of sections  
7           for chapter 96 of title 5, United States Code, is amended  
8           by adding after the item relating to section 9602 the fol-  
9           lowing:

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

10 **SEC. 3. STREAMLINING AND TRANSPARENCY IN FEDERAL**  
11 **WILDLAND FIREFIGHTING HIRING AT THE**  
12 **FOREST SERVICE AND THE DEPARTMENT OF**  
13 **THE INTERIOR.**

14           (a) DEFINITIONS.—In this section:

15           (1) AGENCY.—The term “agency” means—

16           (A) the Forest Service, with respect to Na-  
17           tional Forest System land; and

18           (B) the Department of the Interior, with  
19           respect to land under the jurisdiction of the  
20           Secretary of the Interior.

21           (2) RELEVANT CONGRESSIONAL COMMIT-  
22           TEES.—The term “relevant congressional commit-  
23           tees” means—

1 (A) the Committee on Homeland Security  
2 and Governmental Affairs, the Committee on  
3 Agriculture, Nutrition, and Forestry, and the  
4 Committee on Energy and Natural Resources of  
5 the Senate; and

6 (B) the Committee on Oversight and Ac-  
7 countability, the Committee on Agriculture, and  
8 the Committee on Natural Resources of the  
9 House of Representatives.

10 (3) SECRETARIES.—The term “Secretaries”  
11 means the Secretary of Agriculture and the Sec-  
12 retary of the Interior.

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

18 (1) reduce the amount of time required to hire  
19 wildland firefighters and wildland firefighting sup-  
20 port personnel;

21 (2) address and eliminate redundancies in the  
22 Federal hiring process for wildland firefighters and  
23 wildland firefighting support personnel;

24 (3) streamline the process for hiring wildland  
25 firefighters and wildland firefighting support per-

1       sonnel who were employed by the agencies in prior  
2       years; and

3               (4) reduce barriers for wildland firefighters  
4       transferring between the agencies.

5       (c) TRANSPARENCY.—

6               (1) IN GENERAL.—Not later than February 1  
7       of the first calendar year that begins after the date  
8       of enactment of this Act, and not later than Feb-  
9       ruary 1 of each calendar year thereafter, the Secre-  
10      taries shall each submit to the relevant congressional  
11      committees a report that contains the following in-  
12      formation:

13              (A) The number of wildland firefighters  
14              and wildland firefighting support personnel the  
15              agency anticipates it will need for that calendar  
16              year, delineated by position.

17              (B) The number of hiring events the agen-  
18              cy is planning to hold that calendar year.

19              (C) The number of wildland firefighters  
20              and wildland firefighting support personnel cur-  
21              rently employed by the agency, delineated by  
22              position.

23              (D) The number of wildland firefighter  
24              and wildland firefighting support personnel va-  
25              cancies by State.

1           (E) The implementation of the direct hir-  
2           ing authority under section 9603 of title 5,  
3           United States Code.

4           (F) The implementation of the streamlined  
5           hiring policies developed under subsection (b).

6           (G) Recommendations to Congress to fur-  
7           ther improve the recruitment and retention of  
8           wildland firefighters and wildland firefighting  
9           support personnel.

10          (2) PUBLIC AVAILABILITY.—The Secretaries  
11          shall each annually publish the report submitted  
12          under paragraph (1) on a publicly available website.

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