

Congress of the United States
Washington, DC 20515

September 18, 2021

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
H-232, U.S. Capitol
Washington, D.C. 20515

The Honorable Charles E. Schumer
Majority Leader
U.S. Senate
S-221, U.S. Capitol
Washington, D.C. 20510

The Honorable Kevin McCarthy
Minority Leader
H-204, U.S. Capitol
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
S-230, U.S. Capitol
Washington, D.C. 20510

Dear Speaker Pelosi, Leader McCarthy, Leader Schumer, and Leader McConnell,

We are writing to request immediate action through the Continuing Resolution or Disaster Supplemental to address the needs of incident managers, senior leaders, and others involved in wildland firefighting efforts at the Department of the Interior and the Department of Agriculture. Specifically, we ask for the inclusion of necessary authorities to waive limitations on overtime and premium pay for wildland firefighters as proposed in H.R. 4274, the Wildland Firefighter Fair Pay Act.

As wildfires, coronavirus and other natural disasters continue to test emergency responders, we believe urgent Congressional action is needed to ensure that federal employees responding to wildfires are receiving full and fair compensation for their on-going efforts to protect lives and communities. With three months to go in 2021, we've already set a record for the number of days at National Wildfire Preparedness Levels 4 and 5 (PL4/5). Operational days at PL4/5 indicate large, complex wildland fire incidents across multiple geographic areas with the potential to exhaust national wildland firefighting resources, including the commitment of Incident Management Teams. The U.S. Department of the Interior and Department of Agriculture have indicated that as many as 500 positions could hit statutory pay caps by the end of the calendar year, effectively preventing impacted individuals from accepting fire assignments even as wildfires continue to burn around the country.

Congress has previously provided similar waivers including for federal employees responding to coronavirus, Secret Service employees performing protective duties, and for employees serving in certain overseas locations.¹ The last two years dealing with coronavirus and larger, more severe wildfires has strained agency resources and pushed emergency personnel, especially wildland firefighters, to their limits. Congress should recognize these unique circumstances and provide a waiver for firefighters, similar to how has been done in response to other exceptional


¹ Fiscal Year 2021 Consolidated Appropriations Act (P.L. 116-260, Division M); Section 2 of the Overtime Pay for Protective Services Act of 2016 (5 U.S.C. 5547), as amended by Public Law 115-383; Section 1105 of the William M. (Mac) Thornberry National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2021 (Public Law 116-283).

circumstances. Furthermore, the availability of annual wildfire suppression funding should be adequate to cover any costs associated with a waiver.

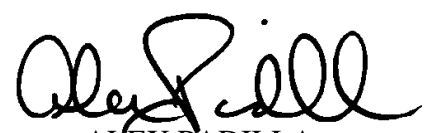
We strongly agree with the need for the land management agencies to develop more permanent workforce and fiscal solutions related to wildfire, and we look forward to engaging further with the administration on reforms to ensure that federal workers supporting or serving as wildland firefighters are appropriately recognized and compensated for their work.


More immediately, however, Congress should act in the Continuing Resolution to provide the necessary authorities to keep our most qualified and credentialed wildfire personnel on the job with due compensation. Failure to act could literally be the difference between preventing another bad wildfire from becoming a truly catastrophic one, endangering lives, firefighters on the ground, and communities. Again, we strongly support language to address 2021 firefighter pay limitations in upcoming spending legislation and stand ready to support these efforts.

Sincerely,


JOSH HARDER
Member of Congress



JOE NEGUSE
Member of Congress



ALEX PADILLA
United States Senator


RAÚL M. GRIJALVA
Member of Congress


JARED HUFFMAN
Member of Congress


ZOE LOFGREN
Member of Congress


JIMMY PANETTA
Member of Congress


SCOTT PETERS
Member of Congress


KATIE PORTER
Member of Congress


MIKE THOMPSON
Member of Congress