

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3441

To provide for the transfer of excess Department of Defense aircraft to the Forest Service for wildfire suppression activities, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 25, 2012

Mr. MCCAIN (for himself, Mr. NELSON of Florida, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## A BILL

To provide for the transfer of excess Department of Defense aircraft to the Forest Service for wildfire suppression activities, 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 “Wildfire Suppression  
5 Aircraft Transfer Act of 2012”.

6 **SEC. 2. TRANSFER OF EXCESS AIRCRAFT FOR WILDFIRE**  
7 **SUPPRESSION PURPOSES.**

8 (a) IN GENERAL.—Not later than 90 days after the  
9 aircraft specified in subsection (b) are declared excess to

1 the needs of the Department of Defense, the Secretary of  
2 Defense shall transfer such aircraft to the Secretary of  
3 Agriculture for use by the Forest Service for wildfire sup-  
4 pression purposes. The transfer of any excess aircraft  
5 under this subsection shall be without reimbursement.

6 (b) AIRCRAFT.—The aircraft transferred under sub-  
7 section (a) are 14 C–27J aircraft that are—

8 (1) excess to the needs of the Department of  
9 Defense, as determined by the Secretary of Defense;  
10 and

11 (2) acceptable for use by the Forest Service, as  
12 determined by the Secretary of Agriculture.

13 (c) PRIORITY IN TRANSFER.—The Secretary of Agri-  
14 culture shall be afforded a priority in the transfer under  
15 subsection (a) of excess aircraft of the Department of De-  
16 fense described in subsection (b) before any other depart-  
17 ment or agency of the Federal Government.

18 (d) CONDITIONS OF TRANSFER.—Excess aircraft  
19 transferred under subsection (a)—

20 (1) may be used only for wildfire suppression  
21 purposes; and

22 (2) may not be flown or otherwise removed  
23 from the United States unless dispatched by the Na-  
24 tional Interagency Fire Center in support of an  
25 international agreement to assist in wildfire suppres-

1 sion efforts or for other purposes approved by the  
 2 Secretary of Agriculture in writing in advance.

3 (e) EXPIRATION OF AUTHORITY.—The authority to  
 4 transfer excess aircraft under subsection (a) shall expire  
 5 upon the completion of the transfer of all the excess air-  
 6 craft specified in subsection (b).

7 **SEC. 3. REAUTHORIZATION OF SALE OF AIRCRAFT AND**  
 8 **PARTS FOR WILDFIRE SUPPRESSION PUR-**  
 9 **POSES.**

10 Section 2 of the Wildfire Suppression Aircraft Trans-  
 11 fer Act of 1996 (10 U.S.C. 2576 note) is amended—

12 (1) in subsection (a), by striking “during the  
 13 period beginning on October 1, 1996, and ending on  
 14 September 30, 2005” and inserting “during a period  
 15 specified in subsection (g)”;

16 (2) by redesignating subsection (g) as sub-  
 17 section (h); and

18 (3) by inserting after subsection (f) the fol-  
 19 lowing new subsection (g):

20 “(g) PERIODS FOR EXERCISE OF AUTHORITY.—The  
 21 periods specified in this subsection are the following:

22 “(1) The period beginning on October 1, 1996,  
 23 and ending on September 30, 2005.

1           “(2) The period beginning on October 1, 2012,  
2           and ending on September 30, 2017.”.

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