

### United States Department of the Interior

## OFFICE OF THE SECRETARY Washington, DC 20240

#### DOI WILDLAND FIRE PROGRAM POLICY MEMORANDUM No. 2024-007

To: Director, Bureau of Land Management

Director, National Park Service

Director, U.S. Fish and Wildlife Service

Director, Bureau of Indian Affairs Commissioner, Bureau of Reclamation

Director, U.S. Geological Survey

From: Jeffery Rupert, Director, Office of Wildland Fire

Subject: Guidance for Full-Year Fiscal Year 2024 Budget Allocations and Execution for

the Consolidated Appropriations Act, 2024 (Public Law 118-42)

Due Dates: 14 days after the effective date (see below): For Fuels Management, to update

information on programs of work in the National Fire Plan Operations and Reporting System (NFPORS) or Interior Fuels and Post-fire Reporting System

(IFPRS) for full-year allocations

14 days after the effective date (see below): For Burned Area Rehabilitation, to

update information on programs of work in NFPORS or the Vegetation

Management Action Portal (VMAP) for full-year allocations

May 31, 2024: For Staffing, to submit to the Office of Wildland Fire (OWF) a

national-level bureau strategic recruiting plan

May 31, 2024: For Unobligated Balances of funding from FY 2023 or earlier, to

provide OWF an update on the status of the components of each unobligated

balance and the plan to obligate the funding

August 30, 2024: For Unobligated Balances of funding from FY 2022 or earlier

(excluding funding from the Infrastructure Investment and Jobs Act, or "Bipartisan Infrastructure Law," and funding for Facilities Construction and Maintenance), OWF requests that bureaus/offices return to the WFM Parent account any remaining unobligated balances for reallocation to other bureaus

October 15, 2024: For Fuels Management and Burned Area Rehabilitation, to

report annual accomplishments

Effective Date: May 8, 2024

Expiration Date: Remains in effect unless rescinded or modified.

<u>Purpose</u>: This Policy Memorandum (PM) provides direction regarding budget allocations and execution for the Department of the Interior's Wildland Fire Management (WFM) program for Fiscal Year (FY) 2024, based on the Consolidated Appropriations Act, 2024, Public Law (P.L.) 118-42.

#### **Background:**

**Appropriations:** P.L. 118-42, which was enacted March 9, 2024, appropriates a total of \$1,463,471,000 for Interior's WFM program for FY 2024. All these funds are regular appropriations (i.e., not disaster relief emergency supplemental appropriations).

Title I of Division E (the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2024) appropriates \$1,113,471,000 for Interior's WFM account and \$350,000,000 for Interior's Wildfire Suppression Operations Reserve Fund. The appropriations for the Reserve Fund are available for transfer to the WFM account for the purpose of Suppression Operations.

The appropriations for the WFM account are available for these activities in the following amounts:

- Preparedness: \$492,364,000;
- Suppression Operations: \$383,657,000;
- Fuels Management: \$214,450,000; and
- Other Operations: \$23,000,000.

The appropriations for Other Operations include the following amounts for the three subactivities:

- Burned Area Rehabilitation: \$10,000,000;
- Facilities Construction and Maintenance: \$10,000,000; and
- Joint Fire Science Program: \$3,000,000.

<u>Coordination</u>: OWF consulted bureaus and offices participating in Interior's WFM program in developing this PM.

<u>Scope</u>: This PM applies to budget allocations and execution for the Bureau of Indian Affairs (BIA), the Bureau of Land Management (BLM), the U.S. Fish and Wildlife Service (FWS), the National Park Service (NPS), OWF, and any other bureaus or offices that receive funding under this PM.

Existing Policy Affected: DOI Wildland Fire Program PM No. 2024-001, 2024-003, and 2024-004

**Authority:** Departmental Manual (DM) Part 620 Wildland Fire Management

<u>Timeframe</u>: This PM applies to funding made available by P.L. 118-42, which covers the period from October 1, 2023, through September 30, 2024. The funding is available until it is expended.

#### **Policy:**

**Premium Pay Cap:** Section 438 of Title IV in Division E waives the premium pay cap for the pay of certain wildland fire employees for services performed during 2024 for Interior and the Department of

Agriculture (USDA). OWF and the Office of Human Capital will provide additional information on this waiver later in 2024. (This provision relates to pay/calendar year 2024 rather than FY 2024.)

**Good Neighbor Authority:** Section 443 of Title IV in Division E adds NPS and FWS (National Wildlife Refuge Land) to the list of agencies with "Good Neighbor Authority" pursuant to Section 8206 of the Agriculture Act of 2014 (16 U.S.C. 2113a), as amended by section 8624 of the Agriculture Improvement Act of 2018 (P.L. 115–334) and the Consolidated Appropriations Act, 2023 (P.L. 117–328). Section 443 also extends the authority through 2024. Previously, the authority applied only to BLM and USDA Forest Service (FS).

Congressional Reporting and Briefing Requirements and Directives: The statements and reports associated with P.L. 118-42 include several briefing requirements, reporting requirements, and other directives for Interior's and USDA's WFM programs. A summary of these provisions is attached (see Attachment 1). This list is not exhaustive. Each of the linked documents has more detailed information. Some of the requirements may not apply directly to Interior's WFM bureaus or offices but they have a nexus to Interior's WFM program; we are providing these for your awareness.

**Budget Allocations:** See below for Table 1, which shows allocation amounts from P.L. 118-42 for the full fiscal year, by bureau or office.

OWF notifies bureaus of Department of the Treasury transaction numbers once transfers of approved allocations are completed. Funds that OWF is not transferring at this time will remain in the WFM "Parent" account. These amounts include a majority of appropriations for Suppression Operations. As in previous years, OWF will consult with bureaus about the need for such funding throughout the fiscal year and transfer this funding as needs are identified.

#### Table 1:

# Approved Allocations of FY 2024 Funding for Interior Wildland Fire Management from P.L. 118-42, the Consolidated Appropriations Act, 2024 (Dollars in Thousands)

Activity or Subactivity	BIA	BLM	FWS	NPS	OWF	WFM Parent Account	TOTAL, WFM Program
Preparedness	94,806	275,598	43,401	59,586	13,442	5,531	492,364
Suppression Operations	24,769	103,127	6,292	19,275	2,515	227,679	383,657
Fuels Management	51,226	96,925	28,935	30,765	3,411	3,188	214,450
Burned Area Rehabilitation	4,037	4,057	974	880	52	0	10,000
Facilities Construction and Maintenance	0	5,001	1,559	3,440	0	0	10,000
Joint Fire Science Program	0	3,000	0	0	0	0	3,000
TOTAL, All Activities	174,838	487,708	81,161	113,946	19,420	236,397	1,113,471

**Preparedness:** P.L. 118-42 provides \$492,364,000 for Preparedness. This PM approves the allocation of all this funding.

- <u>Fixed Costs</u>: Of the total amount for Preparedness, \$19,363,000 is being allocated to BIA, BLM, FWS, NPS, and OWF for fixed cost increases. The amount for fixed cost increases is allocated proportionally based on each bureau's or office's share of the total FY 2023 federal Full-Time-Equivalent (FTE) personnel reported.
- Wildland Firefighter Pay Supplements: A total of \$46,000,000 is being allocated to BIA, BLM, FWS, NPS, and OWF to continue pay supplements for wildland firefighters—including \$40,000,000 for federal personnel and \$6,000,000 that BIA will provide to Tribal Nations to supplement the pay of tribal wildland firefighters (see also "Fuels Management," below).
- Workforce Capacity: Another \$10,000,000 is being allocated to BIA, BLM, FWS, and NPS to increase workforce capacity, including new hires and conversions of temporary to permanent staff. This funding is allocated using the methodology for direct program (see below). See also "Strategic Recruiting Plan" below.
- <u>Designated Funding, Service Level Agreements (SLA), and Departmentwide Activities (DA)</u>: The allocations include this Designated Funding: \$9,000,000 to BIA for tribal contract and

administrative support related to Preparedness; \$6,000,000 to BIA for tribal workforce development; \$1,500,000 to BLM for Alaska Fire Service utility costs; and a total \$2,800,000 to BIA, BLM, FWS, and NPS for rural fire readiness. The allocations also include increases totaling \$9,103,000 for SLAs and \$54,602,000 for DAs in Preparedness. This funding is going to BIA, BLM, FWS, NPS, and OWF.

**Suppression Operations:** P.L. 118-42 provides \$383,657,000 for Suppression Operations in the WFM account. This funding is provided pursuant to Division O of the Consolidated Appropriations Act, 2018 (P.L. 115-141).

- Allocations to Date: OWF has allocated a total \$155,978,000 of this funding to BIA, BLM, FWS, NPS, and OWF, including amounts transferred previously during FY 2024. The other \$227,679,000 will remain in the WFM Parent account until further notice. OWF will allocate the remaining funding based on seasonal activity and bureau funding requirements. Please request additional allocations as the need arises.
- <u>DA Exclusive-Use Contracts for Single Engine Air Tankers (SEAT)</u>: The funding allocated to BIA and BLM includes \$20,371,000 for the initial mandatory availability period (MAP) for exclusive-use aviation contracts for SEATs. Previously, the initial MAP for these contracts was funded through Preparedness.
- Wildfire Suppression Operations Reserve Fund: In addition to this funding for Suppression Operations in the WFM account, P.L. 118-42 provides \$350,000,000 in additional budget authority, to remain available until transferred, in the Reserve Fund account. Interior will request transfers of this funding from the Reserve Fund as the need arises. The unobligated balance in the Reserve Fund is currently \$1,020,000,000, which includes all FY 2022, FY 2023, and FY 2024 appropriations.

**Emergency Stabilization and Severity:** Emergency Stabilization (ES) and Severity authority levels are capped at ten percent of the ten-year rolling suppression expenditure average for Interior. See Table 2:

Table 2:
FY 2024 Funding Authority
Emergency Stabilization and Severity

(Dollars in Thousands/ A)

Purpose	BIA	BLM	FWS	NPS	WFM Parent Account	Total
Emergency Stabilization	15,629	29,872	3,627	4,215	0	53,343
Severity	5,635	18,640	3,443	4,282	21,343	53,343

A/ Allocations are rounded to the nearest thousand dollars.

The distribution of ES authority is based on the rolling ten-year average percentage of acres burned, by

bureau nationally, excluding Alaska. The percentages for FY 2024 are as follows:

BIA: 29.30 percent;
BLM: 56.00 percent;
FWS: 6.80 percent; and
NPS: 7.90 percent.

Severity authority is capped at \$32 million, with the balance held in reserve in the WFM Parent account. The distribution of Severity authority is based on each bureau's base percentage split of the annual Preparedness appropriation. The percentages, as adjusted for workforce transformation, are as follows:

BIA: 17.61 percent;
BLM: 58.25 percent;
FWS: 10.76 percent; and
NPS: 13.38 percent.

Regardless of the source of funding, obligations count against the funding authority caps. Recoveries of prior obligations do not increase the amount of obligation authority available in a given year. If one or more bureau(s) anticipates that it will exceed its ES or Severity authority, OWF may coordinate and approve the redistribution of ES and/or Severity authority among bureaus, as warranted and following consultation with the WFM bureau/office directors. Any recommended increases to the ES or Severity caps are subject to approval by the Director, OWF, in consultation with the WFM bureau directors.

**Fuels Management:** P.L. 118-42 provides \$214,450,000 for Fuels Management. This PM approves the allocation of all this funding.

- <u>Fixed Costs</u>: Of the total amount, \$10,290,000 is designated for fixed cost increases. It is being allocated to each bureau or office proportionally based on its share of the total FY 2023 federal FTE personnel reported.
- Wildland Firefighter Pay Supplements: Within the Fuels Management activity, \$6,000,000 is being allocated to BIA, which will provide it to Tribal Nations to supplement the pay of tribal wildland firefighters (see also "Preparedness," above).
- Designated Funding, SLAs, and DAs: Of the total for the Fuels Management activity, \$5,000,000 allocated to BIA is designated for tribal contract and administrative support in Fuels Management and \$4,000,000 allocated to BIA is for Reserved Treaty Rights Lands (RTRL) projects. (In addition, \$11,000,000 in Bipartisan Infrastructure Law funding is available to BIA for RTRL projects.) The approved allocations also include increases totaling \$838,000 for SLAs and \$11,941,000 for DAs in Fuels Management. This funding is going to BLM, NPS, and OWF.

The direct program allocations for Fuels Management are being allocated using the following percentages:

BIA: 19.65 percent;BLM: 50.43 percent;FWS: 15.09 percent; and

• NPS: 14.83 percent.

Within 14 days of the effective date of this PM, please update information in NFPORS or IFPRS, to reflect your bureau's final full-year FY 2024 allocation under P.L. 118-42, as shown in Table 1 (see above).

<u>Additionally</u>, by October 15, 2024, please report or record in NFPORS or IFPRS your bureau's annual accomplishments with Fuels Management funds.

**Burned Area Rehabilitation:** P.L. 118-42 provides \$10,000,000 for Burned Area Rehabilitation (BAR). This PM approves the allocation of all this funding.

• <u>DAs – National Program Management</u>: The approved allocations include \$1,323,000 for the DA for BAR national program management. This funding goes to BIA, BLM, FWS, and NPS.

Within 14 days of the effective date of this PM, please update information in NFPORS or VMAP to reflect your bureau's approved planned program of work up to the final full-year FY 2024 allocation level available under P.L. 118-42, as shown in Table 1 (see above). OWF will transfer each bureau's allocation of BAR funding as BAR projects needing funding are identified with bureau approvals in NFPORS or VMAP.

Additionally, by October 15, 2024, please report or record in NFPORS or VMAP your bureau's annual accomplishments completed with BAR funds.

**Facilities Construction and Maintenance:** P.L. 118-42 provides \$10,000,000 for Facilities Construction and Maintenance. This PM approves the allocation of all this funding to BLM, FWS, and NPS, consistent with the revised FY 2024 Wildland Fire Facilities Lifecycle Investment Plan submitted by the bureau Wildland Fire Facilities Coordinators March 27, 2024.

**Joint Fire Science Program:** P.L. 118-42 provides \$3,000,000 for the Joint Fire Science Program. This PM approves the allocation of all this funding to BLM.

**Strategic Recruiting Plan:** Funding allocated by this PM is available for bureaus to hire additional staff and continue the transformation to a more permanent workforce. Attachment 2 provides a template for strategic recruiting planning—including estimating and tracking hiring actions for each bureau.

Bureaus should use the template in Attachment 2 to develop strategic recruiting plans or, if such plans already exist, to report on them. Bureaus are urged to use the template at all levels of the organization, including at the state and regional levels.

By May 31, 2024, please submit to OWF a national-level strategic recruiting plan for your bureau using the template in Attachment 2.

Carryover and Recoveries: OWF encourages WFM bureaus to obligate prior-year funding, including carryover and recoveries, with priority focus on funds from before FY 2023. Bureaus are approved to execute carryover funds in FY 2024 in accordance with the carryover spend plans submitted to OWF at

the beginning of the fiscal year. Bureaus should target obligations of prior-year funding by the end of the third quarter of FY 2024 (i.e., June 30, 2024).

On May 1, 2024, OWF provided each bureau/office an updated list of unobligated balances of funding by fiscal year (see email "Account Cleanup Request" from Kimberly Salwasser to budget staff). By May 31, 2024, please submit to OWF a version of this document that includes comments or notes on the purpose of each unobligated balance from FY 2023 or earlier, its status, and the plan to obligate the funding, including a Month and Year for the planned obligation.

During the fourth quarter of FY 2024, which begins July 1, OWF will work with bureaus to assess carryover at that time and estimate end-of-fiscal year carryover. OWF requests that bureaus/offices return to the WFM Parent account any remaining unobligated balances from FY 2022 or earlier that have not been obligated by August 30, 2024. (This particular requirement does not apply to Bipartisan Infrastructure Law funding or funding for Facilities Construction and Maintenance.) Further, in the first quarter of FY 2025 (which begins October 1, 2024), OWF may request that bureaus return any carryover amounts exceeding 2 percent, by program activity or sub-activity, or may adjust future funding allocations based on carryover exceeding 2 percent. Funds that bureaus return to the WFM Parent account will be reallocated within the program.

#### **Contacts:**

For more information, you may contact:

- Regarding the <u>budget allocations</u>: Stephen Elmore or Kimberly Salwasser
- Regarding the strategic recruiting plan: Joe Majewski or Ryan Wilkins
- Regarding Fuels Management or Burned Area Rehabilitation: Kristy Swartz
- Regarding <u>carryover or recoveries</u>: Kimberly Salwasser

#### **Attachments:**

- 1. List of Congressional Reporting and Briefing Requirements and Directives from P.L. 118-42
- 2. Strategic Recruiting Plan Template

CC: Interior WFM Executives
Interior WFM Directors
Interior WFM Budget Staff