

Congress of the United States
Washington, DC 20515

February 2, 2022

Chief Randy Moore
United States Forest Service
U.S. Department of Agriculture
201 14th Street, SW
Washington, D.C. 20227

The Honorable Deb Haaland
Secretary
U.S. Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Dear Chief Moore and Secretary Haaland:

We write to you today regarding the Forest Service's failure to finalize a report on current aviation contracting capabilities for wildland fire suppression activities as directed in House Report 116-448 and the joint explanatory statement accompanying the Consolidated Appropriations Act, 2021 (Public Law 116-260):

In past years, the Committee has included direction and resources to assist the Forest Service in modernizing the fleet of aircraft available for wildland fire suppression activities. It is important that the Forest Service and Department of the Interior analyze current contracting capabilities to determine whether changes to existing practices may better support the strategic plan for aerial firefighting assets. Recent initiatives that have been undertaken have increased firefighting effectiveness and/or reduced costs. The Committee has become aware that the limitation on the length of federal civilian contracts (no more than five years) may be, as it was with stewardship contracts for forest health restoration, a limitation on both effectiveness and cost efficiency for procuring modern, cost effective aviation assets for fire suppression. The existing aviation fleet is primarily comprised of contractor-owned and operated aircraft, many of which are small businesses. The certainty provided by longer-term contracts of up to ten years has the potential to ensure greater accountability, cost efficiency and a streamlined approach. The U.S. Forest Service Aviation Implementation Strategy (2018–2022) indicates that the size and intensity of wildfires is expected to rise; resulting in continued demand for aerial fighting aircraft. Particularly as COVID–19 causes additional limitations on the ground, a modern and safe air fleet will be an important asset for the upcoming firefighting season. Therefore, the Committee directs the Forest Service in partnership with the Department of the Interior, to prepare and submit a report to the Committee within 90 days of enactment of this Act outlining current statutory limitations that prohibit the use of 10-year contracts. Additionally, the report shall include current contract requirements that ensure a modern and safe aviation fleet and how a shift to 10-year contracting could impact those requirements. The report shall state how many aviation contracts the Forest Service and Department of the Interior have issued over the last 10 years, as well as any anticipated changes in either the number of contracts issued, the costs, or the type of contract vehicle used, due to a shift to 10- year contracting. Finally, the Forest Service shall provide input on how a potential pilot program for 10-year contracts could be implemented.¹

In addition to the direction outlined in House Report 116-448 regarding the report on firefighting aviation contracts and current impediments to the use of longer-term contracts, the Committees also direct the Forest Service and the Department of the Interior to consider, as part of this report, whether modifying cancellation ceilings for longer-term aviation contracts consistent with practices used for longer-term stewardship contracts, as provided by Division O of Public Law

¹ [House Report 116-448](#)

115-141, could assist the agencies in having long-term certainty and affordability for modern aviation assets.²

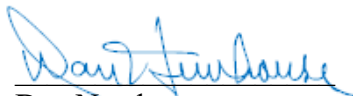
The Forest Service and the Department of the Interior have now missed their reporting deadline by over 300 days. This is unacceptable.

The U.S. must use all available tools to mitigate wildfire disasters. As you know all too well, the United States has experienced some of the worst fire seasons on record in recent years. In 2021 alone, 7.6 million acres burned – roughly equivalent to the entire state of Maryland. Similarly, wildfire seasons are now a year-long affair, and operators of Forest Service-owned and contracted aircraft understand that demand firsthand. In 2018, they flew roughly 76,230 hours, which is 9,000 hours above the ten-year average. It is imperative that the U.S. procure a modern and safe aerial firefighting fleet, as they play an integral role in wildfire suppression.

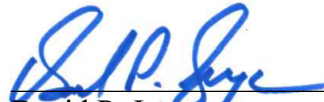
We ask that the Forest Service, in partnership with the Department of the Interior, complete this report in an expeditious manner. The height of fire season is around the corner, and it is critical we make informed decisions surrounding our aerial firefighting fleet. This report will help enable Congress, the Forest Service, the Department of the Interior, and contractors effectively mitigate the threat of catastrophic wildfires and protect communities throughout the West and across the United States.

We look forward to working with you on this important manner.

Sincerely,



Dan Newhouse
Member of Congress



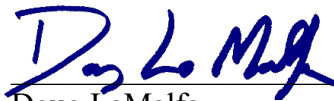
David P. Joyce
Member of Congress



Russ Fulcher
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Mike Simpson
Member of Congress



Doug LaMalfa
Member of Congress

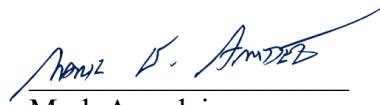


Cliff Bentz
Member of Congress

² [Explanatory statement accompanying the Consolidated Appropriations Act, 2021](#)



Ken Calvert
Member of Congress



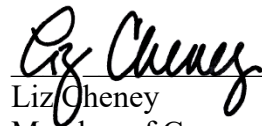
Mark Amodei
Member of Congress




Matthew Rosendale, Sr.
Member of Congress



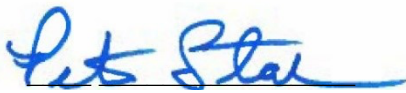
Michelle Fischbach
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Liz Cheney
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Andy Biggs
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