United States Senate
WASHINGTON, DC 20510

July 10, 2014

The Honorable Chuck Hagel
Secretary
U.S. Department of Defense
1300 Defense Pentagon
Washington, DC 20301-1300

Dear Secretary Hagel:

It has come to our attention that the Department of Defense (DoD), citing the Environmental Protection Agency (EPA), recently interrupted the transfer of surplus military equipment to states and local governments that are used for firefighting, natural disaster mitigation and relief, and law enforcement. We are deeply concerned that this decision was made during the peak of wildfire season.

We understand that there may be confusion within DoD and EPA over the interpretation of regulations barring the transfer of federal vehicles that don't meet certain emission standards. As a result, the U.S. Army's Tank and Automotive Command (TACOM) and the Defense Logistics Agency (DLA) announced last week that they were unable to transfer trucks to the U.S. Department of Agriculture Forest Service for loan to state forestry organizations under the Federal Excess Personal Property Program (FEPP) and the Firefighter Property Program (FPP). Every year, these two programs supply local firefighting agencies with over $150 million in excess federal equipment like trucks, pumps, generators, and engine parts. For many small and rural fire departments, federal excess equipment may be the only equipment they can afford. So far this year, 83% of all wildfires have been responded to by state and local fire agencies, most of which were on federal lands.

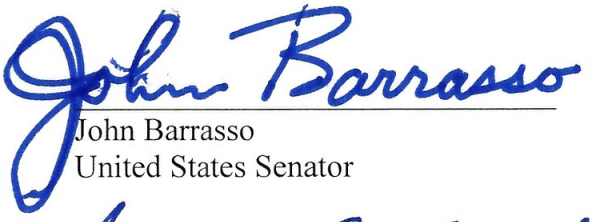
We see no justification for government red-tape to stand in the way of helping first responders get the equipment they need to respond to wildland fires, floods, and other natural disasters. While we understand that DoD and EPA may be close to resolving this issue, we respectfully request that you provide us with your specific course of action for rescinding the restrictions placed on both the FEPP and FPP programs and clarify any vehicle title concerns raised by state foresters and law enforcement agencies.

Sincerely,

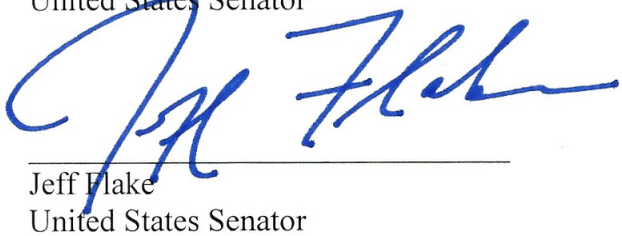
John McCain
United States Senator

Barbara A. Mikulski
United States Senator

James M. Inhofe
United States Senator

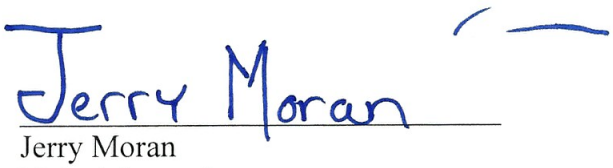


John Barrasso
United States Senator

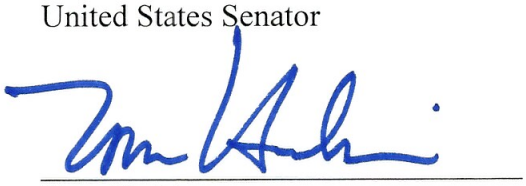


Jeff Flake
United States Senator

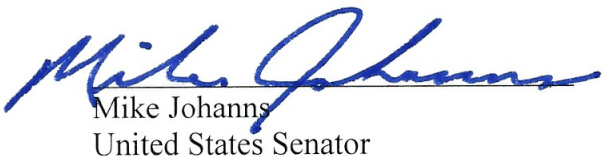
Michael F. Bennet
United States Senator



Jerry Moran
United States Senator

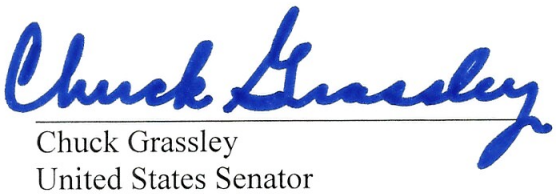


Tom Harkin
United States Senator

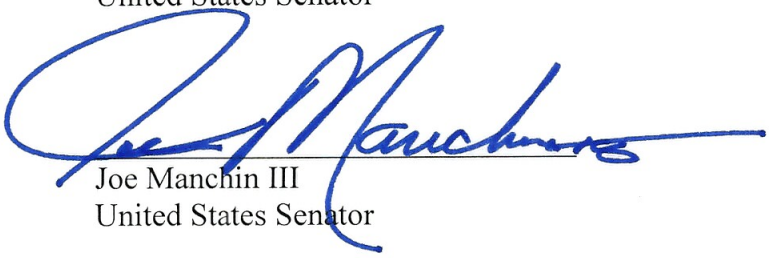


Mike Johanns
United States Senator

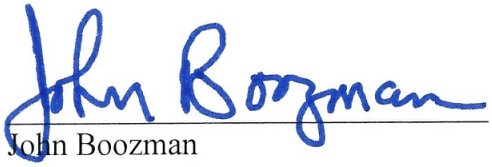
Jeanne Shaheen
United States Senator



Chuck Grassley
United States Senator

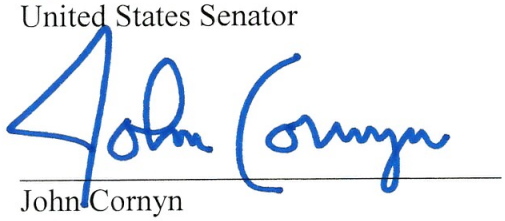


Joe Manchin III
United States Senator

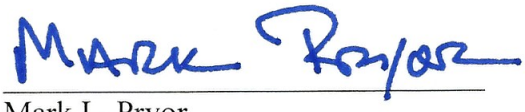


John Boozman
United States Senator

Jon Tester
United States Senator



John Cornyn
United States Senator

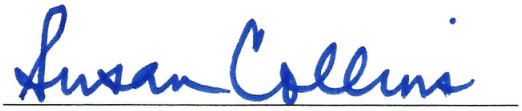


Mark L. Pryor
United States Senator

Michael B. Enzi
United States Senator

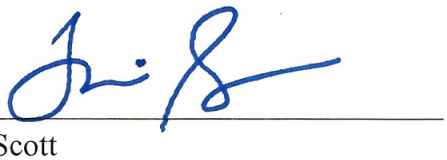
Mark Udall
United States Senator

Deb Fischer
United States Senator



Susan M. Collins
United States Senator

Daniel Coats
United States Senator



Tim Scott
United States Senator

Thad Cochran
United States Senator

Lindsey Graham
United States Senator

Kelly Ayotte
United States Senator