SUBCHAPTER II—WILDFIRE SUPPRESSION WITH FOREIGN FIRE ORGANIZATION

§ 1856m. Definitions

As used in this subchapter—

(1) the term ‘‘fire organization’’ means any governmental, public, or private entity having wildfire protection resources;

(2) the term ‘‘wildfire protection resources’’ means personnel, supplies, equipment, and other resources required for wildfire prevention and suppression activities; and

(3) the term ‘‘wildfire’’ means any forest or range fire.

(Pub. L. 100–428, § 2, Sept. 9, 1988, 102 Stat. 1615.)

§ 1856n. Implementation

(a) Reciprocal agreement; waiver of claims; termination of agreement; reimbursement

(1) The Secretary of Agriculture or the Secretary of the Interior, in consultation with the Secretary of State, may enter into a reciprocal agreement with any foreign fire organization for mutual aid in furnishing wildfire protection resources for lands and other properties for which such Secretary or organization normally provides wildfire protection.

(2) Any agreement entered into under this subsection—

(A) shall include a waiver by each party to the agreement of all claims against every other party to the agreement for compensation for any loss, damage, personal injury, or death occurring in consequence of the performance of such agreement;

(B) shall include a provision to allow the termination of such agreement by any party thereto after reasonable notice; and

(C) may provide for the reimbursement of any party thereto for all or any part of the costs incurred by such party in furnishing wildfire protection resources for, or on behalf of, any other party thereto.

(b) Emergency wildfire protection resources; furnishing or accepting in absence of agreement

In the absence of any agreement authorized under subsection (a) of this section, the Secretary of Agriculture or the Secretary of the Interior may—

(1) furnish emergency wildfire protection resources to any foreign nation when the furnishing of such resources is determined by such Secretary to be in the best interest of the United States, and

(2) accept emergency wildfire protection resources from any foreign fire organization when the acceptance of such resources is determined by such Secretary to be in the best interest of the United States.

(c) Reimbursement of Canada

Notwithstanding the preceding provisions of this section, reimbursement may be provided for the costs incurred by the Government of Canada or a Canadian organization in furnishing wildfire protection resources to the Government of the United States under—

(1) the memorandum entitled ‘‘Memorandum of Understanding Between the United States Department of Agriculture and Environment Canada on Cooperation in the Field of Forestry-Related Programs’’ dated June 25, 1982; and

(2) the arrangement entitled ‘‘Arrangement in the Form of an Exchange of Notes Between the Government of Canada and the Government of the United States of America’’ dated May 4, 1982.

(d) Service in line of duty

Any service performed by any employee of the United States under an agreement or otherwise under this subchapter shall constitute service rendered in the line of duty in such employment. The performance of such service by any other individual shall not make such individual an employee of the United States.

(Pub. L. 100–428, § 3, Sept. 9, 1988, 102 Stat. 1615.)

§ 1856o. Funds

Funds available to the Secretary of Agriculture or the Secretary of the Interior for wildfire protection resources in connection with activities under the jurisdiction of such Secretary may be used to carry out activities authorized under agreements or otherwise under this subchapter, or for reimbursements authorized under section 1856n(c) of this title: Provided, That no such funds may be expended for wildfire protection resources or personnel provided by a foreign fire organization unless the Secretary determines that no wildfire protection resources or personnel within the United States are reasonably available to provide wildfire protection.

(Pub. L. 100–428, § 4, Sept. 9, 1988, 102 Stat. 1616.)


Section, Pub. L. 100–428, §§ 1857 to 1857c–9, transferred to section 7401 of this title.


Reference to section 1857g appearing in section 702 of Title 15, Commerce and Trade, shall be construed to refer to section 7413(d) of Title 42, The Public Health and Welfare, see Compliance Orders note set out under section 792 of Title 15.

Effective Date of Repeal

Repeal effective Aug. 7, 1977, see section 406 of Pub. L. 95-95, set out as an Effective Date of 1977 Amendment note under section 791 of this title.

§ 1857d to 1857f-6c. Transferred

Constitution


Section 1857f, as added Dec. 31, 1970, Pub. L. 91–604, § 8(a), 84 Stat. 1694, which related to low emission vehicles, was transferred to section 7546 of this title.

Section 1857h–1, act July 14, 1955, ch. 360, title II, § 303, as added Dec. 31, 1970, Pub. L. 91–604, § 12(a), 84 Stat. 1706, which related to citizen suits, was transferred to section 7604 of this title.


SUBCHAPTER III—GENERAL PROVISIONS


Part B—Aircraft Emission Standards

§§ 1857f-9 to 1857k. Transferred

Compensation

Section 1857f–9, as added July 14, 1955, ch. 360, title II, § 231, as added Dec. 31, 1970, Pub. L. 91–604, § 11(a)(1), 84 Stat. 1703, which related to the establishment of aircraft emission standards, was transferred to section 7571 of this title.

Section 1857f–10, as added July 14, 1955, ch. 360, title II, § 232, as added Dec. 31, 1970, Pub. L. 91–604, § 11(a)(1), 84 Stat. 1704, which related to enforcement of aircraft emission standards, was transferred to section 7572 of this title.

Section 1857f–11, as added July 14, 1955, ch. 360, title II, § 233, as added Dec. 31, 1970, Pub. L. 91–604, § 11(a)(1), 84 Stat. 1704, which related to State standards and controls regarding aircraft emissions, was transferred to section 7573 of this title.


Subchapter III—General Provisions


Section 1857h–1, as added July 14, 1955, ch. 360, title III, § 303, as added Dec. 31, 1970, Pub. L. 91–604, § 12(a), 84 Stat. 1705, which related to emergency powers of the Administrator, was transferred to section 7603 of this title.

Section 1857h–2, as added July 14, 1955, ch. 360, title III, § 304, as added Dec. 31, 1970, Pub. L. 91–604, § 12(a), 84 Stat. 1706, which related to citizen suits, was transferred to section 7604 of this title.
Section 1857h-3, act July 14, 1955, ch. 360, title III, §305, as added Dec. 31, 1970, Pub. L. 91-604, §12(a), 84 Stat. 1707, which related to legal representation of the Administrator and appearance by the Attorney General, was transferred to section 7605 of this title.


Section 1857h-5, act July 14, 1955, ch. 360, title III, §307, as added Dec. 31, 1970, Pub. L. 91-604, §12(a), 84 Stat. 1705, which related to judicial proceedings and judicial review, was transferred to section 7607 of this title.

Section 1857h-6, act July 4, 1955, ch. 360, title III, §308, as added Dec. 31, 1970, Pub. L. 91-604, §12(a), 84 Stat. 1708, which related to mandatory licensing, was transferred to section 7608 of this title.

Section 1857h-7, act July 14, 1955, ch. 360, title III, §309, as added Dec. 31, 1970, Pub. L. 91-604, §12(a), 84 Stat. 1709, which related to policy review, was transferred to section 7609 of this title.


CHAPTER 16—NATIONAL SCIENCE FOUNDATION

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