

Statement of Christopher Pyron
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Before
Senate Energy and Natural Resources Committee
Subcommittee on Public Lands and Forests
Concerning
Senate Resolution 387, Commemorating the 40th Anniversary of the
Wilderness Act,
H.R. 1651 Sierra National Forest Land Exchange,
And
S. 2410 Wildland Fire Safety Act
September 29, 2004

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to discuss with you these measures.

Senate Resolution 387 commemorating the 40th anniversary of the signing of the Wilderness Act

The Department supports Senate Resolution 387 commemorating the 40th anniversary of the Wilderness Act.

With the signing of the Wilderness Act by President Lyndon B. Johnson on September 3, 1964, the National Wilderness Preservation System was established to "*...secure for the American people of present and future generations the benefits of an enduring resource of wilderness.*"

The Forest Service has played a large and significant role in forging a wilderness philosophy and bringing about the Wilderness Preservation System that we see today. The early supporters of wilderness in America, Aldo Leopold, Bob Marshall and Arthur Carhart were all Forest Service employees who had a vision of preserving portions of the American continent to retain its primeval character and influence, without permanent improvement or human habitation. They saw the increasing encroachment of civilization onto the American landscape and realized the value of setting aside tracts of land where man is but a visitor and natural processes are allowed to occur.

In 1924, at Aldo Leopold's insistence, the Forest Service designated the Gila Wilderness located on the Gila National Forest in southern New Mexico, as the world's first designated wilderness area. Today the Forest Service oversees nearly 35 million acres of wilderness which represents 32% of the National Wilderness Preservation System.

H.R. 1651 Sierra National Forest Land Exchange

H.R. 1651 authorizes the exchange of 160 acres of Federal land on the Sierra National Forest in California for 80 acres of non-Federal land within one year. The bill would provide for the exchange of a private in-holding in two isolated parcels of federal land, this improving management efficiency for the Sierra National Forest. A portion of the federal parcel is subject to an existing federal hydropower license.

The Department supports the bill but would like to work with the Subcommittee on amendments or report language to clarify the Secretary's authority regarding the easement associated with the subject lands.

H.R.1651 specifies the value of the Federal land to be \$250,000 and the value of the non-Federal land to be \$200,000. The bill gives the Secretary the authority to accept a cash equalization payment of 20 percent of the value of the Federal land or 25 percent of the value of the non-federal land. The conveyance would be subject to a condition that the recipient of the Federal land would agree to convey the land, within four months to the Sequoia Council of the Boy Scouts of America. The conveyance would also be made subject to valid existing rights including the easement required under 4 (c).

S. 2410 Wildland Firefighter Safety Act

S. 2410, the Wildland Firefighter Safety Act of 2004, would require the Secretary of Agriculture and the Secretary of the Interior to track funds expended for firefighter safety and training programs and activities and to include a line item for such expenditures in annual budget requests. This bill would also require the Secretaries to jointly submit a report on the implementation and efficacy of wildland firefighter safety and training programs and activities to Congress each year. In addition, the bill would

direct the Secretaries to ensure that any Federal contract or agreement with private entities for firefighting services requires the entity to provide firefighting training consistent with qualification standards set by the National Wildfire Coordinating Group. The Secretaries would be further directed to develop a program to monitor and enforce compliance with this contracting requirement.

Both Departments recognize the importance of firefighting training for all wildland firefighters and have taken significant steps to improve training and ensure that our existing systems document performance regarding safety. However, for reasons I'll explain shortly, the Departments believe the bill is not necessary. If the Committee ultimately decides S. 2410 is necessary, the Departments of Agriculture and the Interior would like to work with the Committee to address our concerns with the current version of the bill.

Safety and training are the major part of firefighter preparedness. Formal classroom training, on-the-job training, drills, discussions, and reviews are part of an extensive training program. Firefighters must complete both coursework and multiple training assignments before they are certified for positions.

The Departments are concerned that the inclusion of a budget line item within the proposed legislation may not achieve the oversight desired and may undermine the benefits of agency-wide safety efforts. These efforts occur across multiple budget activities and would not be visible at the budget line item level. Virtually every firefighting training course that is offered today includes some element of fire safety training. It is difficult to assess the entire cost of firefighter safety because it is not just the quantity of training but also the quality of the training and the performance of each firefighter. Quality assurance is an important component of any safety effort.

Rather than focus upon budget structure, the Departments suggest that the establishment, use, and reporting of firefighter safety performance measures and practices would provide improved safety accountability and assist with our efforts to improve safety performance, assure quality, and implement lessons learned and best practices in an open and transparent manner.

With regard to contracts and agreements for contract firefighters, our Forest Service and Department of the Interior contracts require firefighting training

and experience as prescribed by the qualification standards established by the National Wildfire Coordinating Group. We agree that a program to monitor and enforce compliance with these standards is essential. This has been a challenge due to the explosive growth in the number of contract resources available. However, positive steps are underway to address this concern:

- The Pacific Northwest region has the bulk of contract fire fighting resources. A task group has been formed to design effective business processes for managing a contracted resource program and these “best practices” will be considered for adoption in other parts of the country.
- This past summer, a contract was issued to perform pre-season inspections of fire crews, engines and water tenders. This effort is promising and will be continued.
- Additional training for agency personnel to act as inspectors and contract administrators for contract resources on assignment is on going.

Recently, the USDA Office of Inspector General (OIG) completed a review of the Forest Service Firefighting Safety Program. That report identified four areas in which the agency can strengthen efforts to promote firefighter safety. The report noted that the Forest Service has made significant improvements in the safety of its firefighting operations. The report also noted that the Occupational Safety and Health Administration (OSHA) investigative report for the Thirtymile Fire identified weaknesses in the enforcement of safety standards but acknowledged that the Forest Service had excellent written firefighting safety policies and procedures. Units visited by OIG during their audit conducted regular fire safety training. Those firefighting personnel interviewed as part of the audit gave positive reviews of the manner in which the agency emphasized and incorporated safety into training operations. Finally, OIG found that the Forest Service continues to improve its coordination with other wildland firefighting organizations and has required additional courses for its own firefighting personnel.

The four areas that the OIG identified as needing greater attention were: (1) monitoring the agency’s response to fire safety recommendations, (2) maintaining centralized records to support firefighting qualifications, (3) conducting administrative investigations on serious fire accidents, and (4) incorporating firefighting safety standards as critical elements in firefighter

performance evaluations. We concur with these findings and their associated recommendations. We are working with OIG on its list of recommended actions.

In reviewing the similarities among the incidents that led to fatalities over the last ten years, we realized the need for Type 3 Incident Commanders (ICs) to be capable of performing at a higher level of competency to oversee and manage transition fire operations. We now require Type 3 ICs to undergo a simulation to test their decision making skills when faced with the kinds of conditions that lead to the tragedies at Storm King, Thirtymile and Cramer. Every Type 3 incident commander was required to be tested for sufficient leadership and decision making skills for the 2004 fire season. One thousand sixty eight people completed simulation; 64 retook the simulation; in all, 30 did not pass the assessment. We are working with the National Wildfire Coordinating group for protocols to test other types of firefighting positions.

We continually evaluate our firefighter safety programs. As this Subcommittee is aware, after the investigations of fatal fires in the last 10 years, we reexamined our programs in depth and implemented numerous, significant changes. These changes were developed in cooperation with the Occupational Safety and Health Administration, the Department of the Interior and other interagency partners through the National Wildfire Coordinating Group. For example, we improved our fire complexity analysis; enhanced the training and accountability of agency administrators involved in fire suppression; clarified and emphasized fatigue awareness; and improved work/rest guidelines. We also modified driving guidelines for our employees and our contractors. We recently began the use of the Incident Qualifications Certification System. The new certification system enhances our ability to track the formal training and on-the-job training of each federal firefighter. With this system, managers and supervisors can better measure previous training and determine future training needs.

Beyond procedural steps and guidelines, we are concentrating on human factors such as experience, leadership, and performance. One of the major initiatives in this realm is the interagency Wildland Fire Leadership Development Program. The program is comprised of three major components. The first is a set of leadership values and principles that define good leadership and provide a framework for evaluating the performance of firefighters in leadership roles. The second component is a curriculum of

formal leadership development courses that are designed to span the career of wildland firefighters from entry levels to management levels. The third component is an on-line resource (www.fireleadership.gov) that assists individual firefighters seeking to improve their leadership skills through self-directed continuing education efforts. Emphasis is placed on preparing leaders for the decision-making demands of firefighting.

The OIG audit examined the performance of some of our contract crews and concluded there is no indication the recently implemented control improvements would not be effective in improving contract crew quality. Contracted firefighting resources are an important capability for the agencies. We recognize our responsibilities for these resources, and we are striving to improve our management oversight of these resources to ensure safe, reliable performance.

Mr. Chairman and members of the Subcommittee, it grieves us terribly to lose any firefighter. We have made many changes to respond to gaps in our programs. We believe that thinking of firefighter preparedness as a whole, rather than specific training courses, helps us in assessing quality and effectiveness. We welcome continuing oversight from Congress to help us make further progress in area.

Summary

Thank you, Mr. Chairman and members of the Subcommittee. I would be happy to answer your questions.