

## Emergency Order Response Talking Points

August 13, 2026

It is our understanding that U.S. Senator Tim Sheehy from Montana has drafted an emergency order for the President to immediately make changes to the current wildland fire system, including consolidating all fire response under USDOl – Wildland Fire Service (USWFS).

### Is this really a good time to consolidate agencies?

On July 18, 2026, the National Interagency Fire Center raised the national preparedness level to Planning Level 5 (PL). Planning Level 5 is the highest national preparedness level in the United States for wildland fire. It indicates extreme wildfire activity, heavy commitment of firefighting resources nationwide, and potential limits on additional crews, aircraft, and equipment. Currently the Great Basin and Pacific Northwest are at PL5. The North American Seasonal Fire Assessment and Outlook from Predictive Services at NIFC shows continued warm and dry fire weather into early fall for additional fire growth. Why would anyone at this point and time want to make whole scale changes to the current wildland fire system by consolidating assets and command under the USWFS.

The recent NMAC Correspondence L2026-13 states *“As we continue our interagency wildfire response, the safety of firefighters and the public remains our highest priority. Take the time to evaluate strategies, tactics, and actions before implementation. Identify hazards and establish appropriate mitigations”*. Changing who/what agency has organizational control of resources does not fix a resource availability issue. Transferring that control to a new agency, USFWS, which is still working under transitional guidance during one of the most active seasons in history is foolhardy and does not meet the intent of the NMAC directive.

### Didn't Congress already state its intent?

The emergency order would have the President override existing institutional structures under the guise of an emergency. Emergency authority does not change existing law. Congress historically enacted presidential reorganization plans that transferred functions, Executive Order 14308 is not an authority for reorganization. Executive Order 14308 repeats the phrase "consistent with existing law" six times.

Congress required an independent feasibility study on consolidating U.S. Forest Service wildland fire operations into the Department of the Interior's U.S. Wildland Fire Service in late January 2026 within the joint explanatory statement accompanying the Fiscal Year 2026 Interior Appropriations Act (P.L. 119-74).

Lawmakers directed the Secretary of Agriculture, in consultation with the Secretary of the Interior, to contract an independent, non-partisan research organization with land management expertise. The study evaluates the operational, structural, financial, and workforce impacts of transferring the Forest Service Fire and Aviation program into DOI. The U.S. Forest Service awarded this \$1.16 million contract to the Research Triangle Institute on August 4, with the final report targeted for completion by February 15, 2027. The emergency order is simply a way to bypass congressional intent.

### **How do you pay for national mobilization?**

One of the key components of the emergency order is to implement a national resource database of all federal, state, county, and city, and volunteer assets that can be activated to respond to incidents nationwide, including any fire department receiving federal funding.

While states have capacity to move resources using state to state compacts for state assets/resources for state jurisdiction fires only, there are no nationwide federal agreements in place to mobilize local government resources, the only agreements in place for reimbursements are at the local level only. There have been several attempts to establish a national database for availability of local resources including fire departments, fire districts and municipalities. In every attempt, these entities refused to participate until agreements for reimbursements were completed that addressed fair compensation for mobilization and backfill at the local level. At this point, the USWFS does not have the capacity to develop such agreements and administer such a national database that would be useful on federal wildland fires.

While states have some capacity to move resources using state-to-state compacts, there is no federal policy in place to allow payments for services provided. At this point, USWFS does not have the capacity to administer such a national database.

### **The Interagency Coordination System Works—and Can Be Improved**

Clearly effective wildland fire management requires all partner's cooperation, federal, state, tribal, and private. The National Cohesive Wildland Fire Management Strategy (2009) is a strongly supported long-term interagency strategic plan for wildland fire management. It provides the framework to work collaboratively among all stakeholders and across all landscapes to make meaningful progress towards the three goals of:

- Resilient Landscapes,
- Fire Adapted Communities, and
- Safe and Effective Wildfire Response.

Cross boundary and government-level coordination cannot be lost in efforts to improve the holistic wildland fire management system. The Cohesive Strategy and all revisions have been approved by the last three administrations.

The current interagency coordination and response system has been in place since 1976, with ongoing improvements to meet changing conditions.

National coordination through the National Interagency Coordination Center (NICC) in Boise, along with regional and state Interagency Geographic Coordination centers, provides a proven framework.

**The Fire and Non-Fire Workforce Are Interdependent, what is the plan to maintain the non-fire workforce?**

Of the ~19,360 fire-qualified (red-carded) Forest Service personnel, approximately half (9,597) are non-primary fire staff—serving as secondary firefighters, overhead, and support personnel. The non-fire workforce (“militia”) holds a significant share of the agency’s prescribed fire qualifications, particularly in the southern states.

On complex incident management teams, a high percentage of qualified personnel are militia and Administratively Determined (emergency firefighter) employees—without them, we could not staff all the current teams during fire season. This proposal does not address nor include these “militia,” which will continue to work for not only the Forest Service but the other DOI land management agencies.

Primary fire personnel also perform critical non-fire duties during the off-season: road and trail clearing, recreation maintenance, range fence building, and fuels reduction. How this work would be accomplished under a transferred structure remains unanswered.