



National Federation of Federal Employees

Affiliated with the International Association of Machinists and Aerospace Workers

Forest Service Council

We work for America every day



Federal Land Assistance, Management and Enhancement Act The FLAME Act

Wildland fire management is the most daunting challenge facing the Forest Service today. Because suppression costs associated with catastrophic wildland fires are trending steeply upward, suppression comes at the expense of other resource and program areas. These unplanned cuts are seriously undermining the ability of the Forest Service to fulfill other mission obligations. The NFFE Forest Service Council supports the FLAME Act, which would establish an independent emergency funding source for catastrophic wildland fire suppression activities on federal lands. It would also enact other needed reforms: it mandates development of a cohesive wildland fire management strategy and provides incentives for local communities to improve their fire readiness.

The Situation

The 1988 Yellowstone fires can be seen as a turning point in the ability of land management agencies to manage wildland fires with historic budgets, resources and strategies. The size, severity and costs associated with wildland fires have continued to escalate, increasing by 70 percent since the 1990s.¹ Historic fire suppression strategies have replaced fire adapted ecosystems with denser stands and increased fuel loads. Drought and other stressors of climate change have affected forest health, making them more prone to burn. Residential and commercial development in the wildland urban interface has mushroomed. As a result, today's wildland firefighters are faced with hotter and more frequent fires that threaten more life and property.

Currently, suppression funding is allocated out of the Forest Service budget based on the 10-year average of actual suppression costs. These have increased precipitously and are trending steeply upward. Appropriations have not kept pace. As a result, the percentage of the Forest Service budget allocated to fire management activities has risen from 13 percent in 1991 to 45 percent for 2009. Unfortunately, even these rapidly increasing allocations have been insufficient: the actual costs of suppression often exceed allocated amounts. Because these are emergency events, the agency cannot wait for supplemental funding and is forced to transfer the needed funds from other programs to keep firefighting resources in the field. Even if these funds are eventually restored, which is not always the case, this seriously disrupts other time-sensitive program work. This "fire borrowing" from the already depleted resources supposedly dedicated for other mission work is particularly harmful. It has led to additional costs, reduced revenues, deterioration of infrastructure, damaged Forest Service credibility, and threatened relationships with partners.²

The Solution

Funding the suppression costs of catastrophic wildfires out of the Forest Service's appropriated budget is simply not sustainable. The FLAME Act would remedy this by creating a supplemental funding source for catastrophic emergency wildland fire events on federal lands. Routine fire management costs would still come out of the agency budget; however, the resources necessary to respond to these unpredictable catastrophic events would no longer come at the expense of other critical mission work.

Key Points

- Appropriations to the FLAME Fund are authorized based on the average amount expended for emergency wildfire suppression over the five preceding years.
- FLAME funds may only be used by the Forest Service or Department of the Interior agencies for large, severe, and high-threat wildfires or when cumulative costs of routine suppression exceed amounts appropriated.
- To defray future costs, any funds appropriated for routine or emergency suppression but not used in a given year are transferred to the next year's account.
- To minimize disruptions caused by "fire borrowing," transfer of funds from non-fire accounts may occur only when all amounts appropriated for the FLAME fund and for routine suppression have been obligated.
- The Act requires the wildland firefighting agencies to develop a cohesive wildland fire management strategy. It also provides incentives for local communities to reduce their exposure to wildfire risk.
- FLAME is supported by a diverse group of industry, labor, environmental, and governmental organizations and entities, including five former chiefs of the Forest Service.

NFFE Forest Service Council Position

The Forest Service Council strongly supports the FLAME Act (S 561, HR 1404) and urges its enactment. However, we do have concerns with some of the amendments incorporated into the House version of the bill, HR 1404. In particular, we are concerned about the following sections of HR 1404:

- Sec. 2(b)(3) was amended to make FLAME funds available for containment activities in response to insect infestations. We are concerned that this could be interpreted to authorize funding of non-suppression activities with FLAME funds and open the door for the fund to be raided for any number of non-suppression activities. Clarification of the intent of this amendment, which we understand was to ensure that insect damage is considered as a risk factor in determining whether a wildfire is high-risk and therefore a candidate to be funded by FLAME funds, is needed.
- We are concerned that the prescriptive notification requirements added to Sec. 3(d) may discourage prescribed burns that would reduce the risk of wildfires. The planning and implementation of prescribed burns depends on environmental conditions that do not conform to agency schedules. Notification requirements need to give agency managers adequate flexibility to deal with on-the-ground realities so that opportunities to mitigate wildfire risks will not be missed.
- Sec. 5(a) provides incentives in the form of potential grants to local communities that show a commitment to reducing their wildfire risk by taking specified steps to become more "fire ready." We believe this is an important local responsibility. This section was amended to lower the "fire ready" bar. We would like to discuss how to keep this bar appropriately high without putting an undue burden on local communities.

¹ GAO, FOREST SERVICE: EMERGING ISSUES HIGHLIGHT THE NEED TO ADDRESS PERSISTENT MANAGEMENT CHALLENGES, GAO-09-443T (March 11, 2009). Posted at <http://www.gao.gov/new.items/d09443t.pdf>.

² USDA Forest Service, A SUMMARY OF THE CONSEQUENCES OF FIRE TRANSFER ON FOREST SERVICE PROJECTS AND PROGRAMS (internal brief, Sept. 5, 2008). Posted at www.nffe-fsc.org/Documents/Fire/FireTransferEffects.doc.