

119TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To amend title 5, United States Code, to provide rest and recuperation leave for employees engaged in wildland firefighting, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. PADILLA introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend title 5, United States Code, to provide rest and recuperation leave for employees engaged in wildland firefighting, 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 “Support our Fire-  
5 fighters Act”.

6 **SEC. 2. REST AND RECUPERATION LEAVE FOR EMPLOYEES**

7 **ENGAGED IN WILDLAND FIREFIGHTING.**

8 (a) IN GENERAL.—Subchapter II of chapter 63 of  
9 title 5, United States Code, is amended by adding at the  
10 end the following:

1 **“§ 6329e. Rest and recuperation leave for employees**  
2 **engaged in wildland firefighting**

3 “(a) DEFINITIONS.—In this section—

4 “(1) the term ‘applicable Secretary’ means the  
5 Secretary of Agriculture or the Secretary of the In-  
6 terior, as applicable to a covered employee;

7 “(2) the term ‘covered employee’ means an em-  
8 ployee of the Forest Service or the Department of  
9 the Interior who—

10 “(A) qualifies as a wildland firefighter  
11 based on the definitions of the terms ‘fire-  
12 fighter’ and ‘wildland firefighter’ in section  
13 5332a(a) (applying the definition of ‘employee’  
14 in section 6301(2) in lieu of the definition of  
15 ‘employee’ in section 5331(a)); or

16 “(B) is certified by the applicable Sec-  
17 retary to perform wildland fire incident-related  
18 duties during the period the employee is de-  
19 ployed to respond to a qualifying incident; and

20 “(3) the term ‘qualifying incident’ has the  
21 meaning given the term in section 5545c(a).

22 “(b) REST AND RECUPERATION LEAVE.—

23 “(1) IN GENERAL.—A covered employee may  
24 receive paid rest and recuperation leave following the  
25 completion of service in which the covered employee

1 is deployed to respond to a qualifying incident, sub-  
2 ject to the policies prescribed under this subsection.

3 “(2) PRESCRIPTION OF POLICIES.—The Sec-  
4 retary of Agriculture and the Secretary of the Inte-  
5 rior shall, in the sole and exclusive discretion of the  
6 Secretaries acting jointly, prescribe uniform policies  
7 described in paragraph (1) after consulting with the  
8 other applicable Secretary.

9 “(3) CONTENT OF POLICIES.—The policies pre-  
10 scribed under paragraph (2) may include—

11 “(A) a maximum period of days in which  
12 a covered employee is deployed to respond to a  
13 qualifying incident, which shall—

14 “(i) begin on the date on which the  
15 covered employee departs from the official  
16 duty station of the covered employee and  
17 end on the date on which the covered em-  
18 ployee returns to the official duty station  
19 of the covered employee; and

20 “(ii) be followed by a minimum num-  
21 ber of days of rest and recuperation for the  
22 covered employee;

23 “(B) a requirement to use 3 days of rest  
24 and recuperation leave after a 14-day period  
25 during which the covered employee is deployed

1 to respond to a qualifying incident, excluding  
2 travel to and from assignments; or

3 “(C) a requirement to use 4 days of rest  
4 and recuperation leave after a 21-day period  
5 during which the covered employee is deployed  
6 to respond to a qualifying incident, including  
7 travel to and from assignments.

8 “(c) USE OF LEAVE.—

9 “(1) IN GENERAL.—Rest and recuperation  
10 leave granted under this section—

11 “(A) shall be used during scheduled hours  
12 within the tour of duty of the applicable covered  
13 employee established for leave-charging pur-  
14 poses;

15 “(B) shall be paid in the same manner as  
16 annual leave;

17 “(C) shall be used immediately after a  
18 qualifying incident; and

19 “(D) may not be set aside for later use.

20 “(2) NO PAYMENT.—A covered employee may  
21 not receive any payment for unused rest and recu-  
22 peration leave granted under this section.

23 “(d) INTERMITTENT WORK SCHEDULE.—A covered  
24 employee with an intermittent work schedule—



1 6592(d)(4)(B)), including premium pay authorized under  
2 section 1701 of the Extending Government Funding and  
3 Delivering Emergency Assistance Act (5 U.S.C. 5547  
4 note) (as amended by this Act), be transferred to and  
5 merged with the amounts made available under the head-  
6 ing “WILDLAND FIRE MANAGEMENT” under the heading  
7 “DEPARTMENT-WIDE PROGRAMS” under the heading  
8 “DEPARTMENT OF THE INTERIOR” in title VI of  
9 division J of that Act (Public Law 117–58; 135 Stat.  
10 1393).

11 **SEC. 4. WAIVER OF OVERTIME CAPS FOR WILDLAND FIRE-**  
12 **FIGHTERS.**

13 Section 1701 of the Extending Government Funding  
14 and Delivering Emergency Assistance Act (5 U.S.C. 5547  
15 note) is amended—

16 (1) in subsection (a)(1)—

17 (A) in the first sentence, by striking “or  
18 2022 or 2023 or 2024” and inserting “or any  
19 calendar year thereafter”; and

20 (B) in the second sentence—

21 (i) by striking “Services” and insert-  
22 ing “services”; and

23 (ii) by striking “subsection” and in-  
24 serting “subsection.”;

1           (2) in subsection (b), by striking “2021 or 2022  
2           or 2023 or 2024” and inserting “the applicable cal-  
3           endar year”; and

4           (3) in subsection (c), by striking “2021 or 2022  
5           or 2023 or 2024” and inserting “the applicable cal-  
6           endar year”.