

# United States Senate

WASHINGTON, DC 20510

February 10, 2025

The Honorable Doug Burgum  
Secretary  
U.S. Department of the Interior  
1849 C Street NW  
Washington, DC 20240

Gary Washington  
Acting Secretary  
U.S. Department of Agriculture  
1400 Independence Avenue SW  
Washington, D.C. 2025

Dear Secretary Burgum and Acting Secretary Washington,

We are writing with great concern about reports from our constituents that the Bureau of Land Management has issued stop work orders for hazardous fuels reduction projects. We are further concerned that fuels projects overseen by the U.S. Forest Service will be next. These projects are integral to increased safety and resiliency and any delay in implementation puts those communities at greater risk. We urge you to immediately rescind these stop work orders, halt any further stop work orders or funding freezes, and instead work with the tools and funds Congress has provided to better safeguard our communities from the serious risk of catastrophic wildfire.

These projects are part of the Wildfire Crisis Strategy, funded by the Infrastructure and Investment in Jobs Act (IIJA) and the Inflation Reduction Act (IRA). Investing in fuels reduction treatments is a primary recommendation in the Wildland Fire Mitigation and Management Commission Report, a nonpartisan strategy document to tackle the myriad challenges associated with wildfire across the country. We also note with alarm that this report was removed from federal websites this week.

In 2022, the Forest Service identified high-risk firesheds across the country to be prioritized for hazardous fuels reduction work through the Wildlife Crisis Strategy and Implementation Plan. The Forest Service chose 10 high-priority landscapes with the enactment of IIJA and an additional 11 landscapes with the enactment of IRA – each of these landscapes require significant investment to reduce wildfire risk. These 21 landscapes were awarded a total of \$1.73 billion to protect at-risk communities, critical infrastructure, public water sources, and adjacent Tribal lands in 10 Western states: Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, and Washington. The Bureau of Land Management, Forest Service, States, Tribes, local stakeholders, and small businesses have been working together over the last three years to implement fuels reduction on these landscapes.

Catastrophic wildfires across the United States are an ongoing national crisis and responding to them must be a national priority. These stop work orders and funding freezes jeopardize communities that depend on a robust federal response to our wildfire crisis – and also jeopardize small businesses, often in frontier and rural communities, that are contracted to do the work on the ground to reduce hazardous fuels.

In addition to endangering communities, the President's Executive Orders freezing funding are flagrantly illegal. The Government Accountability Office, the Department of Justice Office of Legal Counsel (including in an opinion written by future Chief Justice of the Supreme Court, William H. Rehnquist), and the Supreme Court of the United States have all disavowed the

notion of some “inherent Presidential power to impound,” as some in the Administration, as well as pending Administration nominees, have tried to argue without legal or textual basis.

Not only does the Constitution vest the power of the purse with Congress and provide no power to the President to impound funds, but there have been several bedrock fiscal statutes enacted to protect Congress’ constitutional power of the purse and prevent unlawful executive overreach, including the Antideficiency Act and the Impoundment Control Act of 1974 (ICA). The ICA prohibits any action or inaction that precludes Federal funds from being obligated or spent, either temporarily or permanently, without following the strictly circumscribed requirements of that law, which have not been honored in this instance.

As we’ve seen with the recent fires surrounding Los Angeles, wildfire does not distinguish between homes and trees. But we do have ways to mitigate the risk. One of the most effective strategies to reduce that risk is to reduce the hazardous natural fuels that surround our communities. These fuels reduction projects save lives and property, reduce the danger to firefighters, and return our lands to a fire-adapted ecosystem that can better withstand the threat to human life, communities, infrastructure, and property.

By terminating or even pausing these projects, all of the progress made at protecting these communities is at risk. We are imploring you to rescind the order to stop work on these hazardous fuels reduction efforts, as well as any other wildland fire management programs that are working to reduce risk and safeguard communities from catastrophic wildfire.

We hope to work with you to combat the scourge of catastrophic wildfire.

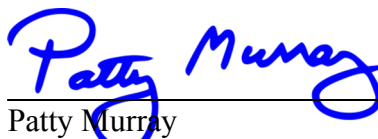
Sincerely,



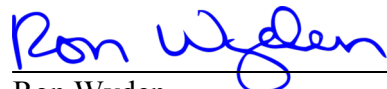
Jeffrey A. Merkley  
Ranking Member  
Subcommittee on Interior,  
Environment, and Related  
Agencies  
United States Senate  
Committee on Appropriations



Martin Heinrich  
Ranking Member, Energy &  
Natural Resources Committee



Patty Murray  
United States Senator



Ron Wyden  
United States Senator



Alex Padilla  
United States Senator



John Hickenlooper  
United States Senator



Jacky Rosen  
United States Senator



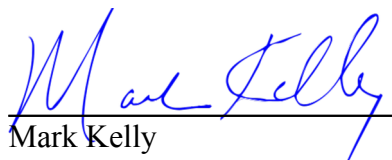
Ruben Gallego  
United States Senator



Michael F. Bennet  
United States Senator



Adam B. Schiff  
United States Senator



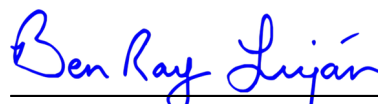
Mark Kelly  
United States Senator



Maria Cantwell  
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Catherine Cortez Masto  
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Ben Ray Lujan  
United States Senator