

United States Senate

WASHINGTON, DC 20510

September 25, 2020

President Donald Trump
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear Mr. President,

We write to request your immediate assistance to further mobilize the federal response to the unprecedented wildfire disasters currently ravaging much of the country. As you have seen firsthand, these wildfires are wreaking havoc on a scale that is becoming all too common. We need to work together to fight these fires now, support communities in the aftermath, and later work to prevent future devastation by building more resilient communities, restoring healthy forests and altering the climate change-driven conditions that have led to this catastrophe.

Our states, Tribes, and localities are already over-extended in responding to the coronavirus pandemic and these wildfires are pushing communities to the brink. Congress has given the federal government many tools, including the Wildfire Suppression Operations Reserve Fund and the Disaster Relief Fund, which provide the funding to fight wildfires and provide relief to devastated communities, respectively.

In meeting the immediate challenge of the fires that are already burning, we appreciate how the federal government has responded so far: federal firefighters are risking their lives to save life and property, and disaster response officials are working day and night to assist families who have lost everything. But, we can do more.

We have identified the following immediate actions that the federal government can and should take to improve our responses to the wildfires and assist the states, Tribes, and communities grappling with the aftermath. First, you must quickly increase the number of fire personnel and equipment to build out our capacity to respond to wildfires now. Second, FEMA must use its existing authorities to break down unnecessary barriers to assistance for all communities, especially those in rural or disadvantaged areas impacted by wildfire, and be responsive to Governors' and Tribal leaders' requests to adjust cost share requirements that can hinder relief efforts in over-burdened states and Tribes.

We appreciate the federal agencies' quick action to help our states respond to and recover from this year's wildfires. We also look forward to partnering later to ensure that we can prevent future wildfire seasons like the current one.

- **International Help** — We ask that you promptly exercise your authority under the Wildfire Suppression Assistance Act (P.L. 101-11) to secure firefighting assistance from foreign fire agencies. While we understand that wildland firefighters from Canada and some other nations are already aiding domestic crews, and that firefighters from the

National Guard and other uniformed services are either helping or being trained to help, there is still an urgent need for more experienced firefighters on the ground. Nations who also face routine wildfire challenges – including longtime allies like Australia, Israel, Greece, and Spain – have robust and seasoned wildland firefighting crews and we request you use your maximum legal authority to bring their help to bear in fighting these catastrophic fires.

- **Hiring Recently Incarcerated** — We are in need of additional firefighters, and many people are in need of jobs. Thousands of former inmates that have served on firefighting crews while in prison have been released over the last six months. We are asking the Forest Service to work with the Department of Justice and the Bureaus of Prisons in Western States to locate these recently released, non-violent offenders and utilize its spot hiring authority to offer them employment in the fire service.
- **Rangeland Protection Associations** — We urge the Bureau of Land Management (BLM) to seek assistance from ranchers and loggers across the West that have experience with wildfires in order to increase the number of responders available to help protect and ready communities with respect to the current wildfires and those that are being predicted in California next month. Specifically, there are dozens of Rangeland Protection Associations located throughout Nevada, Oregon, and Idaho. We request the BLM contact these volunteer, nonprofit groups of landowners trained and authorized to respond to wildfires to gauge their interest and ability to mobilize. We urge the BLM to fund their transport and expenses, similar to the other resources (e.g., crews from volunteer fire departments) that the BLM traditionally brings in from other States or to use its Administratively Determined Pay Plan for Emergency Workers authority to temporarily hire these men and women.
- **Slip-on pumps** — We urge the Forest Service and the Department of the Interior to quickly assemble a fleet of make-shift fire engines. Having additional staffed fire engines would both limit the number of structures lost in communities during a wildfire and free up a greater number of firefighters to focus on containing wildfires. "Slip-on units" enable regular pick-up trucks to be converted into small fire engines in a matter of hours. For less than \$2 million of currently unobligated funds from the agencies' Fire Preparedness Accounts, 200 slip-on units can be purchased, providing the agencies an additional 200 small fire engines. We urge the Forest Service and the Department of the Interior to ask counties in CA if they would be willing to temporarily allow county-owned pick-up trucks to be used for these fire engines. Experts have suggested that these engines could be deployed most effectively if staffed by one County employee and one experienced firefighter, and if they are used solely to patrol evacuated neighborhoods after fire-fronts have passed through to extinguish any smoldering areas. Many of the houses that burn in wildfires are ignited not by the main wildfire but by smoldering areas burning unattended for hours, long after a fire-front passes through.
- **Tribal Fire Protection** — Our federal trust responsibility to Tribes as sovereign nations extends to responding to wildfire. The Department of the Interior should ensure that available Tribal firefighting crews are authorized to fight wildfires on Tribal and non-Tribal lands. FEMA must ensure they are immediately meeting the needs of Tribal governments, addressing their unique challenges and leveraging opportunities to respond effectively. The Agency should also swiftly invoke their Tribal Liaison program to communicate appropriately. Additionally, we need to be sure that Tribes' interests in

protecting their cultural sites and resources are respected and Tribes are consulted as suppression efforts occur.

- **FEMA Financial Assistance** — We urge FEMA to consider the diminished capacity of State, local, and Tribal governments due to COVID-19 to provide assistance to wildfire affected households as they determine whether localities are eligible for Individual Assistance (IA) under a Major Disaster Declaration. When requested by a Governor or Tribal leader, FEMA assesses a State's or Tribe's request for IA using a number of factors, including whether a State, local or Tribal government has the capacity to respond to the needs of affected individuals. Because the impacts of COVID-19 have contributed to reduced tax revenue, charitable donations, and appropriate staff to process assistance requests, FEMA should take into account these unique factors as they determine program eligibility.
- **Expedite Any Disaster Declarations** — We urge FEMA to appropriately break down red tape and expeditiously consider any requests for Fire Management Assistance Grants (FMAGs) or Major Disaster Declarations made by Governors and Tribal leaders from affected states. We appreciate the speed with which the agency has moved, so far, to consider any and all requests and provide technical assistance when appropriate and would request the agency continue to be nimble in the face of continued requests for assistance.
- **Lower Cost-Share Percentages** — We ask that you swiftly consider any requests for adjusted federal cost-share from Governors and Tribal leaders of affected areas to address diminished state, Tribal, and local capacity. Due to the significant financial costs associated with ongoing response to the COVID-19 pandemic, and the impacts of major reductions in tax revenue over the last few months, many states and Tribes do not have access to the funds needed for the traditional 75/25 cost share requirement under the Stafford Act. Similarly, local sponsors for USDA Emergency Watershed Protection projects, to assist with post-fire recovery, also have limited resources at this time. We ask that USDA NRCS quickly consider requests, and work with project sponsors, to minimize local match requirements.
- **Smoke Shelters** — As FEMA has done many times to deal with sheltering limitations following major hurricanes, we urge FEMA to make temporary shelter assistance available under emergency or Major Disaster declarations requested by Governors and Tribal leaders, in a flexible and creative manner. In order to ease pressure on congregate shelters or hotels participating in the Transitional Sheltering Assistance (TSA) program, FEMA should explore ways to make low-cost investments in homes, apartments, or other housing facilities to mitigate the impact of smoke inhalation and provide personal inhalation prevention equipment.
- **Post-Fire Stabilization** — Aside from the immediate damage, wildfires also create complex problems on the landscape, from soil erosion and flooding, to invasive plant cultivation that can increase future fire risk. Post-fire soil stabilization is a crucial activity following wildfires, and the scale of the work needed this year requires that resources be bolstered and work begin immediately. In order to quickly and effectively contain forthcoming damage, we request that the Natural Resources Conservation Service, Forest Service, and the Department of the Interior muster all resource specialists available to join teams, rapidly assemble and begin deploying emergency response teams, and reach out to local officials to begin installing mud-slide prevention treatments. The

federal government should utilize the Rapid Response Erosion Database established pursuant to (Public Law 116-9, Sec. 1114(h)) to more quickly develop recommendations for emergency stabilization treatments and utilize the authority in the administrative provisions sections of Titles I and III of Division D in Public Law 116-94 to reprogram any funding as needed. Lastly, "in accordance with the Department's "all lands" efforts, the agencies should expeditiously share with States and localities information about urgent post-fire threats to communities.


- **Support for States Helping States** —In response to the raging wildfires out West, states across the country have stepped up to help their fellow citizens, sending firefighters, equipment, and other resources to the affected region through the Emergency Management Assistance Compact (EMAC). EMAC is a mutual aid compact used by emergency managers and other disaster response officials and can be activated by Governors. Should Governors request reimbursement for EMAC activities, we ask that FEMA swiftly consider these requests for reimbursements to ensure EMAC can be a reliable option for all future events.

We and all of our constituents look forward to your acting on these requests as soon as possible.

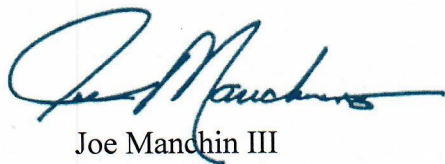
Sincerely,



Ron Wyden
Ranking Member
Committee on Finance



Jeffrey A. Merkley
United States Senator



Joe Manchin III
Ranking Member
Committee on Energy
and Natural Resources



Gary C. Peters
Ranking Member
Committee on Homeland Security
and Governmental Affairs



Debbie Stabenow
Ranking Member
Committee on Agriculture,
Nutrition and Forestry



Tom Udall
Vice Chairman
Committee on Indian Affairs




Maria Cantwell
United States Senator



Dianne Feinstein
United States Senator



Patty Murray
United States Senator



Catherine Cortez Masto
United States Senator



Michael F. Bennet
United States Senator



Kamala D. Harris
United States Senator

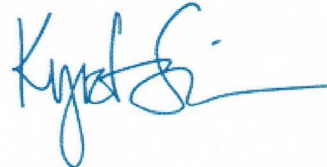
/s/ Martin Heinrich
Martin Heinrich
United States Senator



Jacky Rosen
United States Senator



Jon Tester
United States Senator



Kyrsten Sinema
United States Senator