

HELICOPTER ASSOCIATION INTERNATIONAL  
TESTIMONY ON LAND EXCHANGE AND WILDFIRE BILLS

SUBCOMMITTEE ON FORESTS AND FOREST HEALTH  
RESOURCES COMMITTEE  
UNITED STATES HOUSE OF REPRESENTATIVES

October 10, 2002

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Good morning Mr. Chairman, and Members of the Forests and Forest Health Subcommittee. I am honored to appear before you today and express the view of the Helicopter Association International (HAI) concerning two bills, HR 5102, The Wildfire Response Act of 2002, and HR 5185, the Wildfire Response Enhancement Act. I ask that you accept my written testimony into the official record.

HAI is a not-for-profit, professional trade association of over 1400 member organizations in the United States and throughout the world. Member companies include operators of civil helicopters, manufacturers, and peripheral industry supporters. Many of the members are small businessmen and women and many of them are engaged in firefighting. HAI's members safely operate more than 5,000 helicopters approximately two million hours each year.

Mr. Chairman, I recognize your cosponsorship of HR 5102, introduced by your colleague, Mr. Hefley, a member of the full Committee. As you are aware, HR 5102 is an exception to the Economy Act requirement to allow activation of military resources for emergent situations such as wildland fires, thereby expediting the process by which the Secretary of the Interior and the Secretary of Agriculture may utilize military aircraft to fight wildfires. Helicopter Association International is concerned over authorization for the use of military aircraft and personnel of the Armed Forces to fight wildfires without first comparing the cost and convenience of procuring the same services from a commercial enterprise. While HAI recognizes language in the bill requiring Congressional notice of the use of the exception to the Economy Act and the reasons for the use of the exception, HAI is concerned that notice to Congress would be made after the fact and that the measure would facilitate the immediate call up of military resources at a higher cost when commercial resources were available to meet firefighting needs.

HR 5185, introduced by Mr. Gallegly also of the full Committee, seeks to remove a restriction on the authority of the Secretaries of Agriculture and the Interior to enter into agreements with any federal agency to acquire goods and services directly related to improving or using the wildfire fighting capability of those agencies.

The federal government's aerial firefighting function is more than adequately performed by a cost effective, professional industry within the United States consisting of private sector companies. At present, an excellent working relationship exists between the HAI Government Contracting Committee, HAI members, and the US Forest Service, The Forest Service's National Interagency Fire Center Contracting Unit, and the Office of Aircraft Services Contracting Unit. Protecting lives and the homes and assets of US citizens is of the utmost concern to HAI's government contracting committee members. However, any increase in National Guard aerial firefighting assets and the directing of their use as an initial response resulting from the passage of H.R. 5102 or H. R. 5185 would be in direct competition with private enterprise. Firefighting is not an inherently governmental function, nor a military mission. Current federal policy does not advocate competition between the federal and private sectors. Tax paying entities would be jeopardized by such competition with helicopter operators. The proposed legislation does not fix a system that is broken. Existing law permits federal goods and services to be used whenever, in the judgment of the federal agency head, the resources cannot be provided as conveniently or cheaply by commercial contract. This legislation does not improve on the existing law.

When tax-funded government agencies enter into business in direct competition with commercial, tax-paying companies, it forces those companies, particularly in the case of small businesses, to reduce the size and scope of their operations, affecting employment and long-term survivability of the businesses. Conversely, government competition expands the size, scope and cost of government taking away the funding of legitimate government functions.

The National Guard components are currently used in an adjunct role during severe wildfire conditions. However, supplying routine National Guard wildland firefighting aerial resources is not an appropriate role for military assets. Wildland firefighters require an identifiable and predictable fleet of aerial firefighting aircraft that are not subject to higher priority tasking. One need only look at the events of September 11<sup>th</sup> to see that the members of the National Guard may be called to duty elsewhere. In addition, scarce training dollars and assets could be better spent on other missions required by these National Guard units. To be part of an integrated firefighting team, all services of all participants must be available on a predictable and reliable basis.

Aviators involved in wildland firefighting require specialized training and repetitive teaming with the entire firefighting community. Ad hoc participation in this high-risk environment by inexperienced pilots is potentially dangerous and inefficient. The commercial operators that perform this specialized function have done so for over 40 years. According to data provided to HAI by the US Forest Service for the 2002 Fire

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Season, 554 Type I, II, and III helicopters participated in the "Call When Needed" firefighting program. Exclusive Use Type I and II helicopter contracts with the US Forest Service for 2002 totaled 38. It is US Forest Service policy that military aircraft are only utilized when all reasonably available civilian aircraft are being used with the exception of the National Guard who can be mobilized by the Governors of the individual states to respond to wildfires within the boundaries of their individual states.

The principal mission of the National Interagency Coordination Center at the National Interagency Fire Center (NIFC) is the cost effective and timely coordination of land management agency emergency response for wildland fire. The National Interagency Mobilization Guide identifies standard procedures that guide the

operations of multi-agency logistical support activity throughout the coordination system.

HAI strongly believes that this hearing today is an appropriate forum for the US Forest Service to advise Congress of how NIFC conducts business and ensures the deployment of the best-suited ground and air resources to a particular fire. Current procedures are effective in responding to increasing wildland fire requirements, as experienced this fire season. If additional aerial assets are required, a system is already in place to utilize Canadian commercial aircraft. In this 2002 Fire Season none were activated. Congress and the public need to know that the system is not “broken” or encumbered with “outdated” laws. The current NIFC procedures already allow for activation of US Air Force National Guard and Reserve C-130 aircraft. These aircraft are equipped with the Modular Airborne Fire Fighting System (MAFFS) dispensing unit to meet peak periods of wildland firefighting activity when aerial firefighting requirements exceed existing commercial assets. Clear guidelines for the employment of Department Of Defense components to assist in forest and grassland fire emergencies exist. A request for MAFFS is initiated by the National Interagency Fire Center (NIFC) in consultation with the Director of Fire and Aviation Management after determining that all suitable commercial assets are committed to fires, initial attack, or cannot meet the time frame of the region needing assistance.

This is not a protracted, time consuming process. Sufficient lead time exists under current procedures to determine whether resources are “readily available” and mobilize commercial as well as military assets. Less return in mission effectiveness than could be realized using commercially contracted assets sometimes results when the MAFFs units are activated because of the high number of support personnel the military brings on scene. During this fire season, the National Interagency Fire Center has indicated to me that plenty of civilian tankers were available during the Hayman Fire in Colorado and that even if the exemption proposed under HR 5102 and HR 5185 had been in effect, the military would not have automatically been called.

Commercial crews are more effective in a wide range of roles because their primary job is to fight fires. Their aircraft represent a known resource to the government firefighting

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agencies. Their equipment is the best available and is certified in accordance with strict federal standards of performance, providing firefighting services at the best value to the government.

The National Interagency Fire Center currently has the tools and statutory authority necessary to assign aerial assets to fight wildfires. Legislation is not required. If an isolated incident occurred wherein there were no commercial assets available and military assets were not called upon, HAI believes that this can be addressed administratively within the NIFC. Our citizens need to know they are receiving effective firefighting services by professional firefighters who have demonstrated beyond a shadow of a doubt their courage and commitment to keep them safe from wildfires. They also need to know that the brave men and women in the Armed Services and National Guard will be available and trained to defend us against all enemies of our country, and not have that essential mission diluted by unneeded tasking. Thank you.

Submitted by:

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