



HOUSE COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN BRUCE WESTERMAN

To: House Committee on Natural Resources Republican Members
From: Federal Lands Subcommittee, Brandon Miller – Brandon.Miller@mail.house.gov
Date: Wednesday, April 26, 2023
Subject: Oversight Hearing on “*Examining the President's FY 2024 Budget Request for the U.S. Forest Service*”

The Subcommittee on Federal Lands will hold an oversight hearing on “*Examining the President's FY 2024 Budget Request for the U.S. Forest Service*,” on Wednesday, April 26, at 10:15 a.m. EDT in room 1324 of the Longworth House Office Building.

Member offices are requested to notify Sophia Varnasidis (Sophia@mail.house.gov) by 4:30 p.m. on Tuesday, April 25, if their Member intends to participate in the hearing.

I. KEY MESSAGES

- Over the past several years, Democrats poured billions of dollars into the U.S. Forest Service without streamlining any of the burdensome regulations or environmental reviews that are hamstringing the agency’s active forest management projects. The results are hardly a surprise: hundreds of millions of taxpayer dollars going out the door with little to no progress on the ground to show for it.
- Democrats have failed to offer any substantive reforms to improve the management of our national forests and conducted virtually no oversight of the Forest Service when they held the House majority in the 117th Congress. Committee Republicans are bringing Forest Service Chief Randy Moore before the Committee for the first time during his tenure, to usher in a new phase of accountability and transparency for this agency.
- Republicans are committed to: getting answers on the agency’s plans to actively manage our forests; increasing timber production; ensuring the agency suppresses wildfires promptly and carefully; paying wildland firefighters in a fiscally responsible manner; reducing the deferred maintenance backlog; and addressing the effects of Biden’s border crisis on our nation’s forests.

II. WITNESSES

- **Chief Randy Moore**, U.S. Forest Service, U.S. Department of Agriculture

III. BACKGROUND

Budget Topline

For the first time during his tenure, Chief Randy Moore is appearing before the Subcommittee on Federal Lands to discuss the Biden administration’s budget request for the U.S. Forest Service (USFS). The USFS’s fiscal year (FY) 2024 Budget requests \$9.7 billion in discretionary funding (including the Wildfire Suppression Operations Reserve Fund), which reflects a \$2.6 billion increase over FY 2023 enacted levels.¹ Specific account breakdowns are as follows:

| Discretionary Account | FY 2022 Actual | FY 2023 Enacted | FY2024 Request | Change Between FY 2023 and FY 2024 |
|--|------------------------|------------------------|------------------------|---|
| Wildland Fire Management | \$2.005 billion | \$2.117 billion | \$2.971 billion | \$854 million (+40.3%) |
| National Forest System | \$1.867 billion | \$1.974 billion | \$2.226 billion | \$252 million (+12.8%) |
| Capital Improvement and Maintenance | \$144 million | \$158 million | \$235 million | \$77 million (+48.7%) |
| Forest and Rangeland Research | \$297 million | \$307 million | \$349 million | \$42 million (+13.7%) |
| State, Private, and Tribal Forestry | \$315 million | \$338 million | \$328 million | -\$10 million (-3.0%) |
| Forest Service Operations | \$1.069 billion | \$1.153 billion | \$1.316 billion | \$163 million (+14.1%) |
| Land Acquisition | \$1 million | \$1 million | \$1 million | - |
| Other Appropriations | \$4 million | \$3 million | \$5 million | \$2 million (+66.7%) |
| Total (Discretionary) | \$5.701 billion | \$6.051 billion | \$7.431 billion | \$1.38 billion (+22.8%) |
| Wildfire Suppression Operations Reserve Fund | \$2.12 billion | \$2.21 billion | \$2.3 billion | \$900 million (+4.1%) |
| Total (Discretionary + Reserve Fund) | \$7.821 billion | \$8.261 billion | \$9.731 billion | \$1.47 billion (+17.8%) |

In addition to funding through the regular appropriations process, the USFS received \$4.9 billion from the Inflation Reduction Act (IRA) and \$5.45 billion from the Infrastructure Investment and Jobs Act (IIJA).² The Subcommittee will be conducting oversight of the discretionary and mandatory taxpayer funding provided to USFS to ensure it is being stewarded appropriately and responsibly.

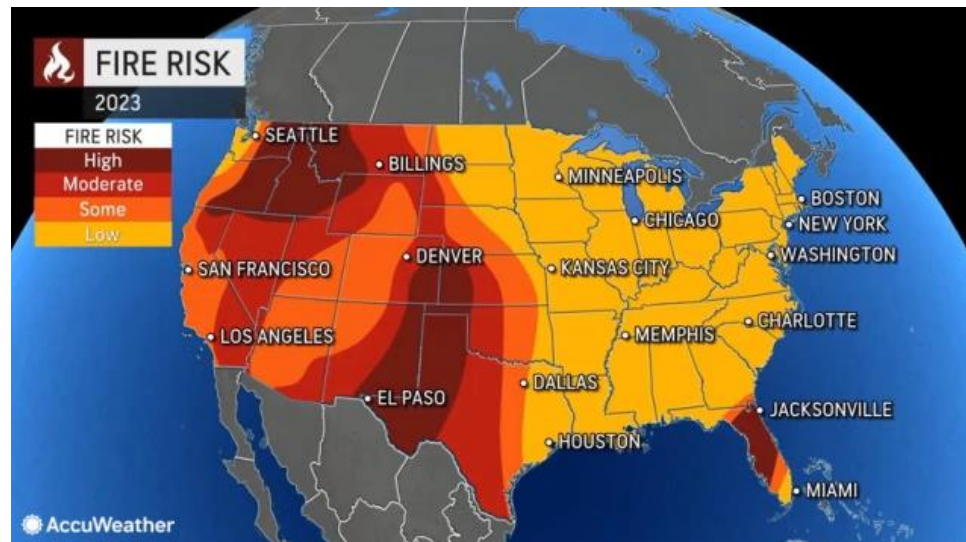
¹ U.S. Department of Agriculture, U.S. Forest Service, “Fiscal Year 2024 Budget Justification”, <https://www.fs.usda.gov/sites/default/files/FS-FY24-Congressional-Budget-Justification.pdf>

² Information provided by the Congressional Research Service.

This briefing paper focuses on the FY 2024 proposed budget within the context of three main policy themes: 1) Addressing the catastrophic wildfire crisis through active forest management; 2) Improving wildfire suppression policies and wildland firefighter pay; and 3) Holding the Forest Service accountable.

Addressing the Catastrophic Wildfire Crisis through Active Forest Management

Catastrophic Wildfire Crisis and Hazardous Fuels Reductions – In the past five years, 38.3 million acres, an area collectively larger than the entire State of Georgia, burned in catastrophic wildfires across the country.³ Of these acres, 13.7 million, or roughly 35



2023 Wildfire Risk Projection Map. **Source:** AccuWeather.

percent, are part of the National Forest System (NFS).⁴ This national crisis has tragically caused the loss of hundreds of lives, destroyed thousands of homes and buildings, and cost the federal government billions of dollars fund suppression activities.⁵ Unfortunately, the long-term wildfire outlook remains bleak, with roughly 89 percent of all USFS land identified as having “the potential for wildfires to ignite and spread to communities.”⁶ In the near term, long-range forecasters predict that the 2023 wildfire season will be “near to slightly above the historical averages,” with “60,000 to 75,000 wildfires that burn 6.5 million to 8.25 million acres of land.”⁷

While the USFS has repeatedly called for a paradigm shift in the way our forests are managed, the budget fails to live up to this lofty goal. The FY 2024 USFS budget request rightfully identifies wildland risk management as a top priority and reiterates their commitment to treating an additional 20 million acres of land promised by the 10-year “Confronting the Wildfire Crisis” Strategy, released in January of 2022.⁸ To achieve this increase, the budget request contends that

³ Congressional Research Service, “Wildfire Statistics”, Katie Hoover and Laura A. Hanson, March 1, 2023, <https://www.crs.gov/Reports/IF10244?source=author>.

⁴ *Id.*

⁵ USA Facts, “Civilian deaths from fires”, <https://usafacts.org/data/topics/security-safety/fire-and-disaster/fires-and-firefighters/civilian-deaths-from-fires/>. Congressional Research Service, “Wildfire Statistics”, Katie Hoover and Laura A. Hanson, March 1, 2023, <https://www.crs.gov/Reports/IF10244?source=author>. National Interagency Fire Center, “Suppression Costs”, <https://www.nifc.gov/fire-information/statistics/suppression-costs>. CBO, “Wildfires,” <https://www.cbo.gov/system/files?file=2022-06/57970-Wildfires.pdf>.

⁶ USDA Forest Service Rocky Mountain Region, Alan Ager, et al. “Development and Application of the Fireshed Registry,” May 2021. https://www.fs.usda.gov/rm/pubs_series/rmrs/gtr/rmrs_gtr425.pdf.

⁷ AccuWeather, “AccuWeather’s 2023 US wildfire forecast”, Brian Lada, April 12, 2023, <https://www.accuweather.com/en/weather-forecasts/accuweathers-2023-us-wildfire-forecast/1510132>.

⁸ U.S. Department of Agriculture, U.S. Forest Service, “Confronting the Wildfire Crisis: A 10-year plan” <https://www.fs.usda.gov/sites/default/files/Wildfire-Crisis-Implementation-Plan.pdf>.

“an increase in discretionary funding for contracts, grants, and agreements to assist in increasing the pace and scale of the work is required.”⁹ Toward that end, the USFS budget seeks \$323.0 million for hazardous fuels reduction, an increase of \$116.0 million from the FY 2023 enacted level.¹⁰ With this increase, the USFS intends to use \$114.4 million to help accomplish their overall goal of mitigating “wildfire risk on 4.2 million acres in high priority and high-risk areas.”¹¹

Concerningly, while the USFS has stated the agency must treat an additional 2 million acres per year on average above current treatment levels to confront wildfires, the FY 2024 budget only represents a 400,000-acre targeted increase compared to FY 2023. Further, as discussed at a Federal Lands Subcommittee legislative hearing in March of 2023, the budget does not rectify the misleading reporting for hazardous fuels treatments that has consistently skewed projections of hazardous fuels treatments.¹² After receiving significant investments in the IJA and IRA, the agency should be setting and achieving far higher targets for its fuels reduction treatments.

| Fiscal Year | Acres Treated |
|-------------------------|---------------------|
| FY 2017 | 2.75 million |
| FY 2018 | 3.40 million |
| FY 2019 | 2.90 million |
| FY 2020 | 2.65 million |
| FY 2021 | 3.70 million |
| FY 2022 | 3.21 million |
| <i>FY 2023 (target)</i> | <i>3.80 million</i> |
| <i>FY 2024 (target)</i> | <i>4.20 million</i> |

Source: Congressional Research Service

In a confusing and unrelated move, \$1.6 million of the requested increase for hazardous fuels is to purchase Zero Emission Vehicles (ZEVs). The budget also allocates \$6 million from the preparedness account to purchase ZEVs to replace fire fleet light duty vehicles in compliance with Executive Order 14057.¹³ The budget is silent on how ZEVs are mission critical to reducing the threat of catastrophic wildfires.

This budget request is also noticeably silent on the need to address the systemic obstruction of forest management caused by arduous regulations that have been weaponized by activist litigants. Committee Republicans are committed to providing the tools necessary to expedite active forest management on a scale necessary to confront the wildfire crisis. Committee Republicans have crafted numerous pieces of legislation to expedite environmental analysis; reduce frivolous lawsuits; improve state, tribal and local collaboration; and produce landscape scale management to treat extremely high-risk areas and communities.

Old Growth and Mature Forests – On April 20, 2023, the U.S Department of Agriculture (USDA) and the Department of the Interior (DOI) announced several forestry-related initiatives, including a new report and field guidance on old growth and mature forests on federal lands, a

⁹ U.S. Department of Agriculture, U.S. Forest Service, “Fiscal Year 2024 Budget Justification”, <https://www.fs.usda.gov/sites/default/files/FS-FY24-Congressional-Budget-Justification.pdf>

¹⁰ *Id.*

¹¹ *Id.*

¹² House Natural Resources Committee, Subcommittee on Federal Lands, “Legislative Hearing on H.R. 200, H.R. 1473, H.R. 1567 and H.R. 1586”, March 23, 2023, <https://naturalresources.house.gov/calendar/eventsingle.aspx?EventID=412935>

¹³ *Id.*

new rulemaking on climate resilience, and a new reforestation report.¹⁴ The old growth and mature forest inventory was conducted in accordance with President Biden’s Executive Order 14072 to protect mature and old-growth forests, which he signed on April 22, 2022.¹⁵ The so-called “Inflation Reduction Act” provided \$50 million in funding for this misguided exercise to inventory mature and old growth trees.¹⁶ The report identified 32.7 million acres of old growth and 80.1 million acres of mature forest in USFS and Bureau of Land Management lands.¹⁷ There are over 91 million acres of old-growth and mature forested lands on national forests, which is 63 percent of all NFS land.¹⁸ The announcement on April 20, 2023, also included an Advanced Notice of Proposed Rulemaking seeking public input on how the agency should “adapt current policies to protect, conserve, and manage national forests and grasslands for climate resilience.”¹⁹ The development of this inventory has unquestionably diverted time and energy away from addressing the overwhelming wildfire crisis that is the true threat to forest stands of every age class. There are significant concerns that this inventory and pending rulemaking will be used to create additional restrictions on millions of acres of “old growth and mature” forests, which will effectively lock them up, inhibit forest management, and make forests even more susceptible to catastrophic wildfires. Committee Republicans will continue to fight against this unnecessary and unhelpful endeavor.

Reforestation – Last year, wildfires burned 7.6 million acres of land.²⁰ Catastrophic wildfires are burning with such severity and intensity that natural regeneration is often not possible. If these lands are not artificially regenerated (i.e., planting trees), the lands will eventually transition from forests to shrublands. In total, USFS has identified a 4 million reforestation backlog, 80 percent of which is related to catastrophic wildfires.²¹ Unfortunately, the agency is only addressing less than 6 percent of its post-wildfire planting needs annually. The IJA recently removed the \$30 million cap on the Reforestation Trust Fund, which receives funds from the collection of tariffs on certain wood product imports to fund reforestation efforts on public lands.²² The USFS budget request anticipates that roughly \$300 million may be available annually due to the cap being removed.²³ The USFS predicts this budget increase will allow the agency to plant 1.2 billion trees over the next 10 years.²⁴ However, this goal is unlikely given other barriers to reforestation, such as seedling capacity and workforce capacity. Further, while reforestation is an important component of healthy forest management, failing to properly thin and manage forests and utilize wood products will mean that replanted trees literally just add fuel

¹⁴ U.S. Department of Agriculture, “Biden-Harris Administration Announces New Steps for Climate Resilience and Forest Conservation”, April 20, 2023, <https://www.usda.gov/media/press-releases/2023/04/20/biden-harris-administration-announces-new-steps-climate-resilience>.

¹⁵ Exec. Order 14072, 87 FR 24851, April 22, 2022, <https://www.federalregister.gov/documents/2022/04/27/2022-09138/strengthening-the-nations-forests-communities-and-local-economies>.

¹⁶ Inflation Reduction Act of 2022 (IRA) (P.L. 117-19), Section 23001.

¹⁷ U.S. Department of Agriculture, U.S. Forest Service, “Mature and Old-Growth Forests: Definition, Identification, and Initial Inventory on Lands Managed by the Forest Service and Bureau of Land Management” April 2023, <https://www.fs.usda.gov/sites/default/files/mature-and-old-growth-forests-tech.pdf>.

¹⁸ *Id.*

¹⁹ U.S. Department of Agriculture, “Biden-Harris Administration Announces New Steps for Climate Resilience and Forest Conservation”, April 20, 2023, <https://www.usda.gov/media/press-releases/2023/04/20/biden-harris-administration-announces-new-steps-climate-resilience>.

²⁰ NIFC, “Total Wildland Fires and Acres (1983-2022),” <https://www.nifc.gov/fire-information/statistics/wildfires>.

²¹ U.S. Forest Service, “Reforestation Strategy,” July 2022, https://www.fs.usda.gov/sites/default/files/fs_media/fs_document/Reforestation-Strategy.pdf.

²² *Id.*

²³ U.S. Department of Agriculture, U.S. Forest Service, “Fiscal Year 2024 Budget Justification”, <https://www.fs.usda.gov/sites/default/files/FS-FY24-Congressional-Budget-Justification.pdf>.

²⁴ *Id.*

to future wildfires. To address this, Republicans have previously introduced the Trillion Trees Act, which implements a three-pronged approach of regeneration, management, and utilization.²⁵

Improving Wildfire Suppression Policies and Wildland Firefighter Pay

Suppression Policy and Costs – As fire seasons have grown in both length and severity, so too have suppression costs. The 5-year average for USFS suppression costs is \$2.47 billion, and the two most expensive fire seasons on record each occurred in the last two years with \$3.74 billion spent in 2021 and \$3.11 billion spent just last year.²⁶ This troubling trend is a sad reminder that in the absence of better forest management practices, there is no amount of suppression funding that will solve this wildfire crisis. This budget request believes this trend will continue and is counting on \$2.3 billion from the Wildfire Suppression Operations Reserve Fund (“fire funding fix”) this year, which is an increase of \$90 million from the FY 2023 enacted level.²⁷ In addition, the budget also requests \$2.971 billion outside of the cap adjustment to suppress wildfires.

The budget does not account for how much this figure might increase if a nationwide injunction were to go into place on the use of fire retardant.²⁸ Alarming, the administration seemed unconcerned about this fact when it testified last month *against* Congressman LaMalfa’s legislation, H.R. 1586, to continue the proper use of fire retardant.²⁹ Committee Republicans remain committed to aggressive wildfire suppression to prevent catastrophic wildfires from spreading, such as Congressman McClintock’s H.R. 934, which would require the USFS to immediately suppress wildfires and put an end to policies that let fires burn.³⁰

Wildland Firefighter Pay – Increasingly severe wildfire seasons have also negatively affected the retention and recruitment of federal wildland firefighters. In addition to the mental and physical toll of fighting longer and hotter fire seasons, better employment opportunities at the state and private level have exasperated this workforce challenge. This has compounded “chronic staffing shortages” that the USFS has experienced “for over a decade.”³¹ The IJA Act provided \$600 million to increase the base firefighter salary by \$20,000 (or 50 percent of their current salary, whichever is lesser).³² Under the IJA, \$480 million of this increase was for USFS wildland firefighters while \$120 million was for DOI.³³ The USFS has indicated they will run out of this temporary funding by the end of the current FY.³⁴

²⁵ H.R. 2639, Trillion Trees Act, <https://www.congress.gov/bill/117th-congress/house-bill/2639/text#toc-H7DA761196CAA4AD2A685D0262351BF38>.

²⁶ National Interagency Fire Center, “Suppression Costs”, <https://www.nifc.gov/fire-information/statistics/suppression-costs>. (2022 suppression cost from FY 2024 Budget Request).

²⁷ *Id.*

²⁸ *Forest Service Employees for Environmental Ethics vs. U.S. Forest Service*, Case 9:22-cv-00168-DLC Filed October 11, 2023, United States District Court of Montana.

²⁹ Testimony of Chris French before the Subcommittee on Federal Lands on H.R. 1586, March 23, 2023, https://naturalresources.house.gov/uploadedfiles/testimony_french.pdf.

³⁰ H.R. 934, “To require the Secretary of Agriculture to carry out activities to suppress wildfire, and for other purposes” <https://www.congress.gov/bill/118th-congress/house-bill/934/text?s=1&r=23>.

³¹ Politico, “‘Pretty Brutal’: Hiring woes plague Biden effort to contain wildfire”, Ximena Bustillo, March 15, 2022,

³² U.S. Department of Agriculture, U.S. Forest Service, “Update: Wildland firefighter pay, classification in infrastructure law”, <https://www.fs.usda.gov/inside-fs/delivering-mission/excel/wildland-firefighter-pay-classification-infrastructure-law>.

³³ *Id.*

³⁴ *Id.*

To address this “firefighter pay cliff,” the budget request includes a proposal to permanently increase federal wildland firefighter pay.³⁵ Specifically, the budget creates a special base rate salary table along with a new premium pay category that will provide additional compensation for all hours a wildland firefighter is mobilized to an incident including during rest and sleeping hours (“portal-to-portal”).³⁶ An \$180 million increase is requested to account for the cost of this compensation proposal, as well as \$259 million for hiring an estimated 970 additional wildland firefighters and support personnel and \$69 million for cost of living increases.³⁷

While brave wildland firefighters deserve better pay, the budget request fails to identify any long-term funding sources for this pay increase. Further, the budget fails to pair these pay reforms with the forest management reforms that are necessary to protect wildland firefighter health and safety and reduce the severity of fire seasons into the future. Committee Republicans believe legislation that ensures proper pay and support for wildland firefighters must be done in a fiscally responsible manner and promote better forest management to ensure wildland firefighters are no longer sent into the unwinnable situations they’ve been asked to confront year after year.

Holding the Forest Service Accountable

Great American Outdoors Act (GAOA)
 – The FY 2024 budget request includes \$217.9 million for the Land and Water Conservation Fund (LWCF), including \$123.9 million for land acquisition and \$94 million for the Forest Legacy Program, which provides matching grants to states for the acquisition of conservation easements to conserve private forests. Since passage of GAOA in 2020, the USFS has received up to \$285 million from the National Parks and Public Lands Legacy Restoration Fund (LRF) each year to address the deferred maintenance backlog.³⁸ Despite this significant investment, the USFS maintenance backlog increased from \$5.22 billion in FY 2019 to over \$7.66 billion in FY 2022. The FY 2024 budget requests \$285 million for 82

**USDA FOREST SERVICE
 DEFERRED MAINTENANCE
 BY ASSET TYPE**

Reporting Year: 2022

| ASSET TYPE | DEFERRED MAINTENANCE |
|----------------------------|------------------------|
| ROAD_BRIDGE | \$429,582,553 |
| BUILDING | \$1,641,811,296 |
| COMMUNICATION_SYSTEM | \$5,185,458 |
| DAM | \$120,185,186 |
| HERITAGE | \$34,254,685 |
| MINOR CONSTRUCTED FEATURES | \$266,947,691 |
| ROAD | \$4,420,000,000 |
| TRAIL | \$489,073,289 |
| TRAIL_BRIDGE | \$51,770,688 |
| WASTEWATER_SYSTEM | \$65,008,591 |
| DRINKING_WATER_SYSTEM | \$135,178,441 |
| Grand Total | \$7,658,997,877 |

Source: U.S. Forest Service Deferred Maintenance Summary Report 2022

³⁵ U.S. Department of Agriculture, U.S. Forest Service, “Fiscal Year 2024 Budget Justification”, <https://www.fs.usda.gov/sites/default/files/FS-FY24-Congressional-Budget-Justification.pdf>.

³⁶ *Id.*

³⁷ *Id.*

³⁸ U.S. Department of Agriculture, U.S. Forest Service, “FAQs- Great American Outdoors Act”, <https://www.fs.usda.gov/managing-land/gaoa/faqs>.

LRF projects. Of this amount, \$47.79 million is for administrative and contingency funds, which will do nothing to reduce the maintenance backlog.

In addition, while it is a relatively small amount, the discretionary USFS budget continues to carry a specific line item for land acquisition above already received LWCF funding, despite LWCF becoming permanent and mandatory. Continuing to add new acres to the federal estate for USFS to manage while the maintenance backlog rises will only further exacerbate existing maintenance challenges.

Biden Border Crisis – President Biden’s policies continue to exacerbate the crisis at the Southern border. Despite the fact that over 48 miles of land on the U.S.-Mexico border is managed by the USFS, there are zero mentions of the border in the USFS’s budget request.³⁹ There are, however, 162 mentions of “climate” and 10 references to “environmental justice.”⁴⁰ The USFS budget request does, however, acknowledge a major problem associated with Biden’s Border Crisis, which is the illegal “manufacture of methamphetamine and the [illegal] cultivation of marijuana” on NFS lands.⁴¹ According to the budget justification:

“During 2022, [USFS Law Enforcement and Investigations] and cooperators located 56 sites, resulting in 159,875 marijuana plants being eradicated[;] 27,443 [pounds of processed marijuana being seized; 248 aviation short hauls; 16 arrests; and 9 weapons seized. Reclamation occurred on over 56 public land sites, resulting in the removal of 25,850 [pounds] of infrastructure/refuse, 31,656 pounds of fertilizer, 47,346 [ounces] of pesticides, 3,345 [ounces] of restricted poisons, 108,950 feet of water line, 51 propane tanks, and 15 man-made dams.”⁴²

While the budget does request an increase of \$4.5 million for Law Enforcement and Investigations staff, this is still insufficient to address the true scale of destruction being caused in our federal forests due to illegal cartel activity. In prior Congresses, Committee Republicans investigated challenges faced by Border Patrol agents on federal borderlands and the environmental impact of illegal border crossings and drug smuggling.⁴³ Securing the border and combating illegal immigration will take a whole of government approach and the federal land management agencies should be held accountable for failure to combat the consequences of illegal immigration.

³⁹ Congressional Research Service, *Federal and Indian Lands on the U.S.-Mexico Border*, Carol Hardy Vincent, February 21, 2018, <https://www.crs.gov/Reports/IF10832>.

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² *Id.*

⁴³ Subcommittee on Oversight and Investigations, *The Costs of Denying Border Patrol Access: Our Environment and Security*, February 15, 2018, <https://www.govinfo.gov/content/pkg/CHRG-115hrg28683/pdf/CHRG-115hrg28683.pdf>.