

114TH CONGRESS
2D SESSION

S. 3395

To require limitations on prescribed burns.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2016

Mr. THUNE (for himself and Ms. HEITKAMP) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To require limitations on prescribed burns.

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 “Prescribed Burn Ap-
5 proval Act of 2016”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) NATIONAL FIRE DANGER RATING SYS-
9 TEM.—The term “national fire danger rating sys-
10 tem” means the national system used to provide a

1 measure of fire danger according to a range of low
2 to moderate to high to very high to extreme.

3 (2) **PRESCRIBED BURN.**—The term “prescribed
4 burn” means a planned fire intentionally ignited.

5 (3) **SECRETARY.**—The term “Secretary” means
6 the Secretary of Agriculture, acting through the
7 Chief of the Forest Service.

8 **SEC. 3. LIMITATIONS ON PRESCRIBED BURNS.**

9 (a) **IN GENERAL.**—Except as provided in subsection
10 (b), the Secretary shall not authorize a prescribed burn
11 on Forest Service land if, for the county or contiguous
12 county in which the land is located, the national fire dan-
13 ger rating system indicates an extreme fire danger level.

14 (b) **EXCEPTION.**—The Secretary may authorize a
15 prescribed burn under a condition described in subsection
16 (a) if the Secretary coordinates with the applicable State
17 government and local fire officials.

18 (c) **REPORT.**—At the end of each fiscal year, the Sec-
19 retary shall submit to Congress a report describing—

20 (1) the number and locations of prescribed
21 burns during that fiscal year; and

22 (2) each prescribed burn during that fiscal year
23 that was authorized by the Secretary pursuant to
24 subsection (b).

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