

COMMITTEE ON THE BUDGET

COMMITTEE ON
NATURAL RESOURCES

COMMITTEE ON SCIENCE, SPACE,
AND TECHNOLOGY

Congress of the United States
House of Representatives

Washington, DC 20515-0404

January 20, 2015

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<http://westerman.house.gov>

The Honorable Loretta Lynch
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Ave, NW
Washington, DC 20530

Dear Madam Attorney General,

We write today concerning potential federal liability in a civil matter in Arkansas. On October 29, 2015, Congressman Bruce Westerman sent a letter to the Department of Justice (DOJ), and despite multiple contacts with DOJ staff, has yet to receive a satisfactory response. As stated in his previous letter, while we do not expect DOJ to break its internal policy of commenting on such a matter, we do expect federal agencies to treat individuals fairly, and deal with these issues in a timely, transparent manner.

On April 14, 2010, a prescribed burn conducted by the US Forest Service in Logan County, Arkansas allegedly spread onto private land owned by Deltic Timber Corporation (Deltic), damaging 174 acres of 2-3 year old pine trees. According to Deltic, this fire caused \$49,519.28 worth of property damage. On October 1, 2010, Deltic submitted Standard Form 95-108, as required under the Federal Tort Claims Act to receive compensation. More than five years later, Deltic has yet to receive a response from DOJ, and DOJ now allegedly refuses to even speak with Deltic about this matter. It is puzzling that DOJ can find the time and manpower to appeal a prison sentence for two individuals who damaged federal land when a prescribed burn crossed onto public land, but refuses to respond to my constituents over a five-year period when a similar federal liability is in question.

DOJ's unresponsiveness is unacceptable. DOJ must meet its responsibilities, including paying back damages caused by federal actions, if liable. This is a glaring example of a slow federal response to the needs of the American people. We simply ask that DOJ give Deltic a prompt answer as to whether the federal government owes them any compensation.

Thank you for your time. We look forward to your prompt response.

Sincerely,



Bruce Westerman
Member of Congress



French Hill
Member of Congress



Rick Crawford
Member of Congress



Steve Pearce
Member of Congress



Cynthia Lummis
Member of Congress



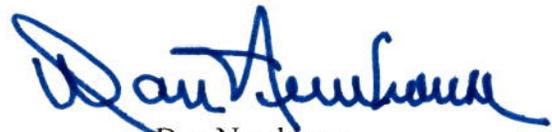
Dana Rohrabacher
Member of Congress



Steve Womack
Member of Congress



Tom McClintock
Member of Congress



Dan Newhouse
Member of Congress



Paul Gosar
Member of Congress

CC:

The Honorable Benjamin C. Mizer, Principal Deputy Assistant Attorney General, Civil Division
Tom Tidwell, Chief, US Forest Service
Mr. Ray Dillon, President and CEO, Deltic Timber