



Legislative & Policy Update – August 2026

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The [Council of Western State Foresters](#) (CWSF) Legislative & Policy Update provides information on issues of importance to CWSF. Policy and legislative updates are found on the [CWSF webpage](#). Please note that the items highlighted in these updates are only a selection of the issues CWSF and the Western Forestry Leadership Coalition (WFLC) are monitoring. Keep an eye out for our monthly newsletter, which provides summaries on other key legislative and programmatic issues. If you have not yet subscribed, you can do so [here](#). For more information, please contact [Neil Simpson](#), CWSF/WFLC Director of Policy.

This month's policy update covers:

- U.S. Senate Honors Fallen Wildland Firefighters
- Legislation Introduced to Expand Woody Biomass Use
- Legislation Introduced to Increase Use of Prescribed Fire
- Rule Finalized to Provide Hazard Pay for Federal Personnel on Prescribed Fires
- Legislation to Impose Sanctions on Canada for Wildfire Smoke
- Congressional Research Service Publishes Information on Smoke and Wildfire
- USDA Forest Service Proposes to Rescind the Roadless Rule

U.S. Senate Honors Fallen Wildland Firefighters

On August 7, 2026, the Senate passed a [resolution](#) "Honoring the lives and service of Emily Barker, Nicholas Hutcherson, Sydney Watson, Nathan Matthews, Nicholas Dale, and all those who serve on the front lines of wildland firefighting efforts in the United States."

The resolution was introduced by Michael Bennet (D-CO), John Hickenlooper (D-CO), John Curtis (R-UT), and Mike Lee (R-UT) and passed by unanimous consent.

Legislation Introduced to Expand Woody Biomass Use Under the Renewable Fuels Standard

On July 22, 2026, Congressmen Cliff Bentz (R-OR) and Bennie Thompson (D-MS) joined Senators Jeff Merkley (D-OR) and Cindy Hyde-Smith (R-MS) in introducing the *Wildfire Reduction Market Expansion Act of 2026*, [H.R. 9827](#) and [S. 5087](#), respectively.

The bill would expand the definition of renewable biomass within the Clean Air Act's Renewable Fuel Standard (RFS). The RFS mandates blending renewable fuels into America's transportation and home heating fuels, but the current definition of renewable biomass severely limits the use of woody biomass.

The *Wildfire Reduction Market Expansion Act of 2026* would expand the definition to include:

- Residual material such as sawdust and shavings created during forest products manufacturing,

- Trees and slash from fuel reduction and forest health treatments, including treatments on federal land, and
- Allow material to be sourced from private, state, and federal lands.

In a press release, Congressman Thompson stated, “This bipartisan legislation recognizes that healthy forests and strong rural economies go hand in hand. By creating new markets for woody biomass generated through responsible forest management, we can help reduce wildfire risk, support jobs in rural communities, and expand America's renewable fuel supply. This commonsense approach creates economic opportunity while helping protect our forests and natural resources for future generations.”

The House bill has 19 co-sponsors and has been assigned to the Energy and Commerce Committee. In the Senate, it has six co-sponsors and has been assigned to the Environment and Public Works Committee.

Legislation Introduced to Increase Use of Prescribed Fire

On July 21, 2026, Senator John Curtis (R-UT) introduced S. 5045, the [Wildfire Emissions Act of 2026](#). Curtis introduced the bill along with a bipartisan group of colleagues on the Senate Environment and Public Works Committee, including Mark Kelly (D-AZ), Jeff Merkley (D-OR), Alex Padilla (D-CA), John Boozman (R-AR), and Committee Chair Shelley Moore Capito (R-WV).

The National Association of State Foresters has officially endorsed the bill, which is very similar to [S.3044](#), the *Wildfire Emissions Prevention Act of 2025*, also introduced by Senator Curtis. Both bills seek to increase the use of prescribed fire by amending the Clean Air Act to clarify that prescribed fires are exceptional events and requiring the Administrator of the U.S. Environmental Protection Agency to consult with federal land managers, state air pollution control agencies, State Foresters, and state fish and wildlife agencies in an effort to revise existing regulations to focus on state implementation responsibility. The 2026 version does have a few key differences, including:

- Defines prescribed burns as a distinct activity, whereas the 2025 version includes prescribed burns in the broader natural events regulations.
- Establishes a “Smoke Ready Communities Program” which authorizes grants for the “assessment, prevention, control, or abatement of wildfire smoke hazards in community buildings” (Sec. 3).

In a [press release](#), Senator Kelly stated, “Prescribed burns are one of the best ways to reduce that risk before a fire gets out of control, and states shouldn’t be penalized for taking action. This bipartisan effort will help prevent larger, more destructive wildfires, keep our forests healthier, and better protect families from the smoke and pollution they leave behind.”

The bill has been assigned to the Senate Environment and Public Works Committee.

Rule Finalized to Provide Hazard Pay for Federal Personnel on Prescribed Fires

The Office of Personnel Management has [published](#) a final rule to authorize a 25% hazard pay differential for General Schedule (GS) and Federal Wage System (FWS) employees “engaged in activities on the fireline directly involving the implementation and control of prescribed wildland fires.”

The new regulation is effective September 14, 2026, and changes will apply on the first pay period beginning on or after September 14, 2026.

Legislation to Impose Sanctions on Canada for Wildfire Smoke

On July 20, 2026, Congressman John James (R-MI) introduced H.R. 9783, the *Countering Atmospheric Nuisances Arising from Drifting Airborne Foreign Incendiary Residual Emissions Act*, or the “[CANADA FIRE Act](#).” The bill states, “The Government of Canada has failed to take sufficient and timely measures to prevent, mitigate, or respond to repeated wildfire-smoke events affecting the United States.” The bill would impose numerous sanctions on the Canadian Government and its officials if it is determined that these failures have occurred.

The bill has no co-sponsors and has been referred to six House Committees: Foreign Affairs, Judiciary, Financial Services, Ways and Means, Oversight and Government Reform, and Energy and Commerce.

Senator Bernie Moreno (R-OH) [announced](#) he was introducing similar legislation, but as of the time of this publication, it was not available on Congress.gov.

Congressional Research Service Publishes Information on Smoke and Wildfire

The Congressional Research Service (CRS), which is responsible for providing Congress with nonpartisan, objective information and policy analysis, has produced an informational document on [Wildland Fire Smoke, Air Quality, and Health](#).

The document provides background on common issues of concern related to wildland fire, air quality, and public health. It also identifies issues for Congress, noting that Congress could consider options to improve air quality monitoring and public health responses, clarify that prescribed fires are exceptional events, and support research in smoke and health-related fields.

USDA Forest Service Proposes to Rescind the Roadless Rule

On August 18, 2026, Secretary of Agriculture Brooke L. Rollins [announced](#) the USDA Forest Service (Forest Service) has filed a proposed rule to rescind the 2001 Roadless Area Conservation Rule. The press release states the roadless rule precludes “critical active management work” on more than 44 million acres of the 193 million-acre National Forest System and that the rescission will return the authority for roadless area decisions to line officers during forest-level planning informed by states, tribes, and counties.

The summary of potential impacts notes that the “near-term effects of the rescission would be bounded by the existing land management plan direction.”

In August of 2025, the USDA published a Notice of Intent to prepare an Environmental Impact Statement (EIS) and rulemaking. The USDA is now soliciting comments on the Draft EIS and the rule. For more information, visit the Forest Service [Roadless Area webpage](#) and view the [Draft EIS](#).

Comments are due by September 21, 2026, and can be submitted via [Regulations.gov](#).