



Legislative & Policy Update – September 2017

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

For more information, please contact Kelsey Delaney, Policy Director, 303.893.0327, kdelaney@westernforesters.org.

Congress returned from recess early this month with a lengthy to-do list. At the top of the list was the necessary passage of a spending bill to begin fiscal year (FY) 2018. This month's policy update details recent activities related to appropriations, the 2017 wildfire season and wildfire funding, and forest management.

FY 2018 Appropriations

Continuing Resolution - With only three weeks on the legislative calendar in September, Congress had to act quickly to pass a spending bill before the close of FY 2017. As vehicle for getting the FY 2018 spending approved, a short term CR was attached to the fast moving disaster aid package for Hurricane Harvey. The Senate voted 80-17 to pass it. The House voted 316-90 shortly thereafter, and the President signed it. The CR kicks off FY 2018, beginning October 1, and runs through December 8, 2017 allowing additional time for negotiations on broader FY 2018 spending discussions to continue later this year. Text of the Act titled, "Continuing Appropriations Act, 2018 and Supplemental Appropriations for Disaster Relief Requirements Act, 2017" can be found [here](#).

House Omnibus - While the CR supplies additional time for Congress to negotiate FY 2018 spending, the House continues to advance its appropriations measures. This month the House considered a eight-bill omnibus spending measure (H.R. 3354) that included (among others) the Interior and Environment, and Agriculture and Rural Development individual appropriations bills.

The Interior, Environment, and Related Agencies portion of the House omnibus maintains the \$31.4 billion top-line level that the House Appropriations Committee approved earlier this year. This is \$824 million below the FY 2017 enacted level and \$4.3 billion above the President's budget request. An amendment by Congressman David McKinley (R-WV) was accepted en bloc that would reduce \$9.5 million from the USDA Forest Service (Forest Service) State and Private Forestry program and increase the National Forest System (NFS) account with a focus on forest products. Another amendment that passed en bloc by Representatives Jared Polis (D-CO), Jim Renacci (R-OH) and Peter King (R-NY) would increase the Volunteer Fire Assistance and State Fire Assistance programs by \$1.38 million and \$10.99 million respectively.

In July, the lower chamber passed a four-bill minibus (H.R. 3219, Make America Secure Appropriations Act) that was incorporated into H.R. 3354, comprising all 12 regular FY 2018 appropriations bills. The House ultimately voted 211- 198 in mid-September to pass H.R. 3354. The text of the omnibus also known as the, “Make America Secure and Prosperous Appropriations Act” can be found [here](#).

CWSF continues to assist the National Association of State Foresters (NASF), the Northeastern Area Association of State Foresters and the Southern Group of State Foresters on FY 2018 State Forester appropriations priorities. For more information on NASF recommendations, please click [here](#).

2017 Wildfire Season

On September 14, U.S. Secretary of Agriculture (USDA Secretary) Sonny Perdue announced that Forest Service wildfire suppression costs for the 2017 wildfire season had surpassed \$2 billion, effectively making this fire season the most expensive on record. As of September 27, approximately 2.3 million acres had burned on Forest Service NFS lands and over 8.5 million acres across all federal, state and private lands. This is compared to a 10-year average of 5.8 million acres.

For FY 2017, Congress appropriated additional funding above the 10-year average, totaling almost \$1.6 billion provided to the Forest Service to fight wildfires. As part of the Secretary’s announcement in mid-September, he shared that the Forest Service had exhausted all appropriated funding, and with three weeks left in the fiscal year had to borrow funds from other non-fire programs to meet its suppression needs. The Secretary renewed his call to Congress to provide a permanent fix to the way the Forest Service wildfire suppression efforts are funded. The USDA press release detailing the Forest Service fire costs is found [here](#). An additional USDA press release detailing Secretary Perdue’s call to Congress on wildfire funding can be found [here](#).

Secretary Perdue also attended the NASF 2017 Annual Meeting as a keynote speaker. In his comments to State Foresters and partners, the Secretary shared that a top priority continues to be support for a permanent fire funding fix. The Secretary implored State Foresters to contact their Congressional delegation with their support of a permanent fire funding fix. The USDA press release with audio from the Secretary’s remarks can be found [here](#). The NASF one-pager on wildfire funding can be found [here](#).

The recently enacted CR includes language regarding wildfire funding transfers that was championed by Senators Ron Wyden (D-OR) and Jeff Merkley (D-OR). There was some initial uncertainty surrounding the interpretation of the bill text and whether it would enable the Forest Service to avoid the practice of fire borrowing this year. The most recent determination has been that while the language does not preclude transfers in FY 2017, the CR continues the funding that was supplied in the FLAME Wildfire Suppression Reserve Fund in FY 2017 appropriations and will allow the Forest Service to utilize those funds once the new fiscal year begins (October 1) to pay back the accounts that sustained fire transfers. A press release from Senator Merkley’s office can be found [here](#). Both Senator Merkley and Senator Wyden continue to work with their western colleagues to urge Congress to enact a long-term wildfire funding fix.

Senate Wildfire Disaster Funding Act Introduced

This month, a bipartisan group of western Senators introduced an updated version of the Wildfire Disaster Funding Act (W DFA) that provides a comprehensive solution to wildfire suppression funding for the Forest

Service and the Department of the Interior (DOI). The Senators include Ron Wyden, Jeff Merkley, Mike Crapo (R-ID), Dianne Feinstein (D-CA), Jim Risch (R-ID), Maria Cantwell (D-WA), Orrin Hatch (R-UT), Cory Gardner (R-CO), and Michael Bennet (D-CO).

Similar to the House WDFFA introduced this June, the Senate version would fund suppression accounts at the Forest Service and DOI at the 2015 10-year rolling average (i.e. freeze the 10-year average at 2015 levels) and then allow access through a budget cap adjustment for additional fire suppression needs. This would minimize the need for fire borrowing, address the long-term erosion of federal agency budgets as the costs of firefighting increases, and effectively treat wildfires similar to other natural disasters. Press releases from Senators Wyden and Crapo can be found [here](#) and [here](#). The text of the Senate WDFFA can be found [here](#).

Senator Daines Senate Floor Remarks and Letter to Forest Service Chief Tooke

Senator Steve Daines (R-MT) took to the Senate floor earlier this month to raise awareness of the need for forest management reforms as severe wildfires impacted the state of Montana. Senator Daines spoke of the need to manage federal forests to improve forest health, reduce the risk of wildfires, and revive the timber industry. He further spoke to impacts of litigation on forest management projects and urged his colleagues to join him in the effort to identify comprehensive forest management reform. To read and watch the Senator's remarks, please click [here](#).

Additionally, Senator Daines sent a letter to Forest Service Chief Tony Tooke with similar comments. The Senator shared comments on the severe fire season impacting Montana, the need to protect communities from wildfire, and the need to increase active forest management to restore forest health and resiliency. Senator Daines mentioned the bipartisan legislation (S. 605, Litigation Relief for Forest Management Projects Act) that he co-sponsors with Senator Jon Tester (D-MT), and his support for empowering collaborative efforts. He also mentioned the need to budget catastrophic wildfires like the natural disasters they are. The full letter can be found in this [press release](#).