



Bold action for birds
across the Americas

December 12, 2025

Dear Senator:

American Bird Conservancy works to conserve birds and their habitats throughout the Americas, and specializes on working with landowners and agencies to create and provide for the forest and grassland habitats that birds require. We write to urge you to vote NO on The Wildfire Prevention Act, S.140, and the Fix Our Forests Act, S.1462.

The risks posted by these bills are greatly magnified by other policy developments. These include the major regulatory rollbacks for Endangered Species Act protections and the Roadless Area Conservation Rule currently being promulgated. The House of Representatives is also legislating a majority-driven bill which would eviscerate the National Environmental Policy Act (NEPA), H.R. 4776 the SPEED Act.

The bills also neither considers recent executive orders nor changes in administration policy demanding federal agencies streamline environmental safeguards, while at the same time greatly increasing logging at the expense of other activities. This approach does not lend itself to the kind of smart, nuanced management that might help reduce fire risks and protect homes and communities.

S. 140 points out that Congress has already passed numerous provisions expediting active forest management, specifically citing six different provisions in law. We are opposed to S. 140 due to that provision as well as a NEPA waiver regarding treatment areas.

Heavy on goal setting, policy development, and new reports to Congress, S.140 would create a major administrative burden on the agency. Given the severe staff cuts the Forest Service has just suffered, it is unclear who would carry out this substantial new workload.

S. 140 has several provisions with management implications that we strongly oppose and urge be excluded from any forest legislation:

Section 101 (f) APPLICABILITY OF NEPA would prevent analysis or public engagement on the appropriate scale, location, or regional allocation of the treatments proposed.

SEC. 301. MANDATORY USE OF EXISTING AUTHORITIES. Requires that within three years each unit to utilize one of six existing expediting authorities from the

Healthy Forests Restoration Act, the Infrastructure Investment and Jobs Act, or the Wildfire Suppression Funding and Forest Management Activities Act. Billed as a means to change agency culture, it requires use of expediting procedures that may not be necessary or appropriate. These proposed procedures have the potential downsides of creating faulty analyses, and the needless denial of meaningful public engagement.

S.1462 creates the same problem by establishing numerous new and unfunded mandates on an agency which has just seen massive staffing cuts. S.1462 would greatly diminish opportunities for public engagement while at same time providing a recipe for management conflicts with other forest values such as wildlife, recreation, and clean water.

We are concerned by how S.1462 would weaken analysis and public involvement needed to conserve endangered bird populations and ensure sustainable forest management. We are particularly concerned about the following provisions:

Sec. 101 (c) APPLICABILITY OF NEPA. Fireshed designations are not based on peer-reviewed science. Inclusion of Sec. 101(a)(1)(B)(iii) about forest type conversions indicates some fireshed designations were intended for managing for timber production as the priority, not community or watershed protection. This means that the activity warrants NEPA review

Sec. 106(b) expands categorical exclusions to such high acreage levels that it risks unsustainable management and would prevent managers from being able to effectively conserve or recover endangered wildlife.

Sec (121) (b) provides limitations on judicial review that collectively tilt the balance in the agency's favor so that even in cases of severe demonstrable harm, projects may be allowed to proceed anyway.

Section 122 (g) in the bill would further weaken Endangered Species Act and species protections by not requiring the Forest Service to update its management plans in light of new species being listed or new critical habitats declared within a forest's boundaries.

The Sec. 2 definition of *hazardous fuels management activity*. We are opposed because it is overly broad by including timber harvest, which usually creates its own fuel reduction needs (i.e. the Brush Disposal Fund).

We recommend instead focusing on home hardening as the most effective means to save lives and property from wildfire fire. A 2024 coalition [sign on letter](#) to the White House Council on Environmental Quality about the Northwest Forest Plan amendment highlights the need to maintain old growth forest protections, and implement an effective dry forest restoration strategy. This can be achieved without repealing conservation safeguards.

We strongly recommend maintaining the Roadless Area Conservation Rule and requiring protection for all remaining federal old growth forests. The expediting procedures of this bill combined with new administration policies put roadless areas and the remaining old growth at heightened risk of logging to meet the agency's new timber production mandate.

We strongly recommend a NO vote on both S.140 and S.1462. Thank you for your work and consideration of these recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Holmer", with a long horizontal flourish extending to the right.

Vice President of Policy
American Bird Conservancy
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