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THE PRESIDENT'S BUDGET REQUEST FOR THE USDA FOREST SERVICE FOR FISCAL YEAR 2020

HEARING

BEFORE THE

COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE

ONE HUNDRED SIXTEENTH CONGRESS

FIRST SESSION

APRIL 9, 2019



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THE PRESIDENT'S BUDGET REQUEST FOR THE USDA FOREST SERVICE FOR FISCAL YEAR 2020

TUESDAY, APRIL 9, 2019

U.S. SENATE,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The Committee met, pursuant to notice, at 10:05 a.m. in Room SD–366, Dirksen Senate Office Building, Hon. Lisa Murkowski, Chairman of the Committee, presiding.

OPENING STATEMENT OF HON. LISA MURKOWSKI, U.S. SENATOR FROM ALASKA

The CHAIRMAN. Good morning, everyone. The Committee will come to order.

We are here today to consider the President's budget request for the USDA Forest Service for FY 2020.

Before I begin this morning, I do want to extend the Committee's condolences over the loss of Forest Service firefighter, Captain Daniel Laird, of Yuba City, California. Captain Laird died on March 27th in a helicopter crash while working on a controlled burn on the Sam Houston National Forest in Texas. I think his death is just a reminder to all of us of the dangers that our wildland firefighters face every day when they go out there to go to work. So know that our thoughts and prayers are with his family and the entire Forest Service family.

It is good to have you back before the Committee, Chief Christiansen. The last time you were here you were the Interim Chief, so congratulations on your appointment now to Chief.

Let's talk about the budget request. I think we all recognize that most every budget that we have ever seen come before us is not perfect. This is in that category, but I am glad to see it is taking steps to carry out a shared stewardship approach to management, working across boundaries and sharing decision-making with states and locals. This is critically important for the health and the well-being of our forests and rural communities.

You know, I always have to talk about the Tongass when we are talking about our U.S. national forests. The Tongass, of course, is the largest national forest. But about 93 percent of its lands are off-limits to most development which certainly does not benefit the 32 islanded communities that are located there. It is really hard to have an economy when everything is off-limits to you. More access

is needed in the Tongass and to the natural resources that it contains in order to make it a working forest again.

In my mind, that starts with restoring the Roadless Rule exemption on the Tongass. So I thank Secretary Perdue and his team for accepting the State of Alaska's Petition and directing the Forest Service to launch the state-specific rulemaking that is now underway.

As you all continue to work through this, I do hope you will recognize that the Roadless Rule is not an example of shared stewardship. I do think that we have a greater opportunity to apply that model in Southeast Alaska, but it is not through the Roadless Rule.

Turning to fire, the Forest Service estimates that 80 million acres of its lands are at risk for extreme fire behavior. Last year, 8.8 million acres burned across the United States, and that was punctuated by the tragic Camp Fire in northern California where 86 individuals perished, making it the deadliest fire in state history.

Last month, Governor Newsom issued an emergency declaration that curbed environmental litigation and activated the National Guard to help expedite fuel treatments near threatened communities in recognition of the urgent need to thin our forests and address the overwhelming cost of fighting fires.

In 2018 alone, the Forest Service spent a record-breaking $2.6 billion on suppression, $2.6 billion on fire suppression last year, really unprecedented. And once again, the agency raided non-fire accounts to pay for rising suppression costs. But beginning in this fiscal year, we have a new regime effectively out there. The Forest Service and Interior will have the "fire fix" that we passed in the FY'18 Omnibus to cover firefighting costs that exceed regular appropriations.

The "fire fix" budget framework treats wildfires more like natural disasters to end this destructive practice of fire borrowing and to stabilize operations in the non-fire programs. I am going to look forward to really seeing how this works, because for years we have heard as we have talked to folks in different agencies, we don't have the resources and everybody blames fire. Well now supposedly that we are working to address that, I do hope that we will hear some better reports from the various agencies.

And while I do support the fire fix, I am concerned that this budget does not invest enough in the management of our forests to reduce the risk of a wildfire. Congress also included several modest forest management reforms in the FY'18 Omnibus and in the new Farm bill. I am going to look forward to hearing from the Forest Service again about how it is utilizing those tools. You have some new things to work with out there, so how you move forward is going to be of interest to this Committee.

I do maintain, however, that these reforms are simply not enough to improve the health and resilience of our national forests. I am still hopeful we will be able to work on a bipartisan basis, hopefully on a bicameral basis, with the Administration, on a package of meaningful management reforms in this Congress to further address this issue.

Another area where we have to do more is within recreation. Recreation is clearly the greatest use of our national forests right now, but I don't see how this budget particularly reflects that.

We had a full committee hearing on recreation last month. We heard a lot about the need for permitting reform. I hope some of that message got back to you and your folks. I am hopeful that we can make some meaningful progress on it.

And then, as I end my comments this morning, it is on a topic of great importance and that is the workplace environment. The Forest Service will never effectively carry out its multiple-use mission if the workplace environment is not safe, if it is not respectful, and if it is not free of harassment and retaliation of all kinds. You and I, Chief, have had an opportunity, a great opportunity, to discuss this, but I think that creating a positive workplace environment must be priority number one for you within the agency. So I look forward to learning more about your efforts in that area.

With that, I turn to my friend and colleague from West Virginia.

STATEMENT OF HON. JOE MANCHIN III,
U.S. SENATOR FROM WEST VIRGINIA

Senator MANCHIN. Thank you, Madam Chairman. I want to thank you for convening the hearing today, Madam Chairman.

Let me thank you, Chief Christiansen, for your extended and most professional service for all of our forests, all of our lands. It is quite admirable. I would also like to welcome all your staff with you here, and I would love for you to visit the Monongahela National Forest with me. It is an amazing forest—and I have an entire wall in my office displaying the Dolly Sods area in the Monongahela. It is pretty special, so maybe we can work out a trip one of these days. It is only three hours away. We can get you there and get you back to DC quickly.

In addition to offering breathtaking views, the Monongahela Forest is truly a working forest, as most of our forested lands across the country are and have always been. The nation needs them. They are managed for sustainable, multiple use. They can support local economies, provide a stable domestic timber supply, conserve special areas for future generations to enjoy, and that is what we strive for every day.

However, all this can only be accomplished if the Forest Service has the funding it needs, and I know this is something very near and dear to you; but we are going to work through this budget that none of us really like, but we are going to make it work.

I am concerned the Administration's budget has not proposed investment in the tools that we all need and you need to do your job. Some of us who sit on Approps can help with that, too, and we will be very diligent about that. There are people across the country who depend on the national forests for their livelihoods, and I believe that those people would have different expectations also.

The Nature Conservancy published a study in Science last year showing that forests in the United States offset 13 percent of our carbon emissions—13 percent. But with proper investment of our resources, they say they could offset as much as 21 percent of our emissions by 2025. That is a tremendous challenge for us, and it is a tremendous opportunity for all of us to achieve.

I know that the budget, again, could cause some constraints, but as I have said, we are intending to work through that.

I appreciate the work the Forest Service has done through the Land and Water Conservation Fund (LWCF) to enhance access for hunters, anglers, and hikers. Across the nation, more than 40,000 projects have come to fruition thanks to LWCF and showing some of our nation's most spectacular places, like again, Dolly Sods, are conserved and accessible for generations to come.

Just a few weeks ago, Congress permanently authorized the LWCF. The bill passed the Senate by a remarkable vote of 92 to 8, and I would like to thank all of my colleagues and the Chairman for her leadership on this effort. This week I will be introducing a bill with Senator Gardner and several members of this Committee to provide permanent, full funding for LWCF; however, your budget, again, hits LWCF pretty hard with a zero but we have to work through that one.

I do appreciate the Forest Service has set an ambitious goal for timber harvesting. I am hopeful that this goal will ultimately be accompanied by a proportionate increase in funding for timber programs. It is also critical that any increased harvests are accomplished in a sustainable way that recognizes the important role our forests play in carbon dioxide reductions.

Congress enacted the fire borrowing fix last year. We included an extra $649 million so that the Forest Service could reinvest in their non-fire programs that have experienced reductions as fire costs have increased.

As you know, our forests have been hit hard the past few years with flooding, invasive species and other challenges. Our timber industry in West Virginia can certainly use some help, but the Administration budget, again, does not propose to use that $649 million that way.

I will also highlight that the budget does not support Secure Rural Schools (SRS). This is extremely important for rural America, but definitely rural West Virginia. I have received numerous letters from school superintendents and business managers that rely on Secure Rural Schools funding to support critical services. For example, I received an email from the Finance Director of the Pocahontas County Board of Education, who is grappling with difficult decisions that she will need to make around staffing and budget cuts due to the pending reductions in the SRS funds. Without Secure Rural Schools funds, Pocahontas County would receive $72,000 next year. That is compared to the prior year's amount of $750,000. It is truly unconscionable on this one.

I, along with Senator Wyden, Chairman Murkowski and several other members of this Committee, believe that we need to be investing in our rural communities. These communities have already built that money into their budgets, they depend on it, and that is why we introduced legislation earlier this year to extend the Secure Rural Schools program.

Finally, it is important to emphasize the impacts that climate change is having on our forests. Insect outbreaks are occurring at unprecedented levels; wildfires are destroying thousands of homes each year; and scientists have attributed these things, at least in part, to climate change.

Our Committee will be holding a hearing, Thursday, later this week, specifically to explore potential solutions to address climate change. I would have liked to see additional funds in this budget for forest health and for reforestation because our forests need assistance in order to adapt to the changing climate that we are all experiencing.

I look forward to the discussion with you, Chief Christiansen, on the investments that we need to be making in our national forests and the priorities that you might have.

Thank you, Madam Chairman.

The CHAIRMAN. Thank you, Senator Manchin.

Chief Christiansen, why don't you go ahead and begin the morning with whatever comments you would like to present to the Committee, and we will engage in back and forth with questions.

Welcome, again, to the Committee.

STATEMENT OF VICTORIA CHRISTIANSEN, CHIEF, USDA FOREST SERVICE

Ms. CHRISTIANSEN. Thank you, Madam Chairman, Ranking Member, and members of the Committee. Thank you for inviting me back here today, and thank you for your condolences of the loss of one of our own who was conducting an operation to improve the conditions of America's forests. We laid him to rest on Saturday with a heavy heart.

I deeply appreciate your staunch support as we work actively and innovatively to manage our forests and grasslands. Today I will discuss three areas of our work: our high points and our progress to actively steward the nation's forests and grasslands, our grounds plan for 2020, and our work to champion a strong workforce and healthy workplace.

Last year was not business as usual for the Forest Service. We made good use of the funds for new authorities and tools to do more to confront the threats facing forests and communities. We increased our work to achieve a 20-year high in forest treatment, yielding 3.2 billion board feet of timber and treating 3.4 million acres to reduce hazardous fuels, surpassing this year's targets.

Internally, we're nearing completion of critical reforms that ease process burdens, reduce costs, and break barriers that slow our work. We're close to completing work that streamlines the decision process and meets our environmental responsibility. We took steps to be more cost effective in fire response and pursuing long-term actions to reduce costs. We are improving our financial accountability. We understand there is no blank check. We geared up fully to employ new Farm bill authorities. They put more science-based tools in our tool box to do more work. Expansion of Good Neighbor Authority and provisions for wood innovation will rapidly be put to good use.

Shared stewardship is fast becoming our preferred mode for doing work. It increases our chance of improving forest health. We have reached out and worked across boundaries to reduce fire risk, improve forest conditions, and help communities. We've increased work with states to execute nearly 200 Good Neighbor agreements in 37 states.

We are foraging shared stewardship agreements that set mutual goals and priorities at large-scale work. Secretary Purdue signed the first with the Western Governors' Association. Idaho soon followed and more are on the way.

The Forest Service is well-positioned to build on this momentum. The President's $5.7 billion budget places emphasis on our critical work. It focuses on reducing wildfire risk, improving forest and grassland conditions, and contributing to rural economies. It reflects tough choices and tradeoffs. It helps us build on the shared stewardship approach.

In Fiscal Year '20 we're also pleased the fire funding fix will take effect. The damaging practice of fire transfers will likely become part of the past. We will no longer sacrifice critical work to pay for firefighting. The $1.3 billion request for fire preparedness helps us to be ready for another tough fire year.

Lastly, our mission success depends on a highly skilled, motivated workforce. We will continue, with conviction, our work to end sexual harassment and retaliation. Last year we listened to employees, and we learned from them and we acted to bring about change.

Today, employees have been better equipped with new tools, stricter policies, a new code of conduct, and supervisory support. We're better at holding bad actors accountable. Sustained cultural change will take longer than any of us want, but I'm determined to lead a permanent shift in the Forest Service.

In turn, we will make good on the investments of this Congress and provide the services and sound stewardship the nation deserves.

Thank you. I'm happy to take your questions.

[The prepared statement of Ms. Christiansen follows:]

Statement of Victoria Christiansen, Chief of the USDA Forest Service
Before the Senate Committee on Energy and Natural Resources
Concerning President's Fiscal Year 2020 Proposed Budget
For the USDA Forest Service
April 9, 2019, 10:00 a.m.

Madam Chairman Murkowski, Ranking Member Manchin, and members of the Committee, thank you for inviting me here today to testify on the President's fiscal year 2020 Budget request for the Forest Service.

The fiscal year 2020 President's Budget for the USDA Forest Service totals nearly $5.7 billion. Of that, $559 million is mandatory funding. It is a good investment for the American people and will enable us to make progress in addressing the critical condition of America's forests. Up to 80 million acres of the National Forest System, about 4 in every 10 acres, are at moderate to high risk from catastrophic fire. Other threats include regional drought, invasive species, and major outbreaks of insects and disease. Stakeholders of the USDA Forest Service broadly agree on the need for active measures to address the threats across many of the landscapes we manage, and Congress has done their part to help. I appreciate the support and innovative authorities that Congress provided in the 2014 Farm Bill, the 2018 Omnibus, and the 2018 Farm Bill to help us do more to improve the conditions of our forests and grasslands and protect communities. This is an indication of Congress' expectations and trust in us, and I look forward to continuing to work with you to meet those expectations. There is much more work to be done to improve landscape resiliency for present and future generations, but we are committed to doing the right work in the right places at the right scale.

In 2018, Secretary Perdue announced a new strategy entitled, "Toward Shared Stewardship Across Landscapes: An Outcome-Based Investment Strategy" that calls for stronger collaborative decision-making with States and partners and employs new technology that can be shared. To do this, we will continue to reform our processes to better serve those connected to the land, improve infrastructure, and collaborate with our partners to set mutual goals and priorities to get more work done across landscapes. Use of tools like the Good Neighbor Authority, with more than 200 agreements in 37 states, 20-year stewardship contracts with cancellation ceiling relief, and other internal process improvements, including environmental analysis decision-making, is reducing the time and cost needed to produce high quality and science-based decisions that are accomplished effectively and efficiently. The agency continues our work on other fiscal reforms, and identifying new reforms, to ensure accountability and credibility for every dollar we receive. In this Budget the USDA Forest Service proposes a new budget structure that will eliminate cost pools, improve transparency and accountability, and will enable efficient delivery of integrated programs at an ecosystem/landscape scale level.

Fortunately, implementation of the fiscal component of the fire funding fix begins in fiscal year 2020. The USDA Forest Service is requesting access to $1.95 billion of the overall resources authorized in the recently enacted "wildfire cap adjustment." This, in addition to the Suppression funding requested in the President's budget, should dramatically reduce the need for transferring funds from our other mission programs to cover firefighting costs. Access to the wildfire cap

adjustment has stabilized our budgeting environment and the President's Budget is proposing funding increases to line items to improve the condition of our forests.

We recognize that the successful delivery of services and work starts with a highly skilled, motivated workforce. Forest Service employees remain our largest and most important investment. They are essential to confronting the arduous challenges facing America's forests and grasslands and are integral to the services and experiences we provide to citizens and local communities. We are aware that we must do more to stop harassment, bullying and retaliation. We have taken, and continue to take, significant steps to improve policies, accountability, reporting systems, and training around the workplace environment. I want to reaffirm my commitment to continue the hard work that will improve our agency's culture; to continue transparency before this Subcommittee, Congress and the public we serve; and to achieve a workplace where all employees are treated with respect and dignity, so that they do not fear for their safety—physically or emotionally.

The President's 2020 Budget

The fiscal year 2020 request focuses on three primary areas: reducing wildland fire risk, improving forest and grassland conditions through shared stewardship, and contributing to rural economic prosperity. To address these focus areas, the Budget makes significant investments in the following program areas:

- $1.34 billion is proposed for Fire Preparedness, which enables the Forest Service to maintain its existing firefighting capability and funds all base 8 salary costs for firefighters.
- $1.011 billion is proposed for Suppression, the 2015 10-year average, base funding set by the 2018 Omnibus which will be frozen through fiscal year 2027.
    - The Budget seeks $1.95 billion of the authorized wildfire funding fix cap adjustment for wildfire suppression activities.
    - This, in addition to the $1.011 billion for Suppression, would provide about $3 billion for wildland fire suppression activities in fiscal year 2020.
- $450 million is proposed for Hazardous Fuels, which supports the agency's emphasis on improving the condition of the Nation's forests and grasslands while enhancing their resilience to the negative effects of wildland fire.
- $375 million is proposed for Forest Products, which will support the sale of 3.7 billion board feet of timber. The Forest Service is working to improve the speed and agility in the planning and execution of land management actions, including timber sales.
- $77 million is proposed for the Forest Inventory and Analysis (FIA) Program, which generates data on past, current, and projected tree inventories for all 50 states. The FIA program enables the natural resource community to understand the magnitude of changes in forest conditions and trends, and to make projections of future conditions - information which is vital to the long-term health of forests and the sustained availability of multiple uses from forests.

Legislative Proposals

The fiscal year 2020 President's Budget proposes several key legislative changes to improve our effectiveness in delivering programs and services:

- *Federal Lands Recreation Enhancement Act Reauthorization (FLREA)*: The proposal is to reauthorize the Federal Lands Recreation Enhancement Act through September 30, 2022. The revenues collected from these recreation fees are an important source of funding to enhance the visitor experience through maintenance, operations, and improvements to recreation facilities on public lands. This is an interagency proposal with the Department of the Interior. The Triennial Report to Congress on Implementation of FLREA, published in May 2012, contained several "Considerations for the Future of the Program," which set the foundation for the interagency proposal.

- *Grazing Permits*: The proposal would amend the Federal Land Policy and Management Act (FLPMA) to correct the 2015 National Defense Authorization Act amendment to FLPMA Section 402. For this section only, all National Forest System lands would be included so that grazing permits on national forests in eastern States and National Grasslands are treated equally in National Environmental Policy Act analysis of grazing permits.

- *Wild and Scenic Rivers*: The Wild and Scenic Rivers Act requires that comprehensive river management plans be prepared within three years following a Wild and Scenic River designation. This proposal would change the Wild and Scenic Rivers Act to state that the Secretary of Agriculture shall not be in violation of Section 3(d)(1) of the Wild and Scenic Rivers Act solely because more than three years have passed since a river was designated "wild and scenic" and a comprehensive river management plan has not yet been completed. If more than three years have passed since designation without the completion of a comprehensive river management plan, the proposal would require that a plan must be completed or appropriately updated no later than during the next forest plan revision process.

- *Forest Botanical Products*: This proposal would reauthorize the Forest Botanical Products Program for charging and retaining fees for the harvest of forest botanical products. The objective of the program is to provide for the sale and harvest of forest botanical products in a sustainable manner that contributes to meeting the Nation's demand for these goods and services. The proposal would extend the agency's existing authority for one year, to September 30, 2020. The Consolidated Appropriations Act of 2014 extended this authority beyond a pilot program through September 30, 2019.

- *Communication Site Program -Administrative Fee Retention*: This proposal would authorize appropriation of a new programmatic administrative fee for communications use authorizations to cover the costs of administering the Forest Service's communications site program on National Forest System (NFS) lands. This new fee, which was authorized by the Agriculture Improvement Act of 2018, subject to appropriation, would allow the agency to better manage the growing use of Forest Service lands for communications facilities to better serve its customers, emergency services, and visitors to NFS lands by providing expanded telecommunications capabilities, including cellular coverage and broadband access, to rural communities.

- *Mineral Receipts*; *Public Land Infrastructure Fund*: This proposal allows the Forest Service to be eligible to use up to 10 percent annually from the Administration's Public Lands Infrastructure Fund. This proposed fund was included in the Department of the Interior's FY2020 Budget request to address deferred maintenance needs. The Public Lands Infrastructure Fund would be supported by the deposit of 50 percent of all federal energy development revenue that would otherwise be credited or deposited as miscellaneous receipts to the Treasury over the 2020-2024 period, subject to an annual limit of $1.3 billion.

- *Cost recovery Minerals*: This proposal would authorize the Forest Service to retain and spend new cost recovery fees for locatable mineral plans of operations and surface use plans of operations for oil and gas leases, and other written Forest Service authorizations relating to the disposal of locatable and leasable (but not saleable) minerals on all NFS lands. The agency currently has the authority to collect such fees but does not because we are unable to retain the fees. The provision caps the amount that may be retained at $60 million annually. This proposal would better align the Forest Service with the Department of the Interior.

- *Cost Recovery for Land Uses/Infrastructure Special Use Processing*: This proposal would change the agency's cost recovery authority to allow the collection of funds associated with the full cost of processing a land use-related special use proposal. The amendment would authorize the agency to collect fees at the very beginning of the screening process rather than waiting until an application has been fully screened and accepted for consideration. Under the current cost recovery law, only when a proposal becomes an application is the agency able to recover costs to process the application.

Coupled with the expanded authorities Congress has provided and our internal reforms, these legislative proposals will translate to better results, and increased production and work in our nation's forests and grasslands.

In closing, the Forest Service's fiscal year 2020 Budget request prioritizes investments to reduce wildland fire risk, improve forest and grassland conditions through shared stewardship with our partners, and contribute to rural economic prosperity. It requires tough choices within our existing program of work and will compel us to make delivery of forest and rangeland products and services. We will also need to ensure better cost containment and accounting for our spending. The Forest Service will continue to meet this challenge. I look forward to working with this Committee to fulfill the President's goals and our key responsibilities for the long-term benefit of the Nation's forests and grasslands and for all Americans. I will be glad to answer your questions.

The CHAIRMAN. Thank you, Chief.

I have a series of questions that I want to ask that are Alaska-related. Those will be my first round, but since your final point there was focused on the workplace environment and your effort to eliminate all levels of harassment or, just say, working environment, that is just not healthy.

I was provided an article that appeared in this morning's Wildfire Today and the headline is, "Forest Service Battalion Chief resigns." In an open letter to the Secretary of Agriculture, it details that a woman who has been serving for 22 years in the U.S. Forest Service has resigned because, in her words, she says, "Forest Service leaders have failed to demonstrate moral courage by adhering to high ethical standards and choosing the difficult right over the easy wrong that helped me in determining my decision to resign."

You have indicated that things have changed within the Service. This is obviously a current event here. The question to you is, why is this continuing to happen? Have the reforms that you have just briefly touched on not yet been put in place? What is causing a continual deterioration within the workforce there?

Ms. CHRISTIANSEN. Thank you, Madam Chairman.

I'm unable to speak, you know, directly about individual cases and I assure you, things of the past we are looking at closely and we are learning and we are making corrections at every turn of the way.

What we have done in the last year is I have stood up a Work Environment and Performance Office with our most senior executive overseeing this work. This is a best practice in both private and government sectors. So we are committed to results. And it's a three-pronged approach: first about the accountability, second is about prevention, and third is about a sustainable change in behavior in agency culture.

Many things we're doing we're continuing to listen to our employees. We're revising our End Harassment Policy, we are holding supervisors accountable that do not report within the 24-hour period, we've increased our resources for follow-up and investigations, and we have aggressively addressed many incidents of harassments with 23 removals, 5 demotions, 42 suspensions and 166 other actions. We've added case managers and we're working with OIG to identify and implement the best practices for measuring success, because all agencies really want to know what are the true measurements of success.

In the prevention, we've instituted a policy of no alcohol in any Forest Service seasonal housing starting this field season; we've increased our Conflict Management and Prevention Center resources; and, we're delivering bystander intervention training. When our employees spoke to us, they said we need better skills at how we see them and when, early, if someone is feeling offended or when they feel there's inappropriate behavior.

And we're improving organizational behavior and culture by having a method to stop the silence. If you can't talk about it, then we can't fix it. And we are asking folks to be empowered, to listen and learn, and have incorporated employee advisor groups at the national level and across the service.

We've incorporated our first ever Code of Conduct and agency core values. This is in every supervisor's performance standard and they will be held accountable on how we are reshaping the culture of the Forest Service.

The CHAIRMAN. Well, Chief, I appreciate what you have detailed. I am concerned though, that even given the many steps that it is clear you have put in place, when you have a 22-year veteran, someone who has achieved a position as a Battalion Chief, when you have someone like that saying, enough is not being done, we still have a failure within your system. We still have a level of harassment, of assault, that is clearly not acceptable.

I would do more than urge you. As a Chairman of a Committee and as an American, I would tell you making sure that we have good policies in place doesn't make a difference on the ground unless and until that culture has changed. I don't want to pin everything just on one story that has appeared today, but I think you know that internally the agency remains troubled.

So put the policies in place as you are, but when you say there is accountability, there has to be strict accountability because you cannot continue to have these levels of wrongdoing continuing within your agency.

Ms. CHRISTIANSEN. We have more to do, Senator. And I am absolutely committed with urgency.

The CHAIRMAN. Thank you.

Senator Manchin.

Senator MANCHIN. Ms. Christiansen, I want to follow up on the Secure Rural Schools funding. In my opening statement I touched on that.

Pocahontas County is one of our rural counties, and they depend on it. They have lost 14 staff members already. But on top of that, we have to work through the budget process this year. They have not gotten their payments from last year, and they are two months behind on that. Is that going to be coming out quickly? They called and asked me about their payments. Can you all speak to that?

Ms. CHRISTIANSEN. Senator, I'm very pleased. We worked closely with Treasury and OMB and we, just this morning, we have learned we have all the clearance and those payments will be distributed by April 15th.

Senator MANCHIN. April 15th, that is good. We will call them today and tell them to not lay anybody else off.

Deferred maintenance funding is a big thing, and I understand that the Forest Service has a $5.5 billion backlog in deferred maintenance in the last year. The Office of Inspector General (OIG) reviewed your deferred maintenance. After that review, the IG recommended the Forest Service develop an integrated strategy to address the maintenance backlog including the long-term vision for the agency's infrastructure portfolio. When do you envision that being finished and developing your strategy? And will you share it with us, here in Congress, as soon as that is done?

Ms. CHRISTIANSEN. Absolutely, Senator.

It is near completion. It's working its way through clearance, and it will be here to Congress this spring for sure.

Senator MANCHIN. If the funding is approved and the money needed is appropriated, can you share with me what your highest

priorities would be in the maintenance area that you have seen so far or has been brought to your attention?

Ms. CHRISTIANSEN. We have multiple priorities.

We would first look at improving forest conditions, the access we need to get the work done on the ground. We're reducing fire risk and improving the health of the forest and the access we need to continue our fire response operations.

With that said, Senator, as you have mentioned, recreation is a large part of our economy so we will have to balance the need from the deferred part of our recreation infrastructure as well. We'd be glad to work with you as we set those priorities.

Senator MANCHIN. I want to segue into that also, as far as the backlog of permits for business-related activities, including recreational use. Without that, I mean, they are done. They can't book. They can't plan for next year at all.

Those are real high priorities for us, because it keeps the economy going as we're fixing our other problems. I don't know if you all have raised them to that level?

Ms. CHRISTIANSEN. Special use permits for recreation?

Senator MANCHIN. Right.

Ms. CHRISTIANSEN. Yes, sir. That's one of our three marquee reform processes. It's modernizing our special use permits, both on the infrastructure side, our communication side, and other uses and on the recreation side.

We have over 71,000 special use permits and there's more demand. Those 71,000 need to be renewed. And so, we are going to an electronic basis. We are clustering across forests so if you're an outfitter and guide you don't need to go, if you operate on four different national forests, you don't need to go four times and get it renewed.

Senator MANCHIN. Right.

Ms. CHRISTIANSEN. You can get a permit once.

And we are standing up, we call them Strike Teams because we get really focused, concentrated work done, along with Centers of Excellence.

That's just a few highlights of our commitment to special use permits.

Senator MANCHIN. My final question will be on sportsmen's access, the access of sportsmen and sportswomen to all the lands that we have. Basically they sometimes have no access to them. How do you intend to address that?

Ms. CHRISTIANSEN. Access is always a high priority for us. These are public lands for the public to enjoy, that's our commitment.

Certainly, we are constrained in some areas where there is private ownership and at times where we have limited funds to safely maintain our roads. So we're always happy, very eager to work with Congress on improving our infrastructure on national forests and working with partners where we can get easements and other access.

Senator MANCHIN. Here is the one thing. Basically, last month, the Executive Director of the Theodore Roosevelt Conservation Partnership testified before the Committee to discuss that very issue. He described the easements the Forest Service holds on lands abutting national forests and how the majority of these have

not been digitized, making it harder for our sportsmen and sportswomen to identify where they can have access or they are not permitted.

Do you have an idea how that could be digitized for them so that the access they would have would be ensured? They started the service of the paperwork and have just been overwhelmed.

Ms. CHRISTIANSEN. We'd be happy to work with you and our partners on more contemporary ways——

Senator MANCHIN. You sound like you are going to be digitizing quite a bit of your operations and this would be something that is very important for the sportsmen so they know where they can go.

Thank you.

The CHAIRMAN. Thank you, Senator Manchin.

Senator Daines.

Senator DAINES. Thank you, Madam Chair.

Welcome, Chief Christiansen. I very much appreciate the Forest Service's continued prioritization of hazardous fuels reduction and a focus to actively, maybe I should say proactively, treat our federal forest lands.

While I realize Congress has taken some steps in the recent Farm bills and some spending bills, there is a lot more work to be done. In fact, just last month, the Governor of California declared a state of emergency waiving environmental laws and regulations to get projects off the ground in his state in hopes to avoid another fire season like last year's.

I certainly agree. We are in a state of emergency. I found it striking to see the executive order that came from the Governor of California's office. It says here that, "It is hereby ordered that state statutes, rules, regulations, and requirements are hereby suspended to the extent they apply to the priority fuels reduction projects . . . ."

And here is an example of when you wait too long to be proactive you end up in emergency and a crisis situation. If the State of California can take such aggressive action, we should be able to make significantly more progress here in Congress.

In the past, under my leadership, Congress has acted to clarify U.S. Forest Service consultation requirements under the ESA to shield projects from what President Obama, himself, called "disastrous," that Cottonwood decision.

In fact, recently, three projects in Montana have been enjoined based on a new information claim and the ESA holding up at least 35 million board feet for harvest that would improve wildlife habitat and restore our forests.

In fact, of these three projects, one of them is the North Hebgen Project. The North Hebgen Project was enjoined the day before logging was to begin. The purpose, and I quote, the purpose of the project was "to prevent intense wildfire and promote forest health." This is ridiculous. What is going on here is just exacerbating paperwork. It is requiring this new information published on a species. It is doing nothing, you know, to really protect the species.

Chief Christiansen, is this disastrous ruling, this Cottonwood decision, still impacting your agency's operations, in particular, the new information piece?

Ms. CHRISTIANSEN. Senator Daines, thank you for all of your work to address a large part of the Cottonwood decision from the Ninth Circuit Court. It now gives us more certainty on getting our work done. However, you're absolutely right, the new information trigger is not yet addressed and it is affecting our work on the ground, particularly in your state. And we're more than happy to work with you and the Committee to fill the additional understanding of how we could close this gap.

Senator DAINES. Thank you, I appreciate that. We have to take that Cottonwood decision all the way to the end here, especially for this new information piece.

Recently Secretary Purdue joined Acting Secretary Bernhardt to urge Vice President Pence to support legislative proposals to authorize a suite of landscape-based, categorical exclusions to reduce red tape.

California says it is when a state of emergency exists. I would agree. We must act quickly and these new authorities proposed will help us do just that.

I also understand your agency has review underway to streamline the NEPA through administrative action. My question is what is the latest on the Forest Service efforts to streamline NEPA? When will updated guidance be issued? And how would new categorical exclusion authorities help your agency get more work done on the ground in hopes to help combat wildfire?

Ms. CHRISTIANSEN. You bet.

In regards to our streamlining NEPA, let me be clear, we are committed to be science-based, data driven, but to work through, you know, undue processes that have layered on over the years.

So we've been working through an interagency review process and plan to release the proposed rule for public comment in the coming weeks, depending on OMB approval. So our expected timeline after we go through tribal consultation and other outreach is to issue a final rule in May of next year and we would issue guidance to the field shortly thereafter.

Senator DAINES. Last question.

I sponsored legislation to combat obstructive litigation by creating a pilot arbitration authority and this is a pilot, in some states, a limited number of states, which was reported out of this Committee last Congress with bipartisan support.

Would you be open to using this new authority?

Ms. CHRISTIANSEN. Absolutely, we'd be open to testing this arbitration concept with you, with this Committee.

Senator DAINES. Thank you, Chief Christiansen.

The CHAIRMAN. Thank you, Senator Daines.

Senator Cantwell.

Senator CANTWELL. Thank you, Madam Chair.

Chief Christiansen, thank you for your work.

I wanted to ask if you, I am assuming you have seen the National Interagency Fire Center Wildland Fire Potential Outlook. These things are always so instructive to me, because they say exactly where we should be looking for this fire season.

Unfortunately, as I look at this information, the thing that I see, particularly for June and July, is right across the State of Washington. I can tell you we already felt like we had a bad fire season

last year. Now we might not have been the epicenter of the fire as much as Oregon was, but we certainly had a lot of impact. So this is concerning to me that we are projected to be above normal, as it relates to the fire season.

Ms. CHRISTIANSEN. Yes, Senator Cantwell, particularly the concerns on the western part of the state, that is very unusual this early, as you know. I happen to know from reports from Washington's Department of Natural Resources, they've had well over 60 large fires and the majority of those have been in western Washington. So, that's quite unusual. We've had, as you know, drought conditions this winter.

Senator CANTWELL. Yes.

No, you get my attention any time the map basically targets western Washington and Southeast Alaska and basically say that in early June we could be above normal for fire season. That is not normal. Okay? This is challenging.

That brings me to my point which is we worked very hard, collaboratively, to try to give money for what we think is fuel reduction, $649 million in the Omnibus. We want to make sure that money is being used as best as possible at this moment. Can you basically assure me that that is going to happen, that you are going to spend fuel reduction money that Congress has given you or are we going to just keep setting it aside as we previously have and just wait to spend it on the fires themselves?

Ms. CHRISTIANSEN. No, Senator. We are not going to wait, and I can assure you we are going to invest those funds in the most critical places with the highest risk.

As you well know, that is what the framework about shared stewardship is all about, about right work, right place, right time. And to be quite frank, it's not just the measure of acres treated because some of those acres are the harder acres to treat, higher cost, but they are the ones that affect communities most at risk for whatever.

So we are working very closely, and we'll be soon signing a shared stewardship agreement in Washington State about prioritizing fuel treatment across landscapes and make the best investment.

Senator CANTWELL. So nothing in the ignoring of this in the President's budget prohibits you from following up on Congress' ability to give you that money and for you to use it?

Ms. CHRISTIANSEN. We will use whatever resources are given to the agency, Senator.

As you know in preparing this budget, the 2020 budget, we followed the instruction of the Administration about reducing at whole by five percent. We made some tough choices and forest treatments to improve forest conditions and hazardous fuels was the highest priority. So there is a slight uptick in our request.

Now, as you know, that was—that meant other programs were reduced.

Senator CANTWELL. I would definitely, respectfully, request a meeting to discuss this fire season and what we can specifically be doing since the Pacific Northwest in June and July is predicted to have above normal fire. We have not even seen what August would look like.

Ms. CHRISTIANSEN. Right.

Senator CANTWELL. But we definitely want to get ahead of this, definitely want to find out our progress on this water scooper issue as well. And I know we have tried to give you the flexibility so that you can engage on this.

I think the firefighting technology that we were able to pass in the 2019 public lands package to do thermal awareness on fire starts, I just want to understand from you what we can do to use that now so that we can have a quicker response if we are going to see this elevated risk in western Washington. What we can do to immediately use thermal technology to identify and help, maybe, contain these fires.

Ms. CHRISTIANSEN. We'd be happy, pleased to come talk to you.

Senator CANTWELL. Great, thank you.

Thank you, Madam Chair. Thank you.

The CHAIRMAN. Senator Cantwell, just for your information and that of the other members of the Committee, we do anticipate having our annual fire outlook hearing for the Committee within the next month or so. That is always an important discussion to have ahead of the season which seems to be getting earlier every year.

Senator Barrasso.

Senator BARRASSO. Thank you, Madam Chairman.

Welcome, and it is good to actually have you here today as the permanent Chief since last year you were here in the capacity of acting.

Last year brought many challenges, also some new opportunities. I know today we are mostly talking about dangers of the fire season ahead, but we can't forget the important role that active forest management plays in local economies and in environmental health.

We had, in Wyoming, the Roosevelt Fire. It caused significant damage in the Hoback Ranches Community in Wyoming last year when it burned more than 60,000 acres and destroyed more than 50 homes. I know you're familiar with this.

Unfortunately, the community is now bracing for even more damage during the spring runoff as the snow melts. The local conservation districts in one of your sister agencies, the Natural Resources Conservation Service (NRCS), they are waiting for the snow to melt just enough so they can begin the work that is necessary on stabilizing the banks in the area. The work is critical to prevent huge loss of topsoil. It prevents contamination of the downstream watersheds to prevent damage to the roads and the remaining infrastructure.

So my question to you is, how do you coordinate with the NRCS—with that group, on projects like this now that there are basically two different undersecretaries overseeing work?

Ms. CHRISTIANSEN. Yes, thank you, Senator, that's a really great question.

I can say there's absolutely no difference with two different undersecretaries. I meet with NRCS' Chief Lohr regularly. We have committed to continue a very successful practice of doing work up front across the federal ownership and on to state lands in what we call a Joint Chiefs Restoration Program where good projects compete across the nation, and we fund and we catalyze these larger landscape efforts.

We are doing the same on these unfortunate recovery efforts. A multiparty effort has come together there around the Bridger-Teton with the Sublette Conservation District and NRCS and a collaborative group to help permittees and the adjacent private ranchers to navigate the challenges and rebuilding the grazing of the structure. So yes, we all have our lines of authority and our funding sources that we have to pay attention to, but we try to do that behind the scenes and coordinate across these government entities and really listen to the voices of these collaborative groups come together. And I've been tracking this effort, and I'm quite pleased. So I can assure you, NRCS and the U.S. Forest Service are really continuing to improve on our working relationship.

Senator BARRASSO. Thank you.

The other thing, at the end of last December President Trump issued his Executive Order 13855 which was entitled, "Promoting Active Management of America's Forests, Rangelands and Other Federal Lands To Improve Conditions and Reduce Wildfire Risk." The order directs the Secretaries of Agriculture and Interior to "agree on a set of shared priorities with Federal land managers, States, tribes, and other landowners to manage fire risk across landscapes." To achieve this directive, the order instructs the Secretaries to undertake a series of cooperative actions. So, Chief Christiansen, what work has the Forest Service completed so far and then what are your next steps?

Ms. CHRISTIANSEN. Thank you, Senator.

What you really described is what we call shared stewardship where we are not the supremacy on the federal lands in the state and the state and the local voices matter and that we need to work together with our sister land management agencies and Interior, our state partners and our local partners to really prioritize the values and outcomes that are most important so that we are going to invest together in the highest priority places.

That Executive Order also calls on the Federal Government across the land management and the regulatory agencies to really work closely about effective ways to have sound, environmental analysis, complying with the Endangered Species Act and allowing work to get done on the ground.

Senator BARRASSO. Final question.

Over the last two years the Forest Service sought several opportunities to consolidate staffing levels or co-locate with other U.S. Department of Agriculture land management agencies within the State of Wyoming. I appreciate your commitment to taking care of the resources that you have and spending money where it's most useful. At the same time, I know you understand the need to maintain accessibility for the public to best serve the needs of the specific forest.

As part of that infrastructure strategy, have you worked with the GSA, the General Services Administration, to find opportunities where we can streamline costs, like co-locating, with other USDA agencies across the board or is it just unique to Wyoming?

Ms. CHRISTIANSEN. Oh, it's across the board, Senator.

Senator BARRASSO. Thank you.

Thank you, Madam Chairman.

The CHAIRMAN. Thank you, Senator Barrasso.

Let's go to Senator Cortez Masto.

Senator CORTEZ MASTO. Thank you.

Chief, welcome. It is good to see you again.

First of all, let me say, my colleagues may not know this but, aside from the BLM, the Forest Service is a great partner of Nevada. As you well know, the Humboldt-Toiyabe National Forest is probably one of the, it is the largest forest in the Lower 48 and it is located in Nevada.

So the partnership we have with you is fantastic, and I want to first just commend the Forest Service for your work in Nevada in regards to the Ruby Mountains in Elko as well. On March 14th the Humboldt-Toiyabe National Forest released the Ruby Mountains oil and gas lease and availability analysis draft decision stating that the Ruby Mountains is not an appropriate place for oil and gas leasing. I could not agree more. Nevadans could not agree more as well. So thank you for working with us on that. It is one of the reasons why I have also introduced S. 258, the Ruby Mountains Protection Act, and I just appreciate that opportunity to work with you.

You know, I just had an opportunity to work and talk with some of the folks from Nevada and the fire season in Nevada is just as bad, particularly in northern Nevada. It is the number one issue I hear in our rural communities.

I want to just tee off on some of the conversation you just had with Senator Cantwell. I know that this budget proposes a 22 percent decrease for overall wildfire management which is a concern, I think, for all of us is what I am seeing and hearing. And so, correct me if I am wrong. Let me ask you this, there are two pieces of the budget though that are key, right? It is the $2 billion we put in to start in 2020 for firefighting that you will have access to and be able to address, to address the firefighting, the costs, mainly the Western states which is what we are seeing. The other thing is, if I remember correctly, there was $649 million that was freed up for the Forest Service to reinvest in programs because so many have seen reductions over the last 20 years. But that $649 million was not reinvested, it went back into the Treasury, is that correct?

Ms. CHRISTIANSEN. So, Senator, let me make sure I'm clear.

Yes, there's a reduction in the amount of fire request because we have additional, because of the fire funding fix taking effect we'll have ability to draw from those additional funds in the disaster relief account.

In regards to what was freed up, let me just say, we constructed this budget based on Administration guidance of reducing by five percent the 2019 budget request.

Senator CORTEZ MASTO. Okay and was that something that, I am assuming, your agency, all agencies were asked to do that?

Ms. CHRISTIANSEN. That's correct, Senator.

Senator CORTEZ MASTO. And that was a five percent reduction across the board for all agencies?

Ms. CHRISTIANSEN. We didn't take it across the board. We had to take five percent of our 2019 budget request.

Senator CORTEZ MASTO. Okay.

Ms. CHRISTIANSEN. We chose to keep level with a slight increase the work to improve forest conditions and other program areas then took a larger reduction.

Senator CORTEZ MASTO. So that decision on how you were going to reduce by five percent was left to your discretion? Is that right?

Ms. CHRISTIANSEN. It's a process with, certainly with the USDA and the OMB.

Senator CORTEZ MASTO. Okay.

I would like the opportunity at some point in time and I know we're going to have a hearing on this, but to invite you and some of your incredible staff that we already work with in the State of Nevada to sit down with some of our stakeholders as we talk about firefighting and fuel suppression and management this coming year. So I invite you to do that. Would you be willing to do that with us?

Ms. CHRISTIANSEN. Absolutely, Senator. I'd be happy to do that.

Senator CORTEZ MASTO. Thank you.

Let me also just echo the concern that the Chairman had with respect to sexual harassment and the numbers that we are seeing, unfortunately.

Here is my concern as well, and I so appreciate your conversation and things that you are doing to make change, and I think we had this conversation last year when you came before us. But I also know in 2018, of the 193 workplace misconduct complaints that were filed within the agency, 116 of those—that is 60 percent—were categorized as sexual harassment. Clearly, something is going on.

To the extent that you are willing to at least share with us and work with us how you are changing that culture, what you are doing in policies and guidelines that you are implementing to make sure that individuals are free from sexual harassment and have the comfort to know that they can come forward and safely, somebody is going to be held accountable and there is an investigation. I would appreciate what you can share with us as you move through that and make that change.

Ms. CHRISTIANSEN. Be happy to, Senator.

My team does come up regularly and brief this Committee staff, and I'd be happy to personally come up and brief you.

Senator CORTEZ MASTO. Thank you, I appreciate it. Thank you for being here.

Thank you, Madam Chair.

The CHAIRMAN. Thank you, Senator.

Senator McSally.

Senator MCSALLY. Thank you, Madam Chair.

Chief Christiansen, welcome, thanks for being here.

As you know from your time in Arizona, our state is home to over nine million acres that are managed by the U.S. Forest Service to include six national forests. These ecosystems are subject to about 100 years of mismanagement, suffocating under too many trees. Where we once had 10 to 25 trees per acre, we now have hundreds. These unhealthy conditions have greatly increased the risk and the severity of wildfires. As you know, this is not just the destruction, the risk to lives, livelihood, and the economy, but also the water supply. We have to shift gears and see the bigger picture.

First of all, I would like to invite you to Arizona so I could host you there. I know you have been there many times, but I would love to host you there to see some of this firsthand.

I am proud to say that Arizona is home to one of the most innovative approaches to forest management in the country, the Four Forest Restoration Initiative, or 4FRI. 4FRI is a collaborative effort to thin a million acres across four of Arizona's national forests. Under Phase One, which was implemented in 2012, the Forest Service contract was with a vendor known as Good Earth Power to thin 300,000 acres over ten years. To date, progress under Phase One had been disappointing, to say the least, with barely 11,000 acres thinned. Now the Forest Service is developing a request for proposal, RFP, for Phase Two which could run as large as 500,000 acres. We hope that you will all learn from the mistakes made in Phase One and award a contract that will expeditiously remove the low value timber from our fire-prone forests. I recently sent a letter to you with Senator Sinema encouraging you to complete the work on the Phase Two RFP and look forward to receiving a response. Could you tell me today when the Phase Two RFP will be released so that we can get moving on this project?

Ms. CHRISTIANSEN. Yes, thank you for that great summary, Senator McSally.

I'll just go back for a touch point. When I was State Forester of the great State of Arizona, I represented the Governor to actually get the 4FRI idea started. So I am deeply committed to the innovations. And it can't be business as usual if we're going to get in front of the big needs that we need to do to create better conditions on the land.

So you're absolutely right. We had a lot of learning. This is big scale. This is more cleared NEPA acreage than we've ever had and attracting infrastructure of the private sector is, I'll just say, tricky.

Thanks to Congress we now have the 20-year authority for stewardship agreements and, of course, that's what we are setting up for this RFP. We've worked through the federal acquisition regulation protocols and we now have the ability to have both the Salt River Project, the Bureau of Reclamation, and the Arizona Commerce Authority. We're still talking very closely with Arizona Forestry and Fire about having a seat at the table in evaluating this RFP because we know we need big thinkers. We need to do this right, and we can't fail again.

Senator MCSALLY. Great.

Ms. CHRISTIANSEN. We need to have that——

Senator MCSALLY. Do we have a timeline?

Ms. CHRISTIANSEN. Yes.

Senator MCSALLY. Roughly?

Ms. CHRISTIANSEN. It will be out by June and then we hope to have the evaluations done in just as quick, a couple of months after that, if possible.

Senator MCSALLY. Okay.

One of the things that was brought to our attention is how long the non-disclosure agreements are taking. Is that one of the holdups between—getting it out?

Ms. CHRISTIANSEN. That's added a little bit of time because when you're breaking new ground these are all new things but we are,

as we prioritize this work, this is a number one priority for the agency and for that region.

Senator MCSALLY. Well, good, thanks. June, we will be looking forward to that.

Ms. CHRISTIANSEN. You bet.

Senator MCSALLY. Also in Arizona, as you know, we have a lot of local governments and non-profits that are partnering in an amazing way. I mean, I was up in Flagstaff. They hosted me up there in the snow and the mud to really see firsthand this level of collaboration.

They have identified some areas in the implementation of a forest thinning project that they think really needs to be adjusted, specifically for Region 3 policies, and ways of doing business that are more focused on the large timber sales. For example, Region 3 requires Arizona partners to brand or stamp all trees to include the low value trees. Again, this was meant to make sure that, you know, large timber is not stolen or illegally exported, but nobody is stealing the little stuff. So that seems like it is very cumbersome.

Also, requiring Arizona partners to weigh trucks with every load of the low value timber. Again, this process is probably geared more toward high value. I understand in Washington State where you are from, timber operators only have to weigh one out of ten trucks. There is another one about how they have to advertise the wood for auction. Again, these just seem like barriers that don't make sense for the lower value stuff.

Can we work together to try to figure out how to remove these barriers so we can move forward in a productive way?

Ms. CHRISTIANSEN. You bet.

I know that I often say, we have a new game and we have an old playbook. And getting the playbook updated is sometimes a little difficult, and I'd be happy to work with you and look into this.

Senator MCSALLY. Alright, fantastic, I appreciate it.

The CHAIRMAN. Senator Heinrich, your timing is impeccable, if you would care to ask Chief Christiansen some questions.

Senator HEINRICH. I will try to get organized here in short order. Thank you.

We have a couple of Collaborative Forest Landscape Restoration Program (CFLRP) projects in New Mexico in both the Jemez Mountains and the Zuni Mountains. Congress just extended this program for five more years. We actually doubled its authorized funding in the Farm bill in December. And yet, the President's budget eliminates all funding for this program which has been a great example of really getting treatment into the forests in a meaningful way and creating jobs in local communities. Why is the Forest Service proposing to end this program that has been so well received really across the political spectrum?

Ms. CHRISTIANSEN. Thank you, Senator.

I visited both those projects in New Mexico, and I do agree the collaborative work is really, is paying off well.

We are not proposing to eliminate the practice of collaborative forest landscape restoration. We want this to be the way that we do business in the future.

In regards to the specific funding to CFLRP, as I did say to the Committee earlier, we had to make some very tough choices about

this budget submission. We followed the Administration's guidance on reducing by five percent from our 2019 budget submission, and we did put as the top priority, improving conditions of America's forests which had an increase in our hazardous fuels and our vegetation management, forest product line items. So we would anticipate continuing the practice of CFLRP even though there would not be a specific line item allocated to those projects directly.

Senator HEINRICH. My concern there is that we build this capacity and then we come along and we have a budget year like this one and if things get funded at zero then we lose that capacity. Our biggest risk when it comes to treatment of our forests is to permanently lose the capacity. You could lose the workforce and the mill in one bad budget.

And so, I just think it is, with all the rhetoric around the need to do more vegetation treatment in our forests, a poorly thought through budget line item which can have a permanent and lasting impact in a way that I really don't think is the intention of this Administration or at least I certainly hope not.

One of the other places where we have heard great rhetoric but have terrible budget numbers is the Land and Water Conservation Fund. I have, you know, LWCF was used twice in the Gila National Forest to open up public access in the last few years. And I continually hear from sportsmen and sportswomen around the country about how important this program is for access, but if we have what is effectively a zero year, we are losing out on that.

We just had a big, huge ceremony at the White House, permanently reauthorizing the program. How do you defend a budget with effectively no real dollars for LWCF?

Ms. CHRISTIANSEN. Senator, I hear your concern. It was very difficult for us to make the choices and tradeoffs in this budget submission.

We do prioritize when Congress asks us, and we will continue to submit the LWCF priority list which we do prioritize for access without those funds. We will work with partners to see where we can get critical access and, quite frankly, maintain the existing lands that are in our care that we, you know, we have resource constraints just to take care of those lands.

Senator HEINRICH. We certainly have resource constraints, but this is, as you know, LWCF is not funded by taxpayer dollars. And what it tells me when we get a budget like this is that access is not a priority and budget documents are moral documents.

We finally fixed the way we budget for wildfires, and yet the service reflects none of the additional resources that fix made available to you. Why didn't you apply the funding freed up by the wildfire funding fix to shore up the programs that have been so negatively impacted by fire borrowing in the last decade?

Ms. CHRISTIANSEN. Yeah, we very much appreciate Congress' support of the fire funding fix which will stabilize our operations by, you know, nearly reducing the chance of any fire borrowing in the future.

We did not ask for the additional resources freed up because, again, we followed the Administration's guidance of a five percent reduction in our budget by prioritizing the critical prevention and hazardous fuels reduction work that we're committed to.

Senator HEINRICH. I would just point out that once again we are giving the service the tools, but you are not using the tools that we have given you.

Ms. CHRISTIANSEN. I'd be happy to work with you, Senator.

The CHAIRMAN. Thank you, Senator.

Senator Wyden.

Senator WYDEN. Thank you very much, Madam Chair.

Two quick questions, Chief Christiansen.

I think I mentioned to you that success has been keeping logging infrastructure in the small town of John Day, Oregon, alive. We have worked closely with you with respect to the stewardship issue. I remember tracking Chief Tidwell down when he was outside the United States in order to put this together.

Local and regional staff still seem to be independently rewriting the terms of the contract, and we are not getting the value of the collaboration that long-term stewardship is really all about. They mean well. I have been talking to them. I want it understood that we appreciate their sincerity, but we have a situation where the contractor goes out and invests in crews and specialty equipment and then the agency says nope, we are not going to do that and the like.

And what we really need because this has been going on for years and this, as I mentioned to you, this is the ballgame with respect to forestry in rural Oregon. I mean, it is a mill. It is an ongoing concern. It has been a huge shot in the arm to the economy. I want it to be a model throughout rural Oregon and throughout the country.

My question to you is will you look into this situation and get back to me, let's pick a reasonable period of time, like say a couple of weeks and tell me what do we need to do to get this ironed out? If you need any statutory changes with respect to stewardship, the Chair and I have worked on these issues for years. I would be happy to entertain that. Can you look into the situation in John Day and then tell us if we need any statutory changes because this is a real lifeline for the rural folks that I represent?

I am going to be having town meetings out that way and I want to say that, like you have so often, you have really come through in terms of responsiveness.

Ms. CHRISTIANSEN. Absolutely, Senator. We have committed and prioritized our resources for the reasons, to that Malheur area in John Day, and we want it to be as successful as you do. So I would absolutely be committed to look into this and we appreciate any of your help, should we need it.

Senator WYDEN. Is two weeks reasonable to get a response?

Ms. CHRISTIANSEN. I believe that's reasonable.

Senator WYDEN. Terrific.

Okay, let's go to Secure Rural Schools.

Well, one of the things I am most proud of, and the Chair and I have talked about it, is we wrote Secure Rural Schools in this room. At that time, people used to say it was the Craig-Wyden bill in Idaho and in Oregon they would say it was the Wyden-Craig bill. The point was everybody on this Committee, both sides of the aisle, chipped in and it has really been a lifeline. Now we understand that there is so much hurt in rural America. You look at the

West, for example. You can go right down, you know, the border, the cities are really doing well, whether it is Seattle or Portland, San Francisco or Los Angeles, but there is a lot of hurt in the rural communities.

One of the concrete ways you can at least help mitigate some of that hurt, we also want to get logging up in a sustainable way and quit fire borrowing and you are accelerating cleaning up the backlog in terms of projects that need to be addressed quickly, but we also need the safety net.

And so, in March in response to a letter, I stated the Forest Service said it is implementing a new modernized timber sale financial system that requires additional verification by Forest Service staff. I am going to hear from my rural counties here in a couple of days, gosh, we really want to know what is going on. I know you announced that SRS money will be distributed by April 15. I am pleased that we are at least getting going on that. But what folks in rural Oregon are going to want to know is what will the implementation of the new modernized timber sale financial system mean in terms of the counties getting their SRS payments?

Ms. CHRISTIANSEN. Thank you, Senator.

Yes, we did have a new system. We needed to take extra steps to make sure that the conversion to the Secure Rural School payments were accurate with the conversion of this new system.

We have gone through that. We are assured that they will, the payments will be made as they should be and I am pleased to say, I said it earlier, I think you were out, that I got verification this morning that we will make those payments on April 15th.

Senator WYDEN. Great.

My time is up, and the Chair and I are both going to run out for the vote.

I can also tell folks at home, we are going to ask some of these rural counties, I can tell them that not only are the payments going to go out on April 15th, but we have now got the system in place so they don't have to worry going forward.

Ms. CHRISTIANSEN. That's correct, Senator.

Senator WYDEN. That will be welcome. I look forward to working with you and just want people to know I appreciate your professionalism.

Ms. CHRISTIANSEN. Thank you.

Senator WYDEN. Thank you.

The CHAIRMAN. Thank you, Senator Wyden.

You have outlined the angst that comes every year from these counties, from these small communities that are so greatly impacted when they don't know—are they going to be getting their SRS payments? And so, allowing for some level of predictability here is so important.

I think that there is still much more that needs to be done, and I know that you have committed to working on that through your position there in Finance.

But again, when you are a small community in the Tongass, whether you are Petersburg or Craig or Yakutat, it is pretty tough to find other taxable bases to sustain your community, your schools, your roads. So this is something that we want to keep working on, so I appreciate that.

And in that vein, Chief, as Senator Wyden mentioned, we have a vote that just started, but I want to ask about a couple Alaska issues that are clearly getting the attention of folks back home.

It was last year at this budget hearing we talked about getting the cut up on the Tongass. We discussed some of the changes that we discovered in the 2016 land plan, and it was at that time when we were discussing what is possible, what can we expect? The Service said that we could expect to meet a 50 million board foot target in '18. Just last week I got the performance report from Region 10 that shows that just nine million board feet of timber was sold in '18. Once again we come to the hearing, we say we are going to work with you. We are going to get it up. We are going to see the impact to these communities. So here we are. Basically, what happened? And what is the plan here to turn around the timber program there on the Tongass?

Ms. CHRISTIANSEN. Senator, I really understand your concern, and I share it. This is serious.

The CHAIRMAN. Nine million board feet in the nation's largest national forest.

Ms. CHRISTIANSEN. Yes, I understand, Senator. I share your concern.

And there are challenges operating in Southeast Alaska——

The CHAIRMAN. We know, yes.

Ms. CHRISTIANSEN. ——but that is still not a reason not to improve the performance.

You know that I have committed that we need to do better. We're building back our skills. We're taking a different approach on the landscape, taking a large landscape approach to clearing our environmental analysis and decision-making. In mid-March we did sign a decision on the Prince of Wales Large Landscape Assessment.

The CHAIRMAN. That was good. I do appreciate that. I do hope that we will be able to expect more significant timber opportunities there on Prince of Wales with that Landscape Assessment.

Ms. CHRISTIANSEN. Yes, we—15 to 25 million board feet annually will be available to come off, it's cleared, off of that large landscape assessment and this summer we'll be in the final throes of the Central Tongass landscape-scale assessment and that will add an additional 15 to 25 million from that landscape.

In addition, we're really leveraging with the State of Alaska, the Good Neighbor Agreements, where they can come in and construct sales that, they've had a few challenges as well. But we've been able to get two sales sold with the Good Neighbor Agreement.

And as you know for a bridge, we worked very hard on the Mental Health Trust, Phase I, so that the Viking Mill will have the supply of old growth timber it needs and we are working with the All Landowners Group in Southeast Alaska to collectively deal with these challenges.

Columbia Helicopter has——

The CHAIRMAN. No longer.

Ms. CHRISTIANSEN. ——left Alaska. Twenty percent of our timber target for 2019 was to be helicopter logging. So we have to work fast and aggressively with these other landowners to track that resource.

The CHAIRMAN. And Chief, that is where I have such frustration. We knew last summer when I was up there, we were told "we're out of here." Everybody that was in the region knew and understood that. And yet, we were still planning that that was how we would harvest when the folks that are on the ground knew that that was not realistic. So just being honest with the appraisal here and the assessment of how we are actually able to do any level of harvest.

And again, it is expensive to harvest up there. We understand that. We know that. We have been dealing with this for decades.

I am frustrated every time I have this conversation with either the Chief of the Forest Service or the Secretary of Agriculture, because I hear that we are with you, we understand you but then year after year we come to these budget hearings and, in fairness, the proof in terms of what we have been able to see with levels of harvest, have been very, very disappointing. So I am somewhat optimistic with the agreement that was signed, the pilot. That is important moving forward. We are all working with you and we really, really appreciate the commitment from the teams that are focused on the Alaska-specific Roadless, the rulemaking there.

It is my understanding that we are still on target time wise for that draft EIS. Is that your understanding?

Ms. CHRISTIANSEN. We are absolutely highest priority. We're on time for the draft EIS for this summer.

The CHAIRMAN. And that is early summer?

Ms. CHRISTIANSEN. Yup.

The CHAIRMAN. And then with regards to the inventory that I had requested a couple years ago to complete the comprehensive inventory to determine the volume and the timing, what is the status of that inventory? And what is the service planning to do with that data when it is available?

Ms. CHRISTIANSEN. You bet, Senator.

The field work of the inventory of the last three years, nearly 32,000 acres were inventoried. And again, it's to give us a much clearer picture about the mix between old growth and viable second growth.

The CHAIRMAN. Getting the information before we act was, I thought, a pretty straightforward way to operate. Let's understand what it is that we have and the timing. So we are now getting through to that inventory?

Ms. CHRISTIANSEN. Yes.

So the inventory is complete and the analysis, we're working very closely with the State of Alaska together——

The CHAIRMAN. Yes.

Ms. CHRISTIANSEN. ——on the analysis and the final report will be expected late this summer. And you know, it will help us really see what that transition looks like. And we will make the necessary adjustments in the forest plan as needed.

The CHAIRMAN. That was the question that I was going to ask is, it is one thing to get the data to understand that inventory but then, how will we use that to address the plan itself?

Ms. CHRISTIANSEN. We, as I've committed in the past, we will do the appropriate forest plan amendments with the real data that will be apparent in just the months ahead.

The CHAIRMAN. Okay.

Then just very quickly, because I have to get down to the vote there. Nobody has really mentioned the beetle kill in Alaska, the Spruce Bark Beetle. There was a time when down on the Kenai Peninsula the beetle just ran through that part of the state. Now we are seeing it move further north into the Mat-Su Valley into the Anchorage area. It really is striking, as I drive around and fly around, to see how these beetles have moved northward.

Can you give me an update on what the Forest Service is doing with regards to surveys to understand the extent that we are seeing, because it is clearly on the rise in Alaska and I would imagine that we have similar infestations in other parts of the country that you are following.

Ms. CHRISTIANSEN. Absolutely, Senator.

We have, working with our forest health protection staff and the Alaska Division of Forestry, it is primarily on state and private lands right now. So we, you know, we——

The CHAIRMAN. This is the area that is north of Anchorage then?

Ms. CHRISTIANSEN. Yes, yes.

The CHAIRMAN. Okay.

Ms. CHRISTIANSEN. And there's a Spruce Beetle working group, so we can help better prepare communities and help landowners with safeguarding their trees. And we are looking together at new methods of suppression in Alaska, some systemic insecticides and anti-aggregate pheromone are in research trials right now. And so, we are using our Western Bark Beetle Initiative to fund the State of Alaska to help do this work.

The CHAIRMAN. Does this require some form of a match from the state? How are you working with the state on this?

Ms. CHRISTIANSEN. Yeah, it's our Cooperative Forest Authorities.

The CHAIRMAN. Okay.

Ms. CHRISTIANSEN. That does require a match from the state. They can use, you know, the fire funds. It's a pretty broad match. That's, you know, their duty of the state and private function of the Forest Service.

The CHAIRMAN. Well, it is something that I am going to want to try to get a better handle on—working with the state and their folks.

Ms. CHRISTIANSEN. Okay.

The CHAIRMAN. We are dealing with some relatively significant budget issues up in the state and this is something where I know there is a very, very keen interest. It was this area that was hit with the Sockeye Fire several years back that just devastated that area.

Ms. CHRISTIANSEN. Yup.

The CHAIRMAN. And I am not quite sure about these different applications that you are talking about.

Ms. CHRISTIANSEN. They're just research trials that we're——

The CHAIRMAN. Okay, good.

Ms. CHRISTIANSEN. ——for our research and development, we're trying to lean into new learning.

The CHAIRMAN. Okay.

Last question for you and then I will turn it over to Senator Gardner, and this is the air tanker issue.

Back in FY'12 the Forest Service initiated a study on the effectiveness of the aerial firefighting fleet, and it was supposed to help inform you to make better decisions on the use of aircraft and potentially lower the suppression costs. It has now been seven years and apparently we are still waiting for the final report.

I asked, I guess it was last year at this hearing, about the status on the report, and I was told that we were going to be getting an update on that relatively soon. Now we are a year later so the question is, where is the report, why is it taking so long and how much of the Forest Service wildfire budget has been used for aerial wildfire fighting in the past five years?

What I am trying to get at, and we've had this conversation before, is are we being smart? These are expensive assets. Are we using them as wisely and efficiently as we can?

Ms. CHRISTIANSEN. Yeah, I absolutely share your concern and your questions, and the aerial firefighting use and effectiveness study, you know, was an issue in 2012. I am low on patience as well, Senator, but this is, you know, it's a complex and labor-intensive endeavor to actually——

The CHAIRMAN. But should it really require seven years to get it like this?

Ms. CHRISTIANSEN. To have enough, when you have to take these assessment teams and they have to be on the fire scene and you have to get enough data to get what the trend line is, it does take some time.

We have some early results that show that definitely the direct attack strategies with helicopters are the most effective. And close behind that for direct attack with the large air tankers are also, we're confident in their effectiveness.

The early results are showing that the indirect attacks where we would lay retardant or water out, you know, away from the fire boundary and it's going to burn to it, now that's where we have more concerns about the effectiveness and we'll be drilling in deeper.

And I'd be glad to—I know our staff has been keeping your staff informed, but I'd be glad to get our staff up here and drill deeper into this with you.

The CHAIRMAN. Well, I know that there are members of the committees that are interested in this and perhaps at the hearing that we have in a month or so about the fire report, maybe you can be prepared to give us a little more update on that.

Ms. CHRISTIANSEN. Sure.

The CHAIRMAN. Because again, what we are trying to do here, we dealt with the fire fix last year. We are going to end fire borrowing. We are going to try to be smarter there. But I think it is only right that we really ensure that we are spending wisely when it comes to the fire suppression assets.

Ms. CHRISTIANSEN. You bet.

The CHAIRMAN. So I understand that getting the data takes some time, but seven years is a long time to try to get a better handle on things. And if it is seven years where we are not being as effective as we could, we have to address that. So I will look forward to more conversation with you there.

I thank you for the opportunity that you have given to the Committee. I am now going to turn the gavel over to Senator Gardner, and I am going to go vote.

Have you voted?

Senator GARDNER. I have.

The CHAIRMAN. I am going to go vote and, Senator Gardner, if you wouldn't mind just closing down the hearing when you are done or, if other members come, give them that opportunity?

Chief, thank you for being here, and I look forward to working with you on a lot of these issues.

Thank you.

Ms. CHRISTIANSEN. Thank you, Senator.

Senator GARDNER [presiding]. Thank you, Madam Chair, and thank you, Chief Christiansen, for being here.

There is a technical term I want to use for the length of time it has taken to get that study done, and it is "bunk." I am sorry. It is just a bunch of bunk that it has taken seven years to get this done.

We fought a World War in four years. We built the Pentagon in 16 months. We can't do a study in two years, one year, three years, four years, maybe five years? It has taken seven years to do this? In the meantime, we have western states that have had significant catastrophic fire.

I understand the importance to get the information right, but doggone it, somebody needs to get a, sorry, fire lit underneath them to get something done on this study. That is exactly what needs to happen.

I was concerned last year about the decisions on some of the aerial assets, and perhaps your office can follow up with ours in terms of the costs that it took to bring in some of the contract aerial support that we avoided last year and did not bring on early on. Maybe we saved money, maybe we didn't. I would be interested to see what the bottom line is after last year's fire season to see whether or not the decision to avoid some of the contract support led to cost savings or cost overruns on that front. So just get the study done. Thank you, Chief.

The Lands bill obviously contains some very important provisions for the forests in Colorado. We just passed a Drought Contingency Plan through the Senate, or will be today, dealing with our drought conditions in our forests. The drought conditions along the Colorado River Basin states, but certainly our forests, have been highly affected by that over the past several years. So if you could just quickly give me a synopsis of where you think implementation will go with some of the provisions in the Lands bill and what we need to do in terms of furthering the dialogue or furthering the process of our fire borrowing authorities that have been put in place there.

Ms. CHRISTIANSEN. Yes, thank you.

In respect to the Lands bill, we take this as a priority. I've assembled a team in the headquarters to make sure that we're on every element of the Lands package, and we'll be implementing those sections as quickly as possible. Be glad to keep you informed.

In regards to the fire funding fix, the forest management——

Senator GARDNER. How we are proceeding, yes.

Ms. CHRISTIANSEN. Yes.

We are, I know you didn't hear my opening statement. As I say it, this is not business as usual at the Forest Service, and we are implementing the new authorities as quickly as we can, Senator.

Immediately, we updated every Good Neighbor Agreement that we have. We have nearly 200 now in 37 states to add the provision that we could do road repair and reconstruction. That really opened up a lot more capability that we could do these cross-boundary projects together.

We are working in a couple different places on the 20-year Stewardship Contract. We are using the insects and disease in the forest resilience categorical exclusions. We have nearly 185, they told me, of these authorities in play, the categorical exclusions.

So we have rolled up our sleeves, and we're really finding it helpful. We're learning a lot, and I'm pleased to say we've got more land treatment than we had in the past, since 20 years ago. We treated 3.4 million acres of hazardous fuels and produced 3.2 billion board feet of timber.

Senator GARDNER. Thank you, Chief.

With that, your comments will be made part of the record. And if you have questions for the record, we would just ask that you reply as quickly as possible for the record.

There are no other comments from the members here. Thank you very much for your time today.

Ms. CHRISTIANSEN. Thank you, Senator, appreciate it.

Senator GARDNER. Thanks.

[Whereupon, at 11:33 a.m. the hearing was adjourned.]

APPENDIX MATERIAL SUBMITTED

U.S. Senate Committee on Energy and Natural Resources
April 9, 2019 Hearing: *The President's Budget Request for the USDA Forest Service for Fiscal Year 2020*
Questions for the Record Submitted to Chief Victoria Christiansen

Questions from Chairman Lisa Murkowski

Question 1: In February, the USDA Inspector General (IG) issued a final audit on Forest Service initiatives to address sexual harassment and misconduct in the workplace. The IG underscored the need for the Forest Service to develop disciplinary actions for supervisors that do not report an allegation within 24-hours or who fail to disclose a substantiated claim during an employee's reference check. What is the Forest Service doing to implement the IG recommendations? What other actions will the Forest Service be taking?

Answer: The Forest Service has taken the following steps to implement OIG's recommendations:

OIG Recommendation 1: Provide additional training and guidance to supervisors on the Merit Systems Protection Board (MSPB) and Office of Personnel Management (OPM) guidelines regarding their responsibility to provide complete and accurate information to hiring officials when asked for references on current and former Forest Service (FS) employees seeking employment or promotions within FS. The training and guidance should also cover privacy and liability concerns when disclosing employee information.

Forest Service Status: The Forest Service has taken several steps to ensure all hiring officials conduct reference checks on past misconduct of current and former employees who seek jobs. Specifically, the agency:

- Requires all its roughly 9,000 hiring managers to complete the Hiring Matters! training, which covers Merit System Principles, Prohibited Personnel Practices, and provides guidance for conducting interviews and reference checks to reveal histories of job seekers.
- Revised supervisory and manager guidance for evaluating and hiring applicants so that supervisors respond completely and accurately when asked for references on current and former FS employees who seek other jobs or promotions.
- Developed new scenario training for supervisors, which focuses on how supervisors can legally and forthrightly provide background information during reference checks on past histories of job applicants, including former and current employees.

OIG Recommendation 2: Add to the standardized list of questions that hiring officials ask the supervisors of current and former FS employees applying for positions within the agency – questions about whether applicants have a prior history of serious misconduct, the nature of the misconduct, and their suitability for the position despite the misconduct.

Forest Service Status: The Forest Service has stepped up actions to ensure it does all that is legally possible to prevent job candidates with past histories of misconduct from gaining positions or advancing in the agency. This includes current and former employees. Actions taken include:

- Requiring all hiring officials to conduct reference checks prior to making any hiring decision. The agency has added new direction in reference check guidelines that requires a series of reference questions specific to applicants' past behaviors and conduct.

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- Incorporating a new performance metric for all employees that evaluates everyone's contributions to a respectful, harassment-free work environment.
- Instituting a requirement that applicants answer specific work environment questions as part of their application.
- Implementing a requirement that all hiring panels ask specific work environment questions when interviewing applicants.

As we develop further actions to respond to this recommendation, we are seeking guidance from USDA's Office of the General Counsel (OGC) and Office of Human Resource Management (HRM) to ensure future steps to address this recommendation do not violate laws that govern federal employment or privacy.

OIG Recommendation 3: Add to the standardized list of questions that hiring officials ask the applicants applying for positions within FS – questions about whether applicants have a prior history of serious misconduct, the nature of the misconduct, and their suitability for the position despite the misconduct.

Forest Service Status: The Forest Service has instituted new requirements for conducting reference checks for all jobs to ensure individuals have a proven record of upholding the agency's standards for conduct. Specifically, the agency:

- Provided specific guidance for interview and reference check guides. The guides, on the HRM website, outline the role and responsibility of hiring officials and give parameters for asking questions that can legally delve into a candidate's background.
- Requires reference checks to be conducted prior to making all hiring decisions. We have developed new direction in the reference check guidelines that requires a hiring manager to ask detailed, specific questions related to behavior and conduct in the workplace.

As we further develop these guides, we will collaborate with OGC to ensure past histories of candidates are reviewed without violating other laws, rules, or regulations.

OIG Recommendation 4: Establish guidelines for hiring officials to contact HRM to determine whether current or former employees (including seasonal employees) applying for positions within FS have prior histories of serious misconduct and the nature of the misconduct.

Forest Service Status: We strongly support this recommendation and are working closely with OGC to fully implement the recommendation in a legal manner and to ensure that we can legally issue this direction without violating other laws, rules, or regulations.

OIG Recommendation 5: Require FS supervisors and managers to formally acknowledge their responsibility to report all allegations of sexual harassment and sexual misconduct within the required 24-hour timeframe and record this acknowledgement.

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Forest Service Response: The agency has created, distributed, and fully delivered on this recommendation and this requirement is included in the Agency Anti-Harassment Policy (Forest Service Manual 7165.08). The Forest Service instituted this requirement during the mandatory all-employee Stand Up for Each Other Training Session last spring. In the future, the Forest Service will create an annual certification through AgLearn, or a similar system, that will require all supervisors to acknowledge this requirement.

Recommendation 6: Provide additional training and guidance to FS supervisors and managers on their role and responsibilities regarding the 24-hour reporting requirement.

Forest Service Response: The Forest Service has fully addressed this recommendation and accomplished this goal in FY 2018. Specific actions for this work include:

- Creation of a Leader Guide and Leader Quick Reference Sheet that is available to employees on the Anti-Harassment intranet page.
- Mandatory New Supervisor Training that is required for all new supervisors within their first year in a supervisory position.
- Mandatory anti-harassment training, Stand Up For Each Other, conducted during the week of June 11, 2018, which covered the mandatory 24-hour reporting requirement for sexual assault and sexual harassment allegations.

The Forest Service will continue to communicate this requirement through the established mandatory annual anti-harassment training and ad-hoc training sessions to supervisors to improve awareness of the policy and reporting requirements.

OIG Recommendation 7: Establish guidelines to ensure that those FS supervisors and managers who do not timely report sexual harassment and sexual misconduct allegations within the required 24-hour timeframe are disciplined, when appropriate.

Forest Service Status: The Forest Service has successfully and fully met this recommendation, which requires certification of training for anti-harassment. The annual certification will be implemented by June 2019. It will clearly establish guidelines and inform supervisors that failure to meet this certification requirement will result in disciplinary action.

OIG Recommendation 8: Establish internal guidelines that will ensure FS officials document in the case file their justification when deviating from the recommended penalty.

Forest Service Status: The Forest Service is working to develop and establish internal processes that will ensure all forest managers provide adequate, transparent documentation that justifies any deviation from the recommended penalty of the USDA Guide for Disciplinary Penalties within the case file. In recent years, the Forest Service also installed a new system for case management and reporting on disciplinary actions, as well as quarterly publishing a transparent summary of all disciplinary actions agency-wide so that all employees can view actions. The Forest Service increased its professional employee relations capacity to consistently advise leaders on disciplinary action decisions.

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Other actions the agency is taking:

The Forest Service will implement an alcohol ban in shared government quarters. This ban will be effective in May. Statistics show alcohol is often a contributing factor, in the U.S., in cases of assault, sexual assault, harassment, and other inappropriate behaviors. Alcohol consumption in government quarters can put employees at risk. Violation of this policy may result in administrative action, including termination of the Housing Assignment Agreement.

The Forest Service will also be conducting an agency-wide Work Environment Assessment. This survey will be the first Forest Service-wide survey to assess employee perceptions of the work environment. Results from the Work Environment Assessment will provide information on employees' experiences of diversity and inclusion, workplace satisfaction and environment, unwanted behaviors, and experiences with existing training and programs. The results of the survey will help the Forest Service understand employee concerns, identify next steps, and serve as a baseline for measuring our progress in improving our work culture.

Question 2: Now that the Forest Service has the "fire fix," what steps is the agency taking to reduce and contain the cost of suppression operations?

Answer: Suppression costs are an outcome of decisions made before and during any incident. We are evaluating and implementing several actions that would ensure we are being cost effective in response while protecting natural and manmade assets on and off Forest Service lands. We have taken several short- and long-term steps to manage costs:

1. We have right-sized our aviation fleet maintaining a proper mix of Exclusive use and Call When needed assets, which reduced costs by $148 million.
    a) The agency returned the 7 large air tankers they were to receive from the Coast Guard.
    b) We reduced the number of large helicopters on Exclusive Use contracts.
    c) We moved water scoopers from Exclusive Use to Call When Needed contracts.
2. Identifying and managing fixed costs including base salaries for firefighters and daily rates for our aviation fleet to enable us to know exactly how much it costs to maintain our capacity wildfire response.
3. We standardized local fire crew and equipment teams for consistent makeup and cost across the agency.
4. Creating equity amongst partners by establishing new cost share agreements before the incident begins.

Ongoing long-term efforts include:

1. Our research branch delivers state-of-the-art decision support tools to continuously improve our predictions for fire spread and intensity.
2. Training our leaders and fire managers in risk and decision science to make more informed decisions.
3. Collaborating with partners before a fire starts, to jointly determine how we will manage fires to ensure the highest probability of success.

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4. Developing improved data collection and analysis capabilities to make informed decisions.
5. Updating our process for addressing significant fires and applying knowledge going forward.

Question 3: Through the enactment of the Consolidated Appropriations Act, 2018 (P.L. 115-141) and the Agriculture Improvement Act of 2018 (P.L. 115-334), the Forest Service has new and expanded authorities to help expedite forest treatment projects. Are there any internal agency barriers to implementing any of these new or expanded authorities (Good Neighbor Authority for tribes and counties, extending stewardship contract terms from 10 to 20 years, or the new categorical exclusion)? Will any of these new or expanded authorities require the agency to promulgate regulations or issue guidance? If so, which ones?

Answer: We see no barriers in implementing these authorities. In the case of Good Neighbor Authority, we are developing guidance that will be included in our directives. We are allowing current stewardship agreements and contracts to be extended up to 20 years and new agreements to be created up to 20 years. No new regulations are needed, but we will issue implementation guidance. However, for counties and tribes to have the same authority as states to retain receipts, additional legislation would be required.

Question 6: According to the Forest Service FY 2020 Budget Justification document, the 2014 Farm Bill Insect and Disease Designations currently cover 74 million acres across 36 states. Within the designated Farm Bill areas, the Forest Service has proposed 186 treatment projects. Of those, 144 proposed projects have signed actions. How many of the 144 signed actions have been completed and where are they located?

Answer: A total of 143 projects have signed decision memoranda. They are located in the following 25 states: Alabama, Arkansas, California, Colorado, Georgia, Idaho, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Montana, New Mexico, New York, North Carolina, Oklahoma, Oregon, South Carolina, South Dakota, Texas, Utah, Virginia, Washington, West Virginia, and Wyoming. We would be happy to work with the committee and have local staff provide detailed information on individual projects that are of interest to the committee.

Question 7: What is the current size of the backlog in special use permits and which regions are responsible for the longest wait times?

Answer: The special uses modernization effort has reduced the backlog of expired authorizations by 30 percent from FY 2017 levels. There will always be a need for staff focus in this area because 2,000 – 3,000 authorizations expire annually. We do not track wait times within the Special Uses Database System but displayed below are the number of expired authorizations and percent resolved by region.

Regions	Pending Cases as of 01/01/2016	Pending Cases as of 10/18/2018	Percent Change from 2016 to 10/2018
R5, Pacific Southwest Region	3,225	3,091	-4%

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Regions	Pending Cases as of 01/01/2016	Pending Cases as of 10/18/2018	Percent Change from 2016 to 10/2018
R6, Pacific Northwest Region	1,370	913	-33%
R8, Southern Region	1,291	760	-41%
R3, Southwestern Region	1,205	890	-26%
R4, Intermountain Region	1,184	916	-23%
R2, Rocky Mountain Region	1,016	569	-44%
R1, Northern Region	814	294	-64%
R9, Eastern Region	762	309	-59%
R10, Alaska Region	147	69	-53%
N/A [a]	80	10	-88%
Grand Total	11,094	7,821	-30%

[a] Data that have not yet been completed in the system and does not presently have a regional designation.

Question 8: The President's executive order on critical minerals requires the release of a final report on critical minerals. USDA is part of this effort. Do you know when we can expect that report to be released? What are the next steps for the Forest Service?

Answer: In December 2017, President Trump issued an Executive Order (EO) 13817 on a "Federal Strategy to Ensure Secure and Reliable Supplies of Critical Minerals." This EO calls for the Secretary of Commerce, in coordination with Secretaries of Defense, Interior, Agriculture, and Energy, and the United States Trade Representative, to submit a report which will include a strategy to reduce the nation's reliance on foreign-sourced critical minerals. USDA has assisted in the development of the strategy and will implement its recommendations, when the final report is released.

Question 9: S. 47, the John D. Dingell Jr. Conservation, Management and Recreation Act that was recently enacted into law included a provision on modernizing firefighting technology. What is the Forest Service's plan to implement the provision? What is the Forest Service already doing to modernize its firefighting technology?

Answer: The Forest Service has chartered a team to coordinate implementation of all relevant provisions of the Act, including those related to wildland fire technology.

Regarding existing efforts to modernize wildland fire technology, the Forest Service is improving base fire related infrastructure, developing sensory equipment to improve situational awareness, and collaborating with the Department of the Interior on unmanned aerial vehicles.

Question 10: The United States has become increasingly reliant upon foreign sources of minerals and metals needed to keep our economy growing despite incredible reserves of these materials within our own

borders. I understand that the Forest Service will be updating its regulations at 36 CFR 228, Subpart A, which regulates hardrock mining on USFS land. Can you please provide the committee with an update on where the process stands for reviewing and revising Forest Service regulations at 36 CFR 228, Subpart A, including a proposed schedule for completion of such revisions?

Answer: On September 13, 2018, the agency published the Advance Notices of Proposed Rulemaking (ANPR) for the proposed rule. The 30-day comment period closed on October 15, 2018. The agency received 171 comments related to the Locatable Minerals ANPR. Some commenters generally oppose agency action on the regulations, while some individuals and industry operators expressed interest in reform, with a variety of different operational concerns. The agency is considering these comments as we are working on drafting a rule.

Revision of the regulations governing Locatable Minerals (36 CFR 228 Subpart A) will help achieve more efficient permitting processes, which in turn reduces regulatory burdens, consistent with goals in Executive Orders 13817, "A Federal Strategy to Ensure Secure and Reliable Supplies of Critical Minerals," and Executive Order 13783, "Promoting Energy Independence and Economic Growth." Updating the regulations will also help achieve consistency with various legal decisions that have occurred since the regulation was first published.

Questions from Ranking Member Joe Manchin III

Question 1: BUDGET RESTRUCTURING PROPOSAL

As part of the Consolidated Appropriations Act of 2018, Congress requested that you provide a report on suggested ways to restructure the Forest Service's budget. I appreciate that you included your report as part of the FY2020 President's Budget, and I also appreciate the thought that your team clearly put into these suggestions. Overall, I like your proposal, particularly removing Salary & Expenses from your program accounts and establishing a separate line item for them. I have listed below a number of questions about your proposal.

Temporary Employees: Your budget proposes to fund temporary employees from individual program budget line items rather than from the Salary & Benefits budget line item. While I understand the rationale behind that suggestion, I wonder how seasonal positions will be budgeted for because that may disproportionately affect programs that rely on seasonal or on temporary employees, namely Fire Preparedness. Can you describe how firefighting positions that are hired year-in and year-out on many National Forests will be treated? Also, under what budget line item would term employees be funded?

Answer: All seasonal employees will be paid by funds within each applicable program area. Permanent seasonal firefighters (those with automatic rehire authority) will be paid within the Wildland Fire permanent salary and expenses funds. Term employees are considered permanent employees while employed, and will be paid with appropriate salary and expense funds within the consolidated program areas.

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LWCF: Your budget proposes to move the Forest Legacy program from the State & Private Forestry appropriation and give it its own Treasury account, but not the Community Forest & Open Space Conservation program, which I understand has been historically funded through LWCF. What would be the pros and cons of combining the Forest Legacy budget line item, the Land Acquisition appropriation, and the Community Forest & Open Space Conservation program under a single new appropriation entitled "Land and Water Conservation Fund Programs"? Are you proposing to fund the Community Forest & Open Space program through regular discretionary appropriations rather than through LWCF?

Answer: The Legacy program will not have its own treasury symbol and will remain a Budget Line Item (BLI) within the State and Private Forestry Treasury Symbol. The Community Forest & Open Space Conservation program is not a LWCF-funded program, rather it is a program funded within the State and Private Forestry appropriation. Merging programs from different funding sources would increase complexity of program execution and would decrease overall program functionality.

Law Enforcement Operations: Your budget proposal lists Law Enforcement Operations and Recreation & Public Access as separate budget line items under the new Landscape Management account. I understand that law enforcement officers are funded out of both programs, and the decision as to which budget line item funds a position depends mostly on the qualifications of the officer. Would you consider collapsing these two budget line items, so that Recreation & Public Access would be the budget line item and Law Enforcement Operations would be a budget activity within it?

Answer: The majority of law enforcement officers are primarily funded from the Law Enforcement Operations budget line item. Approximately five law enforcement officers are paid with recreation funds. Since the scope of law enforcement operations spans the entire agency, we believe it is more appropriate to have it maintain its own budget line item.

Roads: Your budget proposal moves Trails from the Capital Improvement & Maintenance appropriation and funds it as a budget activity under the Recreation & Public Access budget line item, which is great. Why did you not also move the Roads program under the Recreation & Public Access budget line item?

Answer: Only the Capital Improvement & Maintenance funds directed toward recreation facilities are integrated into the Recreation & Public Access budget line item. Roads serve several functions in the agency, including wildland fire, timber, and other land management actions. Keeping roads separate allows the agency to prioritize efforts towards the highest priority actions across all functional areas.

Integrated Restoration of Resources: I have heard some people comment that this budget proposal resembles the Integrated Restoration of Resources pilot that was enacted several years ago. Instead of collapsing the majority of the National Forest System programs into a single budget line item called "Vegetation, Fuels, & Landscape Management", would you consider collapsing these programs into two budget line items? One budget line item could contain all of the programs representing the extractive uses of National Forest System lands and the other representing all of the non-extractive uses. Under this scenario, the Forest Products, Grazing Management, and Minerals & Geology Management would be collapsed into the budget line item representing extractive uses.

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This approach would allow Congress to provide funding to priorities, whether they are traditionally priorities for Democrats or for Republicans. Without that separation, the frequently changing Administration would simply focus the large pot of funding on implementing programs important to that Administration, without an ability for Congress to guide or provide a check on its use.

Answer: The objective of the budget reform is to simplify the overall Forest Service budget structure, increase integration of programs, and provide for greater accountability of agency funds. The proposed structure does all of that. There were many options considered during the development of the proposal, and each had their strengths and weaknesses. We would be willing to discuss these options with the Committee.

National Fire Capacity: Your budget proposes to keep Rural Fire Capacity and National Fire Capacity under the State & Private Forestry appropriation. Too often, when I ask the simple question of how much does the Forest Service spend on preparing for and managing wildland fires, I am told that the answer is complex and will take a while to calculate. What are the pros and cons of not simply funding these two wildland fire programs under the Wildland Fire Management account as they have been from time-to-time in past years? I understand that some of this money goes through State Foresters as other State & Private Forestry does, and hence State & Private Forestry staff have established relationships with some of the recipients of this funding. However, providing this funding through the wildland fire management staff might be an opportunity to continue to establish more seamless relationships among leaders in federal, state, and local fire agencies.

Answer: The Rural and National Fire Capacity programs support non-federal government agencies in maintaining or growing capacity to support wildland fire operations. Most of the funds are allocated to these entities through grants and agreements in conjunction with many other State and Private Forestry program funds. Maintaining these programs within State and Private Forestry rather than Fire and Aviation Management enables greater coordination with states and counties across the spectrum of programs. Within the Forest Service, the Rural and National Fire Capacity program managers coordinate with Fire and Aviation Management personnel to ensure that funds are being leveraged to the maximum extent possible when distributed to states and local governments.

Capital Assets: Your budget moves Trails from the Capital Improvement & Maintenance account but does not move a budget line item called Capital Assets. Are these capital assets things like visitor centers, employee housing, or office space? What would the pros and cons to moving Capital Assets under the Recreation & Public Access or the Administrative Facilities budget line items?

Answer: The proposed budget structure splits the Capital Improvement & Maintenance account into three other budget line items: 1) Administrative Facilities Management (within the General Management Treasury Symbol); 2) Recreation Facilities Management (within the Recreation and Public Access Budget Line Item); and 3) Facilities Capitol Improvement Programs (projects over $1 million that are within the Capitol Improvement and Road Maintenance Treasury Symbol). We feel this establishes clear lines of programmatic responsibilities within a broader budgetary framework. Program managers will be able to

prioritize work not only within their programs, but as an agency we will be able to align overall agency priorities with the execution of our facilities improvements programs.

Miscellaneous Programs: There are a number of miscellaneous programs (e.g., Subsistence Management) currently with their own budget line items. Under this proposal, would these programs continue to have their own budget line items, but simply be housed under a "Miscellaneous Programs" account?

Answer: These programs would remain under their own budget line item. The magnitude and scope of the programs are limited and do not require consolidation with other broad programs.

Question 2: AREA ALLOCATIONS FOR FY2020

Each year as part of the President's Budget justification, the Forest Service's Explanatory Notes have included a breakdown of which National Forest System regions would receive which portions of the increases or reductions being proposed. This year's Budget provides that information for the various Research Stations, which is very helpful, but it fails to include that information for the National Forest System regions or for the State & Private Forestry allocations.

Can you provide your proposed allocations to the regions for the National Forest System funding and the State & Private Forestry funding requested in your FY2020 budget?

Answer: While we have always provided historical allocation information for National Forest System funding and State and Private Forestry funding and have done so again in the FY 2020 President's Budget, we are not able to provide out-year allocation projections for those program this far in advance. The National Forest System and State and Private Forestry programs are dynamic, and allocation decisions are strategically developed in consultation with the regions in the months leading up to the beginning of the fiscal year. We are just now beginning regional engagement for allocations in the FY 2020 budget year.

Question 3: If the Forest Service is appropriated additional funding to address its deferred maintenance backlog, would the Administration support a requirement or a preference for hiring local workers to complete these projects?

Answer: The Forest Service supports working with local contractors wherever possible, consistent with Federal Acquisition Regulations.

Question 4: In the Consolidated Appropriations Act of 2018, the Forest Service was required to work with States to create a platform to inform communities as to the degree to which they are at-risk of wildfire. While the law requires the platform to be finished by next March, we have not heard much about what the Forest Service has done since this law was enacted. Creating a platform like this seems like a reasonable approach that would be helpful but not get the Federal government involved in local planning decisions that are better-suited to be handled by States and counties.

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Can you tell us what you have done so far to get this platform online?

Answer: We are working with the Department of the Interior and other partners to create an all-lands wildfire risk map that complies with Congressional direction in the Consolidated Appropriations Act of 2018. We expect to have this accomplished by the March 2020 deadline.

Question 5: Last month, the Executive Director of the Theodore Roosevelt Conservation Partnership testified before this Committee, and he discussed easements that the Forest Service holds on lands abutting National Forests, which guarantee the public access to isolated parcels of National Forests. He indicated that the majority of these have not been digitized making it harder for sportsmen and sportswomen to identify means of access. Further, he cited a growing number of instances where the paperwork for these easements has gone missing, and he proposed an initiative to digitize all of the Forest Service's existing easements.

Do you have an idea of how best this could be accomplished and approximately how much this would cost? Do you believe you have the necessary legislative authorities should you wish to partner with universities to assist you with this effort?

Answer: Keeping comprehensive records of National Forest System lands has always been a priority for the Forest Service. To date, we have collected information for over 37,000 easements across the nation and are in the process of digitizing them for the public. However, there is still much more to be done. To complete this effort, we estimate it would cost $16 million, as we have about 32,000 more cases to digitize. We have a number of existing programs under which we could partner with universities on this effort under the Hatch Act of 1887's Multistate Research Fund.

Each of the following types of organizations are current partners in applied research cooperative agreements with USDA:

- 1914 Smith-lever Act (Cooperative Extensions)
- 1862 Land-Grant Institutions
- 1890 Historically Black Land-Grant Universities
- 1994 Tribal Colleges and Universities
- Hispanic Serving Institutions
- Alaska Native Serving Institutions
- Hawaiian Native Serving Institutions

Question 6: China recently committed to planting 1 billion trees and last year reassigned 60,000 soldiers to plant trees. In 2017, India planted 66 million trees—on a single day. New Zealand just announced its plans to plant a billion trees. How many acres of National Forest System land are in need of or would benefit from reforestation? Would the Forest Service be supportive of a new, climate-focused reforestation initiative, and would the Forest Service be interested in being a leader in this effort? What are some of the bottlenecks that would need addressing to make this iniative happen?

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Answer: In 2019, 1.37 million acres of National Forest System land were in need of some form of reforestation. Post-fire restoration is the leading cause of current reforestation needs. Reforestation planning is a multi-year effort. In the past, fire borrowing has impacted the Knutson-Vandenberg trust fund, which directly supports reforestation efforts. The fire funding fix will create greater stability and predictability in the Forest Service budget and greatly reduce the likelihood of fire transfer. This will allow greater flexibility in managing our non-fire programs in high activity fire years. We are supportive of any effort to increase reforestation activities and would welcome the opportunity to work with the Committee on this issue.

Question 7: The Forest Service has $5.5 billion in deferred maintenance, and I am a co-sponsor of the Restore Our Parks Act, which would provide additional funding to address deferred maintenance in the National Parks.

Would you support an amendment to that bill to expand the availability of additional funding to other land management agencies, such as the Forest Service?

If provided with additional funding for deferred maintenance, what would be the first things you would spend it on? What are your highest priorities?

Answer: The Forest Service would be supportive of an amendment to the Restore our Parks Act to expand the availability of additional funding to address deferred maintenance on National Forest System lands. The agency's deferred maintenance backlog impacts our ability to fight fires, improve the conditions of forests and grasslands, and provide access to the millions of Americans who depend on National Forest System lands. As directed by Congress in the explanatory statement accompanying the Consolidated Appropriations Act of 2018, the agency has developed a Comprehensive Capital Improvement Plan (CCIP) to prioritize out-year maintenance needs. The plan, which will be delivered to Congress this spring, prioritizes funding for construction and maintenance projects, and identifies future infrastructure investment needs.

Further, the Forest Service and the Department of the Interior's FY 2020 President's Budgets propose the creation of a new Public Lands Infrastructure Fund to support critical deferred maintenance and infrastructure needs. The fund would be derived from energy mineral leasing, and the proposal would allow the Forest Service to access up to 10 percent annually from this fund for deferred maintenance and infrastructure projects. We would likewise welcome the opportunity to work with the Committee on this issue.

Question 8: During the hearing, Senator Gardner inquired about the amount you spent last year on aviation resources, specifically in regards to call-when-needed and exclusive-use contracts. Can you please submit for the record, how much you spent in total in FY 2018 on airtankers under exclusive-use contracts and for airtankers under call-when-needed contracts? Can you also tell us how much the Forest Service would have spent on airtankers, hypothetically, if all of the airtankers used in FY 2018, were under the same contracts they had during the previous fiscal year (before several Exclusive-Use contracts for airtankers were switched to Call-When-Needed contracts and/or re-awarded)?

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Answer: In fiscal year 2018, the Forest Service spent $113 million on exclusive-use Large Airtanker contracts and $48 million on Call-When-Needed Large Airtanker contracts. The agency had the same number of Large Airtankers on exclusive-use contracts in fiscal years 2017 and 2018, and costs were similar across the two fiscal years.

Question from Senator Ron Wyden

Question: As we discussed in the hearing, I am very interested in supporting the 10-year stewardship contract on the Malheur National Forest in Oregon and I appreciate the attention that you and past chiefs have given to rural Oregon over the years.

Local and regional staff seem to be independently rewriting the terms of the 10-year contract on the Malheur National Forest, and appears as if we are not getting the full value of the collaboration that long-term stewardship is known for. For example, we have had a situation recently where the contractor invested in crews and specialty equipment, only to have task orders ripped out from underneath them.

Stewardship and collaboration is the ballgame for forestry in eastern Oregon – it saved a mill, and has been a huge shot in the arm for the rural economy, and could be a model for future collaborative efforts in Oregon and across the west.

Will you commit to me to working together over the next 2 weeks to get this ironed out, and to look at ways we may be able to address these concerns on the Malheur National Forest through potential statutory changes, or administrative changes, to the stewardship contracting program?

Answer: Yes, we will schedule a briefing with your office regarding your concerns related to the 10-year Stewardship Contract on the Malheur as well as future use of this authority in Oregon. The Forest Service will work with your office on ways we may address concerns that have been raised.

Questions from Senator James E. Risch

Question 1: In past hearings before this Committee, the issue of inadequate staffing levels and its impact on how long it takes for the U.S. Forest Service (USFS) to review a permit application and make a decision has been a reoccurring theme. Whether the application is for recreational activities, resource development, or agricultural use, the review and determination of an application deserves to be completed in a consistent, predictable, and timely manner. In some cases, jobs hang in the balance while the USFS reviews information, and it is not uncommon for this process to take years to complete.

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Please provide the Committee with a detailed plan of how the USFS will ensure that the permit applications it receives are reviewed in a timely manner? Is the USFS looking at efforts to streamline the permitting process, similar to the National Environmental Policy Act reforms found in the Department of the Interior's Secretarial Order 3355?

Answer: We are addressing this issue through our regulations, policies, and business practices. We conducted an analysis of the special uses program to identify areas of inefficiency and needed improvements. We are incorporating the recommendations of that analysis into the special uses modernization efforts. For example:

- We have directed field staff generally to authorize permits for the maximum period allowable by law.
- We are reviewing recently issued authorizations to determine if they have the maximum term allowable by law, and if not, we are ascertaining whether it is feasible to amend the authorizations to provide for the maximum term.
- We are using regional strike teams that focus on processing applications for infrastructure-related uses such as communication sites, roads, energy transmission, and rural utilities.
- We have directed staff to use aggregate processing of applications for reauthorization of existing uses where no change is requested.
- We are working to build internal capacity and competencies to respond to proponents and applicants more expeditiously. Over the past three years we have trained over 375 employees in our new two-week Fundamentals of Lands Course.
- We developed a special uses academic curriculum and a set of core competencies with training plans. We are in the process of developing 22 special uses national training courses, with eight have already been completed to date.
- Finally, to expedite environmental analysis required for issuance of a special use authorization, we have developed new categorical exclusions (CE) from documentation in an environmental assessment or environmental impact statement for special uses, including CEs for reissuance of an expired authorization when there are no changes in the authorized use and issuance of a new authorization for use of existing National Forest System roads, trails, and facilities.

Question 2: Private stakeholders will at times agree to pay salaries and overhead to fund NEPA processes to ensure timely review. When the Forest Service was unfunded during the partial shutdown earlier this year, staff whose salaries were prepaid were still furloughed. What is the Forest Service policy on furloughing staff whose salaries are prepaid and not subject to appropriations?

Answer: The Forest Service does not have a national policy on furloughing staff whose salaries are prepaid and not subject to appropriations. The agency does have a shutdown plan, which follows Office of Management and Budget and Office of Personnel Management guidance to determine employee furlough status, identified by Category. Employees performing work financed from funds not subject to a lapse in appropriations are considered Category II – Exempt. However, there are several factors that may result in a Category II employee being furloughed, including furlough status of his/ or her supervisor.

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Question 3: What efforts is the Forest Service making to ensure that critical minerals located on lands under its jurisdiction are being permitted in a timely manner and developed consistent with White House Executive Order 13817?

Answer: Executive Order (EO) 13817 calls for the Secretary of Commerce, in coordination with Secretaries of Defense, the Interior, Agriculture, and Energy, and the United States Trade Representative, to submit a report which will include a strategy to reduce the Nation's reliance on foreign-sourced critical minerals. The report includes the six Critical Mineral Strategy Plan Call to Action areas with 61 agency-level recommendations to be executed over the next 5 years. Fifteen recommendations identify the Forest Service as an action agency. We understand the White House plans to release the Final Critical Minerals Strategy Report in May or June 2019.

Question 4: How will the Forest Service ensure that abandoned mining projects on National Forests lands be cleaned up if they continue to show signs of contamination, particularly after all potentially responsible parties, including Federal agencies that originally contributed to the contamination, have been granted liability protection under the Superfund law?

Answer: Consistent with the long-standing principles of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Forest Service normally seeks to have the parties responsible for the contamination take responsibility for any necessary site investigations and cleanup work. Decisions regarding liability and enforcement under CERCLA at particular sites are made in consultation with USDA's Office of the General Counsel and the Department of Justice. Apart from enforcement actions against responsible parties, the Forest Service has very limited resources for addressing contaminated sites located on National Forest System land.

Questions from Senator Debbie Stabenow

Question 1: We've heard from stakeholder groups in Michigan and elsewhere who are concerned about the implications of Secretary Perdue's March 13th memo regarding the review of USDA cooperative agreements. Can you please outline the department's thinking behind the decision to require additional administrative review of these agreements? For example, is there some evidence or reason to suggest that waste, fraud, and abuse is taking place within USDA related to partner agreements?

Answer: USDA Memorandum 1076-027 was superseded and cancelled by USDA Memorandum 1076-028 dated May 2, 2019. The memorandum emphasizes the importance of being good stewards of taxpayer funds in implementing USDA's cooperative agreements authorities, charges each mission area to ensure proper oversight of cooperative agreement approval and execution and establishes an agency-wide taskforce to examine current practices and recommend improvements to departmental practices regarding cooperative agreements.

Agencies and staff offices are directed to maintain accurate and current data on all cooperative agreements and similar arrangements entered into pursuant to authorities available to the agency and to produce a list of all such agreements to the Office of the Secretary upon request. Each Under Secretary or

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staff office head is charged with the responsibility for appropriate review and approval procedures for the issuance and monitoring of cooperative agreements within each Mission Area or staff office.

Question 2: Michigan contains more national forest land than any other state east of the Mississippi and many of our Forest Service acres are in need of restoration. According to the agency's Shared Stewardship report, science-based tools are being used to prioritize these restoration treatments. Can you describe how these science-based prioritization processes are playing out in the states? How is the Forest Service ensuring consistency across states? How are outside stakeholders plugging into the process, including at the national scale? How will the Forest Service evaluate the effectiveness of Shared Stewardship agreements, including for watershed restoration, recreation, and wildlife habitat outcomes?

Answer: We are using several science-based prioritization tools and are working with states to establish a science-based prioritization process and stakeholder engagement approach specific to each state's needs.

At the national level, we are developing a new scenario investment planning tool that builds upon the National Cohesive Strategy for Wildland Fire Management. Scenario investment planning allows the agency to assess forest health risks across broad landscapes and project outcomes and tradeoffs for various management actions. Working with tribes, states, and other partners, we can then jointly set priorities for investing in management activities at the appropriate scale and place.

At the state level, we will assess the additional strategies and tools that tribes, states, and partners offer. In many cases we will build off State Forest Action Plans. We will work with tribes and states to convene additional stakeholders and develop evaluation criteria for our joint efforts. While the specifics will vary by location, in all cases our goal is to work with our partners to establish joint priorities, work across boundaries, and conduct active management at the scale needed to achieve the desired outcomes.

Question 3: What steps is the Forest Service taking to implement the extension of the Collaborative Forest Landscape Restoration Program (CFLRP) authorized in the 2018 Farm Bill? Has the Forest Service stood up a federal advisory committee to approve new projects? What is the timing of the committee's first meeting? Has the Forest Service provided direction to existing CFLRP projects that want to apply for an extension of their projects regarding how to seek re-enrollment?

Answer: The Forest Service and the Secretary's office are working to establish a Federal Advisory Committee Act (FACA) committee for the Collaborative Forest Landscape Restoration Program (CFLRP). Once approved, the agency will publish a Federal Register Notice to solicit applications for review. An initial FACA committee meeting may occur in early 2020. The 13 current CFLRP projects selected in 2012 have the Chief's approval to complete the last two years of their original 10-year proposal, depending on appropriations. Proponents of the 10 CFLRP projects selected in 2010 have been notified that they must apply for extensions.

Question 4: On November 15, 2018, Shannon Reed, a former Forest Service Air Quality Specialist appeared before the House Oversight and Government Reform Committee. Ms. Reed testified that she

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filed EEO complaints against her supervisor and provided other testimony highlighting her view of how her supervisor treated her. She was later fired for poor performance. Please provide a clear explanation of any processes that the Forest Service has in place and implements to help ensure that supervisors do not retaliate against employees who file complaints.

Answer: The Forest Service complies with the requirement that federal agencies must provide annual notice to employees, former employees, and applicants for federal employment concerning the rights and remedies applicable to them under the employment discrimination and whistleblower protection laws. All Forest Service employees receive training every 2 years on the requirements of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), which highlights the obligation to provide a work environment free of discrimination and retaliation. The Forest Service Office of Civil Rights develops and publishes optional training and information on civil rights issues, including retaliation, that are available to all employees and supervisors.

If an employee believes that he or she has been subjected to harassment based on retaliation, he or she may report this through their chain of command, Human Resources Management, or the Office of Civil Rights. The Forest Service has also established a separate means of reporting through a Harassment Reporting Center.

Additional ongoing work to prevent retaliation includes:

Agency-wide anti-harassment training
The Forest Service is rolling out anti-harassment training for all employees in fiscal year 2020. The training will demonstrate how retaliation happens in the workplace and how it takes implicit and explicit forms. The agency is in the process of developing the training content and modules and discussing deployment methods.

Retaliation is a Prohibited Personnel Practice (PPP), and the Forest Service has online training on PPPs available to all employees, in AgLearn. A revision to this course is underway, and will be released in 2019.

Retaliation training for supervisors
The Forest Service developed a training module on retaliation to address the following questions- what is retaliation and what can be done to prevent it from happening? We are making modifications to the training based on employee feedback and will deliver training more widely in fiscal year 2020.

As a PPP, retaliation is included in New Supervisor Training. All new supervisors are required to take New Supervisor training in their first year as a supervisor.

New Employees
New employees who participate in the National New Employee Orientation (approximately 450-600 employees annually) learn that retaliation is prohibited during the anti-harassment portion of the 3-day program.

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Question 5: On November 9, 2018, 60 current and former USDA employees (some anonymous) sent a letter to you, expressing concerns about sexual misconduct and culture of the Forest Service and the retaliation they see. The letter requested a meeting with you and your staff to discuss their concerns and ideas to address the culture. What actions has USDA taken to address the issues raised by the letter? Have you or your staff met with any of the signers of that letter yet? If so, when did that meeting occur?

Answer: Chief Christiansen is tentatively scheduled to meet with a representative group of women who signed the letter in early June. Revisions to the agency's Anti-Harassment Policy address several issues raised in the letter. Specifically, the revised Policy:

- Increases autonomy and support for affected employees by clearly stating that affected individuals may call the Harassment Reporting Center to get information, including information about the harassment process, or victim support resources, without having to file a report.
- Identifies non-mandatory reporters who are not obligated to report information provided to them, including harassment. Non-mandatory reporters include conflict management and prevention managers, ombudspersons, and employee advocates. Based on industry best practices and subject matter experts' advice and guidance, the Forest Service is developing an Ombuds program and Employee Advocate Office.
- Provides clearer definitions of Affected Individual, an Alleged Offender, a Management Official, and an Employee Advocate.
- Clarifies actions that do not constitute harassment.
- Makes clear that it is strongly preferred that individuals report allegations of harassment via the Harassment Reporting Center to ensure timeliness and accuracy.
- Establishes the Harassment Review and Assessment Team (HART) as a cadre of trained specialists and/or contractors not assigned to a specific region, station, or area. The policy further describes the HART process.
- Establishes case managers who will provide advice and guidance to managers, supervisors, the Office of Civil Rights, Employee Relations, and the Work Environment and Performance Office, as well as enforce timelines and determine how reports should be routed.

Question from Senator Martin Heinrich

Question: I am concerned that Region 3 is still understaffed for grant reviews for FY19 and that grant applicants will miss out on funding simply because there are not enough Forest Service staff to review the applications. How will you ensure that every grant applicant receives a fair review as the Forest Service continues to recover from the hiring freeze?

Answer: Forest Service Human Resources Management is engaged in an expedited hiring process to strategically manage backlogs created during the furlough and more effectively meet mission requirements. All grant proposal reviews are routinely evaluated for compliance with ethics-related laws, regulations, and directives, including program-specific legislation, 2 CFR 200, and national policy

requirements. To ensure a fair review, a two-level certification system establishes a standard of competency for Grants Management Specialists who are involved in the review process. Concurrently, Program Managers provide review oversight.

Questions from Senator Mazie K. Hirono

Question 1: As you know, combating pests is a never-ending challenge in Hawaii. Biocontrol is a cost-effective, sustainable management tool that has been successfully employed in Hawaii and across the globe for long-term management of some of the world's worst pests. Currently, the Hawaii Department of Agriculture, as well as the USDA Forest Service, Agricultural Research Service, and Animal and Plant Health Inspection Service, with other Hawaii government, private and non-profit partners are assessing the possibility of new, state-of-the-art biological control facilities in Hawaii that can serve as a regional research center for biological control programs benefiting the US mainland and Pacific Region.

Will the Forest Service prioritize biosecurity in the Pacific and support the planning initiative, in collaboration with the State, for new biocontrol facilities in Hawaii?

Answer: The Forest Service's Institute of Pacific Islands Forestry (IPIF) supports bio-control research activities. The IPIF has conducted bio-control projects on several invasive weeds and insect pests and continues a robust research program that develops safe and effective natural control for pests in Hawaii and across the western Pacific Islands. The Forest Service will continue to collaborate with the state and interested partners on the planning and development of new biocontrol facilities in Hawaii.

Question 2: Combating pests that are devastating our native forests in Hawaii, such as Ceratocystis wilt (Rapid Ohia Death), and supporting Hawaii's Biosecurity Plan requires expertise to lead critical research and science delivery. The state of Hawaii currently does not have this necessary expertise in the area of pathology to protect the state's native forests and ecosystems from pest and diseases. As such, there is a clear need to hire a forest pathologist, which could be leveraged with the support of funding from the state of Hawaii as well as the University of Hawaii.

Will the Forest Service support establishing the vital position of a forest pathologist in Hawaii?

Answer: The agency would be happy to have further discussions with this Committee regarding how best to combat Rapid Ohia Death in Hawaii.

Question 3: Wildfire is a pervasive issue in Hawaii, and to the surprise of many, the percent of land burned in the state is equivalent to that in the western continental United States. There is currently a temporary position within the Joint Fire Science Program in Hawaii, known as the Hawaii/Pacific Pacific Fire Exchange Position at University of Hawaii Extension.

Will the Forest Service support making this important position permanent to help Hawaii communities mitigate the threat of wildfire and protect the wellbeing of our forests?

Answer: The position within the Pacific Fire Exchange at University of Hawaii Manoa is a university position. The Forest Service provides some funding through the Joint Fire Science Program for the position. However, the fiscal year 2020 President's Budget does not request funding for the Joint Fire Science Program and, in the absence of funding, the university would determine whether or not to maintain the position.

Question 4: The FY2020 budget proposal makes large cuts to or eliminates very important programs, including for example the Collaborative Forest Landscape Restoration program.

If the Forest Service were provided additional funding, what programs would be prioritized?

Answer: The fiscal year 2020 President's Budget represents difficult tradeoffs in a constrained budget environment. The Budget request emphasizes reducing wildland fire risk, improving forest and grassland conditions, and generating economic benefits for rural communities. In the spirit of shared stewardship and collaborative decision making, the Forest Service will emphasize work across boundaries to optimize use of appropriated funds and use all existing authorities to strengthen state and local partnerships.

Question 5: The FY2020 budget proposal seeks to consolidate several line items, essentially eliminating research. Research is a critical component in accomplishing the mission of the agency.

How does the Forest Service intend to promote research under the proposed budget?

Answer: The proposed budget structure does not eliminate the Research portfolio but integrates the funding for Research, other than the Forest Inventory and Analysis program, into an integrated budget line item called Vegetation, Fuels, and Landscape management. This integration will facilitate collaboration of research with other programs in order to align these efforts more closely with agency priorities, allow for improved prioritization of activities at a landscape scale, and the streamline of administrative costs.

Question 6: The administration recently submitted to Congress a legislative proposal for several new large-scale categorical exclusions (CEs). Knowing that CEs are controversial, it appears that the timing is off given that the agency is currently trying to work on a Shared Stewardship model for managing national forests.

Can you explain why the agency is putting forth this proposal for several large-scale CEs at this time?

Answer: The joint Department of Interior and Department of Agriculture legislative proposals are intended as a starting point for discussions with Congress about new tools to improve processes and outcomes to improve the health of our public lands. The Forest Service will use its current management authorities, and any new authorities provided by Congress, in support of shared stewardship.

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Question 7: Your testimony notes that the agency is continuing to address workplace harassment and you are committed to improving the agency's culture.

Can you identify where in the FY2020 budget proposal resources will be utilized to address harassment, including resources to specifically address the IG's audit that was published in February 2019?

Answer: In fiscal year 2018, the Forest Service created the Work Environment and Performance Office (WEPO), headed by a Senior Executive, whose sole focus is on workplace issues including harassment. This Office is also responsible for addressing issues that were raised in the February 2019 OIG audit. In addition, this Office will be conducting an agency-wide Work Environment Assessment to assess employee's experience with aspects of the workplace environment. Further, the Office will conduct evaluation of supervisory training across the agency and will provide victim advocate and ombuds resources to employees. The WEPO is financially managed by the agency's Washington Office, and funded through the General Management funding request in the 2020 President's Budget.

Question 8: Rapid Ohia Death continues to threaten our native ohia forests in Hawaii, which are critical to sustaining the main source of water for the islands. Dying ohia were first noticed in Hawaii in 2012, then in 2014 USDA ARS identified the responsible fungus (Ceratocystis), and in 2018 it was realized that 2 related fungal species were responsible for causing Rapid Ohia Death. While originally found on Hawaii Island, the disease was found to have spread to Kauai in 2018. The state of Hawaii is leading a multiagency response made up of state, federal, and non-profit organizations to address Rapid Ohia Death. While the state of Hawaii has allocated over $1 million to respond to Rapid Ohia Death federal funding is necessary to leverage that funding.

Will the Forest Service commit to providing resources necessary to help the state of Hawaii respond to and combat Rapid Ohia Death, including improving tree disease resistance?

Answer: Since 2016, the Forest Service has provided approximately $750,000 for Rapid Ohia Death activities, including surveys to determine the location of diseased ohia on the islands, treatments to kill fungi in ohia logs, and work to find and propagate ohia trees that are resistant to the fungi. In fiscal year 2018, the agency provided $200,000 to Hawai`i Division of Forestry and Wildlife for Rapid Ohia Death - related activities which included approximately 60,000 acres of monitoring and detection. The agency would be happy to have further discussions with this Committee regarding how best to combat Rapid Ohia Death in Hawaii.

Question 9: What work does the Forest Service have planned for the US Affiliated Pacific Islands?

Answer: Scientists at the Forest Service's Institute of Pacific Islands Forestry (IPIF) are engaged in activities across the U.S. Affiliated Pacific Islands involving a number of topics, including wildfire prevention, forest recovery, invasive species, sea level rise, and mangrove resilience. The Forest Service also continues to offer annual cooperative forestry and fire grants to the U.S. Affiliated Pacific Islands.

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Question 10: What climate change work is the Forest Service planning for the Pacific Southwest Region, including addressing sea level rise, drought, warming, and fire?

Answer: Forest Service scientists are researching the relationships between drought, fire, and erosion in Pacific Island ecosystems; scientists are also incorporating species ranges to understand the impacts of warming and sea level rise on forest and mangrove restoration. In the Pacific Southwest Region, scientists are studying the ability of trees to adapt to changes in climate. The agency is also working with tribal communities to examine climate-related threats to tribally valued habitats and forest resources.

Questions from Senator Martha McSally

Question 1: The 2014 Farm Bill authorized the Forest Service to designate special "Insect & Disease Areas" on Forest Service lands, which prioritizes those areas for forest health projects. These Insect & Disease Designations currently cover 74 million acres across 36 states.

In those areas, the Forest Service has proposed 186 treatment projects, and of those, 144 proposed projects have signed actions.

According to the Forest Service budget justification document, it appears that Arizona has only one 3,000-acre treatment project (Oky Fla Project at Heber, AZ) out of the 6.5 million acres of National Forest Land in Arizona designated as Insect & Disease Areas.

Could the Forest Service be doing more to treat bark beetle tree mortality in Arizona under this 2014 Farm Bill authority?

Answer: The 2014 Farm Bill Insect and Disease Authority is an important tool for sustaining forest health in Arizona. The Oky Flat project is one example in which use of this authority has worked well. At a landscape-scale, we are continually addressing insect and disease issues through National Environmental Policy Act analyses and resultant restoration projects that not only address bark beetle risk, but meet multiple objectives including hazardous fuels reduction. This integrated approach is exemplified by the completed Four Forest Restoration Initiative Phase 1 Environmental Impact Statement (EIS) and pending 900,000-acre Rim Country EIS.

The Forest Service also provides funds to the State of Arizona and to Arizona national forests for treatments to control bark beetle.

Question 2: I recently met with Southwest Regional Forester Cal Joyner to talk about Arizona priorities and projects. A top priority both for me and local Forest Service officials is improve access to the Fossil Creek area of the Coconino and Tonto National Forests. As one of only two Wild and Scenic Rivers in Arizona, Fossil Creek is a popular area for visitors to hike, swim and explore the rare riparian landscape that follows Fossil Creek from its inception at Fossil Springs along the creek's 14 mile stretch to join the Verde River downstream.

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Although various efforts to control the number of visitors in the area during peak periods, such as through a reserved parking permit process, have shown success in reducing user impact and emergency rescue calls, Mr. Joyner mentioned the Forest Service is considering closing parts of the recreation area or access trails during peak season to further curtail visitation.

Are additional access restrictions to Fossil Creek being considered by the Forest Service and which local stakeholders have been consulted in the process?

According to information provided to my office by Mr. Joyner and in a March 2019 letter from the Forest Service to the Pine-Strawberry Fire District (attached), $6 million is needed to repair Forest Service Road 708, an important access route, on top of $100,000 in annual maintenance.

Is this number accurate? Are there other actions that can be taken or resources needed to improve both visitor and emergency crew access to Fossil Creek?

Answer: A comprehensive river management plan (CRMP) development process for Fossil Creek is underway. Under consideration in the proposed management plan are several alternatives that could change public access to Fossil Creek. Some alternatives would substantially increase public access to Fossil Creek over the long term if funding and resource conditions allow, while others would reduce permitted access. All alternatives would manage recreational use of Fossil Creek by improving recreation sites and facilities, managing visitor capacity, and/or modifying trails.

Public feedback has been solicited throughout the CRMP development process. Local stakeholders consulted include the Gila County Board of Supervisors, Gila County Public Works Department and Sheriff's Office, Pine-Strawberry Fire Department, Yavapai-Apache Nation, Tonto Apache Tribe, White Mountain Apache Tribe, San Carlos Apache Tribe, utility provider CenturyLink, Arizona Game and Fish Department, U.S. Fish and Wildlife Service, other conservation and recreation user groups, and local communities in the area. The Coconino National Forest will analyze the public's feedback in order to develop and publish a draft decision with allowable uses. Coordination is ongoing between the Tonto National Forest and Gila County to determine whether a temporary closure of Fossil Springs trail may be needed during peak season of use to mitigate capacity concerns of local fire districts and emergency responders.

Forest Road (FR) 708 once provided the shortest road access for emergency responders from the top of the canyon on the Tonto National Forest down to Fossil Creek. The Tonto National Forest closed this road to public motor vehicle travel in 2011 after years of frequent rock fall and landslides. However, Fossil Creek is currently accessible by motor vehicles from the Coconino National Forest.

Based on the most current field assessments completed by agency geotechnical and civil engineers, it will cost approximately $6 million to repair the damaged roadbed and stabilize the slopes on FR 708 to provide for safe access, an estimate that far exceeds the Tonto National Forest's annual budget. We

estimate that an additional $150,000 will be needed on an annual basis to maintain the roadbed surface. The Forest Service is exploring opportunities to fund the needed repairs and the annual maintenance.

Currently, Fossil Creek is accessible by motor vehicles from the Coconino National Forest. Discussions with local officials indicate that Gila County may be interested in assuming an easement that will allow the County to perform annual maintenance after FR 708 has been brought to a safe standard.

Although FR 708 has been closed to the public since 2011, emergency responders have been allowed access to Fossil Creek. A recent rock fall on FR 708 occurred on March 18, 2019 and completely blocked the road. FR 708 was closed to all traffic at that time.



The Honorable Lisa Murkowski
Chairman
Senate Appropriations Committee
Subcommittee on Interior, Environment, and Related Agencies

The Honorable Tom Udall
Ranking Member
Senate Appropriations Committee
Subcommittee on the Interior, Environment and Related Agencies

April 4, 2019

Dear Chairman and Ranking Member:

On behalf of the thousands of diverse trail users our 219 collective organizations represent, we urge appropriators to adequately invest in our nation's trails. Trails provide access to our public lands for hiking, biking, horseback riding, off-highway vehicles, and other motorized and non-motorized recreation. They are also the gateway to nearly every facet of outdoor recreation, including fishing, hunting, wildlife viewing, camping, and more. A failure to maintain and manage our nation's trails stymies economic growth and access to healthy outdoor recreation.

Recent data from the Department of Commerce's Bureau of Economic Analysis (BEA) calculated that outdoor recreation generated $734 billion in economic activity in 2016, surpassing other sectors such as agriculture, petroleum and coal. Outdoor recreation makes up 2.2% percent of U.S. GDP, supports 4.5 million jobs and is growing faster than the economy as a whole.[1]

According to the Outdoor Industry Association, trail centered activities directly generate over $594 billion[2] and nearly 3.5 million jobs.[3] On federally managed land, outdoor recreation contributes more than $64.6 billion to the national economy and supports more than 623,000 jobs annually.[4]

The management of our nation's trails is largely supported by trail organizations and citizen volunteers who leverage government resources to maintain and expand our trails. On the National Trails System alone, since 1995, hundreds of thousands of citizen volunteers have contributed more than 19 million

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[1] Bureau of Economic Analysis, Outdoor Recreation, https://www.bea.gov/data/special-topics/outdoor-recreation (last visited March 25, 2019).

[2] OUTDOOR INDUSTRY ASSOCIATION, OUTDOOR RECREATION ECONOMY 18 (2017), *available at* https://outdoorindustry.org/wp-content/uploads/2017/04/OIA_RecEconomy_FINAL_Single.pdf. Trail centered activities generated $594,311,835,880 from including retail spending, salaries, and federal and state taxes.

[3] *Id.* Trail centered activities create 3,476,845 jobs.

[4] OUTDOOR INDUSTRY ASSOCIATION, OUTDOOR RECREATION ECONOMY 15 (2017), *available at* https://outdoorindustry.org/wp-content/uploads/2017/04/OIA_RecEconomy_FINAL_Single.pdf; "Forest Service Makes it Easier for Visitors to Enjoy National Forests and Grasslands." U.S. Forest Service, https://www.fs.fed.us/news/releases/forest-service-makes-it-easier-visitors-enjoy-national-forests-and-grasslands.

hours to build and maintain National Scenic and Historic Trails, and nonprofit trail organizations have contributed more than $200 million toward trail stewardship projects, a total value of $577.4 million.[5] This historical and ongoing public "sweat equity" investment has led to an increased recognition of the importance of adequate federal funding for our public lands and trails to maintain quality visitor experiences. It is our collective belief that Congress must restore the proper appropriated funding levels that have been cut over the decades that our federal land management agencies so desperately need. We maintain that current levels are inadequate but recognize the political realities of this challenge. Consequently, we strive to temper the recommendations to ensure at the very least current funding is maintained and not further reduced. However, we believe that restored and adequate funding is not only desperately needed but fully warranted.

We encourage the committee to adopt the following funding requests and report language, so the federal government can continue to benefit from private contributions and volunteer labor as well as provide inexpensive, healthy outdoor recreation options for your constituents:

Forest Service (USFS)

National Forest trails benefit everyone and receive increasing public use each year. Collectively, the National Forests provide 157,000 miles of trails for activities ranging from hiking, biking, horseback riding, off-highway vehicle usage, groomed winter trails for cross-country skiing and snowmobiling, and access points for "river trails." Yet this trail system is increasingly stressed and maintenance cannot keep pace with the growing demand due to inadequate funding. The lack of maintenance threatens public access to National Forests and could endanger the public safety if funding does not keep pace with public visitation.

Action:

- Maintain **Capital Improvement and Maintenance, Trails** as **individual funding line** item.
    - Justification: A dedicated line item in the Forest Service budget helps to ensure that Congress' desire to help clear the maintenance backlog is met, and funds are not used for other purposes.
- Fund **Capital Improvement and Maintenance, Trails** budget at **$100M** to address trail maintenance backlog and implementation of the National Forest System Trail Stewardship Act.
    - Justification: In 2016, Congress passed what was termed "the most bipartisan bill in Congress" -- the National Forest System Trails Stewardship Act -- to address its trail maintenance backlog, including doubling the output by volunteers and partners. But the USFS has yet to fully implement the Act due, in part, to a lack of resources and declining levels of staffing which hampers its ability to negotiate and oversee volunteer and cost-share agreements. The agency recently launched a 10-Year Sustainable Trails Stewardship Challenge and modest funding is needed to comprehensively address the well-documented trail maintenance backlog (GAO-13-618).

[5] Partnership for the National Trails System, Contributions Sustaining the National Scenic and Historic Trails (2018), http://pnts.org/new/partnership-for-the-national-trails-system-gold-sheet-of-volunteer-contributions-in-2018/.

- Allocate **Capital Improvement & Maintenance (CMTL) Trails** funds for the **National Trails Systems**

    - Report Language: "Congress expects the Forest Service to allocate $8.826 million from this account to support development and maintenance of the 5 national scenic and one national historic trail it administers and $1.3 million to manage parts of 16 national scenic and historic trails administered by the Park Service and the Bureau of Land Management that cross National Forests. The Forest Service will report to the Interior Appropriations Subcommittee on how the FY 2020 funds have been allocated and what has been accomplished with them and will include specific allocations for these trails in its FY 2021 Budget Request."

    - Justification: In FY19, as has been past practice for two decades, the USFS did not allocate specific Capital Improvement & Maintenance (CMTL) Trail funds for each of the six national scenic and historic trails that it administers, as well as portions of the 17 other trails that it manages within the national forests for FY 2019.

- Maintain **Recreation, Heritage & Wilderness** at FY19 enacted level of **$261M**

    - Report Language: "Within the fund provided, $500,000 is made available to support infrastructure and trails development, and to build the capacity of local user groups and partnership organizations for all National Recreation Areas administered by the Forest Service established after 1997."

    - Justification: The National Forests and Grasslands provide a great diversity of outdoor recreational opportunities, connecting the American public with nature in an unmatched variety of settings and activities.

- Restore **Legacy Roads & Trails** as a **separate line item** and fund program at **$50M**

    - Report Language: "For FY2020, Legacy Roads & Trails should be reinstated as a separate line item in the USFS budget with $50,000,00 distinctly designated for urgently needed road and trail repair, maintenance and storm-proofing, fish passage barrier removal, and road decommissioning, especially in areas where Forest Service roads may be contributing to water quality problems in streams and water bodies which support threatened, endangered or sensitive species or community water sources."

    - Justification: Legacy Roads & Trails funding is significantly impactful, improving more than 11,000 miles of trails and 5,000 miles of roads. Dedicated funding is necessary for continuing the success of this program. Legacy Roads and Trails contributes funding to support projects that include the maintenance and treatments of roads that also go a long way towards improving our watershed health.

National Park Service (NPS)

National Parks and the world-class experiences their 18,844 miles of trails provide are one of the most unifying forces in America. Well-maintained trails improve the quality of visitor experiences and

enhance visitor safety. Yet the agency's deferred maintenance has grown significantly under several Administrations and the associated reductions in adequate appropriations.

Action:

- **Park Service Operations for the National Trails System** must be maintained at a minimum of **$16.5M**
    - Justification: The National Park Service has administrative responsibility for 23 National Scenic and Historic Trails established by Congress. Adequate funding is essential for keeping these popular trails accessible to the public.
- Maintain funding for the **Rivers, Trails, & Conservation Assistance (RTCA)** program at **$10.033M**
    - Justification: The RTCA program brings the expertise of over a century of land management to the greater recreation community. When a community asks for assistance with a project, National Park Service staff provide free critical tools for success, on-location facilitation, and planning expertise, which draw from project experiences across the country and adapt best practices to a community's specific needs.
- Restore the **Challenge Cost Share** program, funding at **$1.5M**
    - Justification: Challenge Cost share leverages private donations with public funding to maximize trail maintenance resources. This Program is intended to support specific National Park Service mission-related projects that align with goals of local project partners. These partnerships promote improved access and opportunities for outdoor recreation, environmental stewardship, and education in our National Parks, National Trails and/or Wild and Scenic Rivers.
- Restore funding for **Volunteers in Parks** programs funding at **$8M**
    - Justification: Volunteers in Parks leverages private donation with public funding to maximize trail maintenance resources.
- Fund **Visitor Services subactivity, Youth Partnership Programs**, at **$10.95M**
    - Justification: The Youth Partnership Program in part funds the Public Land Corps program, which provides education and work opportunities for men and women aged 16-30. The NPS utilizes non-profit youth serving organizations to perform critical natural and cultural resource conservation projects at NPS sites. Without funding, projects completed by youth crews through these programs would not be accomplished. These projects range from masonry apprenticeships on historic structures to Tribal land improvements; to engaging other youth through coordination of culturally-based workshops and outdoor recreation clubs.

Bureau of Land Management (BLM)

The BLM manages 13,468 miles of trails over 245 million surface acres in the United States—more than any other federal land management agency. Most of the country's BLM-managed public land is located in 12 Western States, including Alaska, and contains a diversity of landscapes that often provide the public less structured but nonetheless diverse and superlative recreational opportunities.

BLM recreation resources and visitor services support strong local economies. More than 120 urban centers and thousands of rural towns are located within 25 miles of BLM lands.

Action:

- Fund **National Conservation Lands** at **$84M**
    - Justification: National Conservation Lands funds enhance recreational access, conserve the Nation's heritage and manage these nationally recognized resources.
- Fund **National Conservation Lands- National Scenic Historic Trails, subactivity Recreation Resources Management** at **$9.9M**
    - Justification: Recreation Resources Management funding preserves and provides public access to and allows for the enjoyment of the 16 National Scenic and Historic trails across BLM managed land.
- Increase **Challenge Cost Share** program funding at **$3M**
    - Justification: Challenge Cost Share funds leverage private donation for public benefit, to maximize funding for trail maintenance and construction. Recreation projects build trails, obliterate road and trails, and enhance visitor recreation experiences on public lands. Projects improve and stabilize Riparian areas and washed out bridges or walkways. Overall, projects also include support for environmental education, University research, and interactive youth initiatives based on the programs within the BLM.

U.S. Fish & Wildlife Service (FWS)

Located in every U.S. state and territory, and within an hour's drive of nearly every major U.S. city, National Wildlife Refuges provide incredible opportunities for outdoor recreation, including hiking, hunting, fishing, birding, boating and nature photography across 2,100 miles of trails. More than 37,000 jobs are reliant on refuges.

Action:

- Maintain **Refuge Visitor Services** at **$73.319M**
    - Justification: Refuge Visitor Services provides funding for trail maintenance across FWS managed land.

Land & Water Conservation Fund (LWCF)- Across All Agencies

Congress recently showed overwhelming bipartisan support for the Land and Water Conservation Fund (LWCF) when it permanently reauthorized the program in S. 47, the John D. Dingell, Jr. Conservation,

Management, and Recreation Act. Building upon this support, the committee must ensure that full funding of the program is provided at the $900 million level.

Action:

- Fund **LWCF** at the **$900M**
    - Justification: The LWCF has funded nearly 1,000 trail projects across the country and countless other recreation and conservation projects in thousands of communities in every state. It's time for Congress to fulfill its promise to provide full funding to the LWCF.
- Include within this appropriation **$33.4M** for **National Scenic and Historic Trails** projects
    - Justification: Many of the projects offer a unique opportunity to acquire lands that will help protect trails or close existing gaps between sections of these Congressionally-designated trails. Once land is acquired, volunteers and private funding stand ready to build/maintain the trails. This funding will protect 41 tracts along six national scenic and six national historic trails.

21st Century Conservation Service Corps (21CSC)- DOI, USDA (USFS), and Commerce (NOAA)

With the establishment of the 21st Century Conservation Service Corps (21CSC) as part of the Natural Resources Management Act of 2019, Congress recognized the need to address modern conservation, recreation, forestry, and infrastructure projects through cost-effective partnerships with Corps. We encourage you to continue this focus and make the additional investments necessary to carry its intent forward and put more young adults and recent veterans to work on the thousands of unmet needs on our public lands.

Action:

- **Conservation Corps Report Language**
    - Report Language: "The Secretary of the Interior and the Secretary of Agriculture are encouraged to utilize, where practicable, Conservation Corps programs like the Public Lands Corps, 21st Century Conservation Service Corps, other related partnerships with Federal, State, local, tribal or non-profit groups that serve young adults and veterans."

We look forward to working with Congress to fulfill these requests to protect, preserve, and maintain trails. For additional information please contact:

Tyler Ray, **American Hiking Society**, tray@americanhiking.org;
Steve Salisbury, **American Motorcyclist Association**, SSalisbury@ama-cycle.org;
Mike Passo, **American Trails**, mikepasso@americantrails.org;
Randy Rasmussen, **Back Country Horsemen of America**, WildernessAdvisor@bcha.org;
Spencer Gilbert, **Blue Ribbon Coalition/Sharetrails**, brspencer@sharetrails.org;
Josh Tuohy, **The Corps Network**, jtuohy@corpsnetwork.org;
Aaron Clark, **International Mountain Bicycling Association**, aaron.clark@imba.com;
Scott Schloegel, **Motorcycle Industry Council**, sschloegel@mic.org;
Gary Werner, **Partnership for the National Trails System**, gary@pnts.org;
Don Amador, **Post Wildfire OHV Recovery Alliance**, damador@cwo.com

Sincerely,

Accessible Trails Foundation
AccessWorks, Inc
Accomack-Northampton Planning District Commission
Action Coalition for Equestrians
Adirondack Rail Trail Advocates
Ala Kahakai Trail Association
Alaska State Parks
Alaska Trails
Almanor Recreation and Park District
American Conservation Experience
American Discovery Trail Society
American Endurance Ride Conference
American Hiking Society
American Motorcyclist Association
American Trails
Americans for Responsible Recreational Access
Anza Area Trail Town
Arizona Trail Association
Arizona Wilderness Coalition
Back Country Horsemen of America
- Back Country Horsemen of America- 3 Rivers Chapter, MT
- Back Country Horsemen of America- Green River, KY
- Back Country Horsemen of Michigan-Pigeon River and Beyond
- Back Country Horsemen of America- First Coast, FL
- Back Country Horsemen of America- Fort Harrod, KY
- Back Country Horsemen of America- Golden Horseshoe Chapter, VA
- Back Country Horsemen of America- Kentucky
- Back Country Horsemen of America- Minnesota
- Back Country Horsemen of America- Northern Colorado
- Back Country Horsemen of America- Northwest Montana
- Back Country Horsemen of America- Trout Creek, MT
- Back Country Horsemen of America-Utah
- Back Country Horsemen of Arizona
- Back Country Horsemen of Colorado
- Back Country Horsemen of Montana
- Back Country Horsemen of North Georgia
- Back Country Horsemen of Oregon
- Back Country Horsemen of the Virginia Highlands
- Back Country Horsemen of Utah- San Rafeal
- Back Country Horsemen of Washington
- East Slope Back Country Horsemen-MT
- Front Range Back Country Horsemen-CO

Gallatin Valley Back Country Horsemen- MT
Hoosier Back Country Horsemen of America- IN
Mesa Verde Back Country Horsemen-CO
Rocky Mt Back Country Horsemen-CO
San Juan Back Country Horsemen- CO
Sarasota Back Country Horsemen- FL
Selway-Pintler Wilderness Back Country Horsemen- MT
Wyoming Back Country Horsemen of America
Zumbro Bottoms Back Country Horsemen of Minnesota
Bay Area Barns and Trails
Bent's Fort Chapter of the Santa Fe Trail Association
Bike Walk Montana
Bike-Walk Alliance of NH
Blue Ribbon Coalition/Sharetrails
Borough of Gibbsboro
C&O Canal Association
Cache County
Canalway Partners
Cape Horn Conservancy
Cedar Valley Cyclists
Central Oregon Trail Alliance
Champlain Area Trails
Chelan-Douglas Land Trust
Chesapeake Conservancy
Choose Outdoors
City of Westminster
Colorado Plateau Mountain Bike Trail Assoc, Inc. (COPMOBA)
Community Training Works, Inc.
Concerned Coastal Planners
Concerned Off-Road Bicyclists Association
Connecticut Forest & Park Association
Conservation Works LLC
Conserving Carolina
Continental Divide Trail Coalition
County Line Riders of Catalina
The Corps Network
Crow Wing County Snowmobile Trails Association
Dan River Basin Association
Delaware Valley Trail Riders
E mau Na Ala hele
East Coast Enduro Association, Inc.
El Camino Real de los Tejas National Historic Trail Association
Enchanted Circle Trails Associaiton
Evansville Trails Coalition

Fitchburg Trails Vision Committee
Forest Fire Lookout Association - NC Chapter
ForeverGreen Trails
Friend of the Tonto National Forest
Friends of Chimney Rock State Park
Friends of Sholan Farms
Friends of the Hennepin Canal
Friends of the Keystone Arches, Inc.
Friends of the Mississippi Blufflands Trail
Friends of the Mountains-to-Sea Trail
Friends of Van Cortlandt Park
Friends of Weiser River Trail Inc
Gallup Adventure & Beyond
Georgia Trails Alliance
Grand Mesa Jeep Club
Green Hills Trail Association
Green Marble Enduro Riders
Greenway Action Advisory Committee
Harlem Valley Rail Trail Association, Inc
Hawaii Department of Land and Natural Resources, Division of Forestry & Wildlife
The Hickstead Hillbillies
Highlands Plateau Greenway
Hilltop Community Resources
Hoosier Hikers Council
Hut2hut.info
Ice Age Trail Alliance, Inc
Iditarod Historic Trail Alliance
International Mountain Bicycling Association
Iron Ore Heritage Recreation Authority
Judith Basin Back Country Horsemen
Lake Champlain Committee
Leominster Trail Stewards
Lewis and Clark Trust, Inc.
Lewis County Recreation, Forestry and Parks
Linn County Conservation Board
Lobos Motorcycle Club
Mahoosuc Land Trust
Mahoosuc Pathways, Inc.
Maine Recreation and Parks Association
Maine Trail Riders Association, Inc.
Maricopa Trail and Park Foundation
Marin Municipal Water District
Meramec Valley Trail Association
Michiana Watershed

Middlesex County Conservation Corps
Milwaukee Riverkeeper
Monmouth County Park System
Monogahela Outdoor Volunteers
Montana Trails Coalition
Mormon Trails Association
Motorcycle Industry Council
MTB Missoula
National Coast Trails Association
National Washington-Rochambeau Revolutionary Route Association
Nature Legacies
Nevada All State Trail Riders
Nevada Department of Conservation and Natural Resources
New Jersey Recreation and Park Association
New Jersey Youth Corps of Phillipsburg
New Mexico Horse Council
New Mexico Sportsmen
New River Alliance of Climbers
New York-New Jersey Trail Conference
Newtown Parks and Recreation
Nickel Plate Trail Inc
North Country Trail Association
North County Land Trust
Oahu Na Ala Hele
Ocean County Competition Riders
Oregon Equestrian Trails
Oregon Horse Council
Oregon Natural Desert Association
Oregon-California Trails Association
Overmountain Victory Trail Association
Ozark Trail Association
Pacific Crest Trail Association
Pacific Northwest Trail Association
Park County Pedalers
Parks & Trails Council of Minnesota
Partnership for the National Trails System
Pennsylvania Parks and Forests Foundation
Pennsylvania Recreation and Park Society
Pikes Peak Outdoor Recreation Alliance
Pine Barrens Adventure Camp LLC
Pioneer Bridges
Pitkin County Open Space and Trails
Post Wildfire OHV Recovery Alliance
Prickly Pear Land Trust

Public Lands Alliance
Rail-Trail Council of NEPA, Inc
Recreational Off-Highway Vehicle Association (ROHVA)
Red Rock Motorsports Club, Inc.
Rock County Multi Use Trail Group
Rock River Trail
Rocky Mountain Field Institute
San Luis Valley Great Outdoors
Santa Fe Trail Association
Shenandoah Valley Bicycle Coalition
South Jersey Enduro Riders, Inc.
South Penn Enduro Riders Inc.
Southbridge Trails Committee
Southeast Minnesota Back Country Horsemen
Southern Off-Road Bicycle Association
Specialty Vehicle Institute of America (SVIA)
Steffey Trail Connections
Sugar Land Parks and Recreation Dept.
Sunflower Rail-Trails Conservancy
Superior Hiking Trail Association
Tahoe Rim Trail Association
Tahoe-Pyramid Trail
Tidewater Appalachian Trail Club
Torrington Trail Network
Trail Boss USA
Trail Facts
Trail of Tears Association
Trails and Open Space Coalition
Trails Inspire, LLC
Trails Utah
Tri County Sportsmen
Upper Valley Trails Alliance
Urbana Park District
Valley Center Trails Association
Velo Amis
Vermont Woodlands Association
Virginia Trail Alliance
Volunteers for Outdoor Colorado
Washington Area Bicyclist Association (WABA)
Washington Trails Association
The Wilderness Society
Wildlands Restoration Volunteers
Wisconsin Horse Council - Trails
Wyoming Pathways
Yellowstone River Parks Association

