



**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503**

July 8, 2015
(House)

STATEMENT OF ADMINISTRATION POLICY

H.R. 2647 – Resilient Federal Forests Act of 2015

(Rep. Westerman, R-AR, and 13 cosponsors)

The Administration strongly opposes H.R. 2647. The most important step Congress can take to increase the pace and scale of forest restoration and management of the national forests and Department of the Interior (DOI) lands is to fix fire suppression funding and provide additional capacity for the Forest Service and DOI to manage the Nation's forests and other public lands. H.R. 2647 falls short of fixing the fire budget problem and contains other provisions that will undermine collaborative forest restoration, environmental safeguards, and public participation across the National Forest System and public lands.

Wildland Fire Management Funding

The Administration appreciates that there is bipartisan agreement that wildland fire management funding needs a legislative fix. The reasons are clear: in fiscal year (FY) 1995, the Forest Service in the Department of Agriculture (USDA) spent 16 percent of its budget on firefighting. Today the agency spends more than half of its budget on fire management activities. This fundamentally impedes its missions, including taking critical funding from programs that help reduce the risk of catastrophic fire, maintain healthy functioning ecosystems, and yield timber production.

The wildland fire funding fix in the President's FY 2016 Budget provides the necessary resources for the Forest Service as well as DOI to address wildland fire suppression and rehabilitation needs without resorting to detrimental transfers from other critical forest landscape resilience priorities. Under this fix, which includes a discretionary budget cap adjustment, the Forest Service and DOI could tap disaster funds once they spend 70 percent of their 10-year average of suppression spending, which is the amount of suppression funding requested within the discretionary budget caps. Providing this certainty would preserve critical resources for hazardous fuel reduction and other essential landscape restoration projects, allowing for more acres to be treated, and thereby reducing the risk of fire, and the degree of fire destruction.

The Administration's proposal would immediately increase the Forest Service's capacity to plan and execute restoration projects -- including the FY 2016 Budget projection for timber volume sold from 2.9 billion board feet in FY 2014 to 3.2 billion board feet.

In contrast, the requirement in H.R. 2647 to fully fund the ten-year average for wildland fire suppression would mean that less funding is available each year in the agencies' budgets for restoration and risk reduction programs as it is diverted to the ever-increasing ten-year average.

Additionally, the bill repurposes the Stafford Act. The purpose of the Stafford Act is to provide Federal assistance to State, local, and tribal governments to alleviate disaster suffering and facilitate recovery. This bill would instead establish a sub-account within the Department of Homeland Security's Federal Emergency Management Agency's Disaster Relief Fund (DRF) to provide funding for USDA and DOI to perform wildland fire suppression operations on Federal land when suppression funding is exhausted and the President has issued a disaster declaration for such fires. A proposed sub-account under the DRF should not be used to redirect DRF resources in support of non-Stafford responsibilities or to circumvent existing major disaster declarations processes

Undermining Fundamental Environmental Safeguards

The Administration takes seriously the management of Federal lands consistent with the principles of multiple-use and sustained-yield that are fundamental to the National Forest Management Act and the Federal Land Management and Policy Act and in accordance with long-standing environmental laws including the National Environmental Policy Act (NEPA), the Clean Water Act, and the Endangered Species Act, among others. Application of these environmental laws ensures that management activities recognize the economic benefits of Federal lands and the wide range of goods and services that these lands produce.

At the President's direction, Federal agencies, like the Forest Service and the Bureau of Land Management, are working diligently to promote efficiencies in the permitting and land management process. For example, the Forest Service has established additional categorical exclusions for restoration work, has expanded the use of focused environmental assessments, is using adaptive management to allow decisions to last longer, and is better training employees to take advantage of new efficiencies. The Forest Service is also developing new approaches in the wake of catastrophic fires, such as the response to the Rim Fire, which burned 257,000 acres in the summer of 2013, in which the Stanislaus National Forest finalized its NEPA work for restoration and salvage in one year. The Forest Service is also developing projects across larger areas, thereby utilizing efficiencies and providing a longer term and more certain timber supply for local mills. For example, the Black Hills National Forest is implementing a landscape scale approach across 200,000 acres for treating current and future pine beetle outbreaks.

HR 2647 includes several provisions that will undermine collaborative, landscape-scale forest restoration by undermining public trust in forest management projects and by limiting public participation in decision-making. The Administration has substantial concerns with the design and scale of the categorical exclusions, provisions related to post-fire salvage and restoration (including unrealistic timelines for environmental assessments), and unrealistic targets for reforestation given current budgetary resources.

The Administration has serious concerns with provisions in the bill related to the Resources Advisory Committees (RACs). The Administration opposes provisions that limit the discretion of RACs by requiring 50 percent of Secure Rural Schools Act Title II funding be spent on timber management projects. H.R. 2647 also assumes RACs can fulfill the role of local forest collaboratives in designing forest restoration projects, though the RACs were not specially set up to do this and in many cases may not have the breadth of stakeholder interest and expertise to do so effectively. Additionally, the Administration opposes restrictions in the bill on the membership of RACs.

Furthermore, the Administration opposes provisions in the bill that require litigants to post a bond when challenging forest restoration projects. As the Forest Service has demonstrated, the best way to address concerns about litigation is to develop restoration projects in partnership with broad stakeholder interests through a transparent process informed by the best available science. Lastly, the bill should include stronger protections for ecologically sensitive areas, tribal sacred sites, and other important lands.

For the reasons set forth above, the Administration strongly opposes H.R. 2647. The Administration looks forward to continued engagement with Congress to address forest management issues, which must begin by providing the Forest Service and DOI with a comprehensive fix to the fire budget problem.

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