

new disaster relief fund, similar to the process for funding recovery from Superstorm Sandy, which did not go smoothly, to say the least. While this might be a positive step, it does not make H.R. 2647 a good bill.

With regard to title IX, the additional disaster relief fund, hopefully the majority will not rob Peter to pay Paul within the Forest budget in order to fund this disaster relief fund or leave title IX just as an empty hollow and useless gesture that never gets funded.

In the name of forest resiliency and health, H.R. 2647 undermines the NEPA process, discourages collaboration, distorts the intent of the Secure Rural Schools program, creates an extraordinary burden on citizens' access to the courts, and transforms the judicial review process.

This bill, quite frankly, is not about forest health. It is about increasing the numbers of trees removed from the forest.

The White House just communicated its strenuous opposition to H.R. 2647, and let me quote from that communication:

The administration strongly opposes H.R. 2647. The most important step Congress can take to increase the pace and scale of forest restoration and management of our national forests and the Department of the Interior lands is to fix the fire suppression funding and provide additional capacity for the Forest Service and Department of the Interior to manage the Nation's forests and other public lands. H.R. 2647 falls short of fixing the fire budget problem and contains other provisions that will undermine collaborative forest restoration, environmental safeguards, and public participation across the National Forest System and public lands.

Categorical inclusions that are part of title I are not the product of thoughtful consideration of the legislation. Instead, they pave the way for up to 8 square miles of clear cuts of old-growth trees with little or no environmental review.

Title II reduces to 3 months the time for environmental assessments and environmental impact statements for reforestation or salvage operations following a large-scale fire. The Forest Service testified that this time limit is unrealistic, encouraging snap judgments that can have horrible long-term consequences.

Title III strips away access to the courts that other speakers will speak to as well. You know, think about the group that would dominate the collaborative decisionmaking without any judicial review.

The bill also eliminates the Equal Access to Justice Act for successful litigants and forces them to do a prebond, a one-sided bond requirement to limit, if not eliminate, citizen activism and public participation in a problem that they can help solve rather looking at this as a threat.

I urge a "no" vote on the legislation.

Mr. BISHOP of Utah. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. THOMPSON of Pennsylvania) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2647) to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes, had come to no resolution thereon.

#### REPORT ON H.R. 2995, FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2016

Mr. CRENSHAW, from the Committee on Appropriations, submitted a privileged report (Rept. No. 114-194) on the bill making appropriations for financial services and general government for the fiscal year ending September 30, 2016, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

#### RESILIENT FEDERAL FORESTS ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 347 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2647.

Will the gentleman from Illinois (Mr. HULTGREN) kindly resume the chair.

□ 1622

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2647) to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, 12½ minutes remained in general debate.

The gentleman from Utah (Mr. BISHOP) has 9 minutes remaining, and the gentlewoman from Massachusetts (Ms. TSONGAS) has 3½ minutes remain-

ing. Mr. BISHOP of Utah. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. TIPTON), a former member of our committee, but someone whose district clearly knows the significance and impact of forestlands and how they should be maintained.

Mr. TIPTON. Mr. Chairman, the challenge that we face in the West is very obvious. Overgrown forests, bark beetle devastation, threat to our watersheds, threat to habitat, threat to public property that sensible people have long called for a solution to be able to have rendered.

I would like to be able to applaud the hard work of Chairman BISHOP, the committee, and particularly the gentleman from Arkansas (Mr. WESTERMAN) in putting commonsense pieces of legislation forward in H.R. 2647, the Resilient Federal Forests Act.

The concept of being proactive rather than being reactive, putting the health of our forests, protection of our watersheds, habitat for wildlife, and saving private property while bringing some control back to our States and our communities is long overdue.

Forward-looking and innovative legislation like the Resilient Federal Forests Act speaks to the very heart of responsible forest management. This is a piece of legislation, which is long overdue. We have seen the impact in pilot projects of healthy forests, the opportunity to be able to get the forests again in a healthy state, creating abundant ground cover and forage for our animals and protecting those watersheds.

This is a commonsense piece of legislation that I would like to encourage my colleagues to be able to support.

Ms. TSONGAS. I yield 2½ minutes to my colleague from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, impartial justice and access to the courts is a right guaranteed to every citizen in this country.

Across the street from this Chamber, Lady Justice sits blindfolded on the steps of the Supreme Court so we can all be reminded that justice should be blind. Today, we are debating yet another Republican bill restricting access to the courts to only those with deep pockets.

H.R. 2647 continues the alarming trend of Republican-sponsored legislation that proposes to limit the average American's access to the courts so politicians that line the pockets of politicians with campaign contributions can continue to profit.

H.R. 2647 requires that a citizen post a bond prior to challenging the United States Government's forest management activities. This bond must cover all the defendant's anticipated cost, expenses, and attorney's fees to be paid if the defendant prevails. In the rare occasion plaintiffs are successful, they will only be able to recover the amount posted in the bond and only if they win exactly on all counts. The government, however, does not have to cover any of the plaintiff's costs.

Requiring the posting of a bond that could be as costly as tens of thousands of dollars undermines citizen access to the courts when a party believes the government failed to follow the law.

The individual consumer, nonprofit organizations, small business, or public interest groups do not have the financial ability to challenge large corporations or, more often, the Federal Government which citizens believe is harming their communities or environment. By allowing citizens to recover their reasonable legal fees when they file suit and win in court, you encourage Americans to participate in public discourse and to hold the government accountable.

Rollbacks to judicial review and imposition of attorney's fees upon plaintiffs, along with legislative interference with key judicial powers contemplated in H.R. 2647, cripple the ability of those concerned with environmental protection to seek representation and redress in the courts.

I urge my colleagues to vote "no" on this bill.

Mr. BISHOP of Utah. Mr. Chair, I reserve the balance of my time.

Ms. TSONGAS. May I inquire as to how much time I have left?

The Acting CHAIR. The gentlewoman from Massachusetts has 1¼ minutes remaining.

Ms. TSONGAS. Mr. Chair, I want to close by reiterating that, instead of working together on a bipartisan basis to improve the health of our national forests, this bill irresponsibly chips away at the environmental safeguards of the National Environmental Policy Act and places tremendous burdens, as we have just heard, on American citizens seeking to participate in the public review process of Forest Service programs.

I am glad that the majority acknowledges the urgent need to address fire borrowing, but we still have concerns with this proposal and it in no way offsets the many other serious problems with this legislation developed without any input from committee Democrats or meaningful testimony from the Forest Service.

I urge my colleagues to vote "no."

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself the balance of my time.

I appreciate the opportunity to present this bill. I also thank all the many people who have worked from three different committees on this: Chairman SHUSTER of the Transportation and Infrastructure Committee, Chairman CONAWAY of the Agriculture Committee, as well as those who work on the Natural Resources Committee. I am very grateful for the Democrats, Mr. SCHRADER and Mr. DEFazio, who have spoken here already in defense of this bill, and for their help and assistance in this.

As the former Chief of the Forest Service said, we don't have a fire problem in our Nation's forests. We have a land management problem, and it

needs to be addressed quickly. That is exactly what the Westerman bill does. It addresses that problem. The status quo, flat out, is not working.

The Forest Service has recommended or recognized that we have at least 58 million acres that are in dire need of assistance right now but can easily be burned in this next fire season.

□ 1630

That is bigger than my home State of Utah, which is still the 11th largest State in the Nation.

If you add the higher-end estimates, then you add more acreage into that, which means you would add the State of Utah and Michigan. One-third of the entire forests we have are in danger of being destroyed if we do not do something immediately.

The Forest Service right now can only address the problem in 3 million acres; 58 is the minimum. That simply means it would take them over 20 years to address the problem. That is more than my lifetime is left here to try and solve this problem.

I realize that I was probably born at a greater distance from the apocalypse than most of the people here; but at the same time, in my lifetime, you can't solve the problem if we keep on with the status quo. That is why this bill is essential, and that is why I appreciate all the speakers who have gone on today saying why this is the perfect first step.

What is so good about it is, as soon as the President signs this thing, the Forest Service can immediately implement everything. These are practices and processes that they have at their disposal. They are ready to move forward with it. All we have to do is give them the tools to immediately do that.

Now, we realize some of the issues that are there. Funding is a significant issue. Funding alone will not solve our problem, but we have addressed that; and I appreciate, once again, Chairman SHUSTER and subcommittee Chairman BARLETTA, who have come up with—from the Transportation and Infrastructure Committee—come up with a good funding mechanism so that we can address that issue and move us forward.

That, by itself, does not solve our problems. We have a land management issue at the same time. We have a problem with litigation, which basically stops the efforts of the Forest Service to do their job in their tracks.

As soon as they become sued, they have to stop moving forward on their program; they have to spend money to defend themselves in a lawsuit, or they have to try and go through efforts to try and cover themselves so they don't get sued in the first place. It does not work.

We have heard a lot of comments about the inability of being able to sue, as a poor private citizen doesn't have the right to sue if we pass our bill. That is ridiculous.

This only deals with areas that have been collaboratively worked on—that

means where citizens actually got together and came up with a plan of action on their forest and, as they move forward to that, some special interests groups with a whole lot of deep pockets on their side stops them in their tracks by a lawsuit.

Those are the kinds of groups that are going to have to put up the bond. Those are the kind of groups who can no longer say: We are going to sue you on 25 different issues. We realize only three of them are going to be realistic, but we want you to take the time and effort to spend your Federal moneys to try and defend all those 25.

What we are saying is: Look, if you are going to sue on something, sue on something that is realistic. Don't put the entire world on there, and make sure that you are willing to cede on those particular issues, in those particular areas.

We also have in title I in there that simply says: You can still sue, but you can't get an injunction to stop our work while we go through frivolous lawsuit after frivolous lawsuit.

In the last two administrations, not counting this one, but two prior administrations, we have over 11,000 lawsuits that took place simply to stop the Forest Service from going forward. That has to be addressed. It has to be addressed. The Forest Service recognizes that, and that is why former Forest Service employees—as well as the current ones—realize, if we don't have some kind of litigation reform, we will not solve our problems with forest health.

We also have to give them the tools so they can move quickly on what they need to do. Categorical exclusion is not something that is evil; it is actually something that is essential to move forward. They recognize that they need that tool. That is why I said, as soon as this bill is signed by the President, they can implement what they already know to do.

What we are asking them is to do an environmental review, but you don't have to do review after review after review. If you have done the review the first time, it is sufficient, and they have the wisdom and the ability to do that. Will that destroy our forests? Heavens, no.

What this will do is have the potential of actually saving our forests, being able to allow the Federal forest land to be as resilient, to be as well managed as the State and tribal forest lands are because, in State and tribal forest lands, they don't have to deal with a lot of the issues that stop them from actually solving their problems, but we do on the Federal forest system, unless we move forward.

That is why I appreciate all those who have spoken so far on the need of moving forward on this particular bill. We are in the beginning of a fire season that could be catastrophic. We have witnessed the results of wildfires in the past. We need to do something now, and we have to move forward.

This is a bill that is common sense. It was wonderful to have our hearings, listening to the group of people who are experts in this area, being excited about the opportunity of having the tools the Forest Service needs to do their job, having the funding the Forest Service needs to do their job, and also have the protection from frivolous lawsuits the Forest Service needs to do their job. We must give our Forest Service personnel the tools they need to be successful.

If we don't pass this bill because we want something perfect from on high to come down—first, if we don't pass this bill, we are going to have a devastating situation coming in our forest lands and in our Nation this coming year.

This is an essential step forward. Is it perfect? No. There is a whole lot more that we need to do, and we will still look forward to those issues; we will move forward on these issues, but what this does is move us forward in a significant way.

Does this bill destroy our bedrock environmental laws? Of course not—the last time I heard people talking about bedrock was talking about Wilma and Fred and Barney. I am sorry; those laws didn't save their pet dinosaurs back in those days, either.

We are not going to change anything; we are not going to move forward; we are not going to destroy what we have gained in the past, but what we are going to do is allow the Forest Service to do their job, something they are stopped from doing now because of procedural practices, because of litigation, because of lack of funding. All three of those are addressed in this particular piece of legislation.

It is a great piece of legislation, and it needs to go forward. I urge everyone in here to realize how we must make steps to move forward and pass this bill and get it over to the Senate and onto the President's desk so our Forest Service can do their jobs.

Mr. Chairman, I yield back the balance of my time.

Mr. CARSON of Indiana. Mr. Chair, I rise to discuss Title IX of H.R. 2647, the "Resilient Federal Forests Act of 2015."

Each year, several hundred small wildfires occur within the State of Indiana. Most of these fires are extinguished by our local fire departments. While the Hoosier State does not experience the devastating effects of wildfires that the West does, I understand and support the need to ensure that wildfires on Federal lands are treated similar to other major disasters so that they have access to funds outside the discretionary budget caps. It is important that the Department of the Interior and the Forest Service, which manages the Hoosier National Forest in southern Indiana, have access to sufficient funding to suppress wildfires on Federal lands whenever they occur.

Earlier this year, the Committee held a hearing and received testimony that made clear

that wildfire funding is an issue that needs to be addressed. As the Ranking Member of the Subcommittee on Economic Development, Public Buildings, and Emergency Management, which has jurisdiction over the Robert T. Stafford Act Disaster Relief and Emergency Assistance Act (Stafford Act), I think it is appropriate to amend the Stafford Act to ensure similar treatment for wildfires on Federal lands.

Some may have concerns that amending the Stafford Act will afford the Department of the Interior and the Forest Service with access to programs and funds intended for other disasters. I agree that these agencies should not be eligible for other Stafford Act assistance programs nor should these agencies have access to funds provided to the Federal Emergency Management Agency for other types of major disasters. But I am confident that the Stafford Act may be amended to treat wildfires on Federal lands as a major disaster without affecting other programs and funding. It is simply a matter of establishing a dedicated funding stream specifically for wildfires on Federal lands to ensure that these agencies have access to funds outside the discretionary budget caps. It is my understanding that this is the intent of Title IX.

I appreciate Ranking Member DEFAZIO's interest and dedication to this issue. Moreover, I thank Chairman SHUSTER for trying to address this matter.

Mrs. McMORRIS RODGERS. Mr. Chair, I rise today to express support for the Resilient National Forests Act, and to thank Rep. BRUCE WESTERMAN of Arkansas for his work on this important issue.

Last summer my home state of Washington faced the largest wildfire in state history, burning hundreds of thousands of acres.

The amount of damage was unprecedented, but not entirely unexpected.

Decades of over-regulation and frivolous lawsuits have hindered forest management, and we've all paid the price.

In Eastern Washington, the Colville National Forest has been the economic engine for Ferry, Stevens, and Pend Oreille counties—providing jobs, energy, and recreational opportunities. Yet, mills have closed, jobs lost, and of the 945,410 million acres in the Colville National Forest, more than 300,000 are bug infested. This is unacceptable.

Currently, between one-quarter and one-third of all acres of national forest are at risk of catastrophic wildfire and only 2–3 percent are being treated each year. Dead, diseased, and ready-to-ignite timber is just sitting there, rotting away while the U.S. Forest Service and affected communities are powerless to remove it.

As we speak, there are fires burning across the Northwest—in Eastern Washington near my hometown in Stevens County, in the Blue Mountains in Asotin County, and nearby in Central Washington and Northern Idaho.

We have a responsibility to enact legislation that ensures wildfire fighting is properly funded and reduces the risk of future fires.

The Resilient National Forests Act is bipartisan, collaborative, and will produce the best possible outcome for all involved parties.

With this legislation, the Forest Service will have the tools they need to quickly remove

dead trees and to effectively manage the forests in Eastern Washington, and across the country.

Mr. Chair, I ask this body join me in voting to keep our promise and preserve America's great resources for generations to come and call for the Senate to follow suit.

The Acting CHAIR. All time for general debate has expired.

In lieu of the amendments in the nature of a substitute recommended by the Committee on Agriculture and the Committee on Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–21, modified by the amendment printed in part B of House Report 114–192. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 2647

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) *SHORT TITLE.*—This Act may be cited as the "Resilient Federal Forests Act of 2015".

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

*Sec. 1. Short title; table of contents.*

*Sec. 2. Definitions.*

**TITLE I—EXPEDITED ENVIRONMENTAL ANALYSIS AND AVAILABILITY OF CATEGORICAL EXCLUSIONS TO EXPEDITE FOREST MANAGEMENT ACTIVITIES**

*Sec. 101. Analysis of only two alternatives (action versus no action) in proposed collaborative forest management activities.*

*Sec. 102. Categorical exclusion to expedite certain critical response actions.*

*Sec. 103. Categorical exclusion to expedite salvage operations in response to catastrophic events.*

*Sec. 104. Categorical exclusion to meet forest plan goals for early successional forests.*

*Sec. 105. Clarification of existing categorical exclusion authority related to insect and disease infestation.*

*Sec. 106. Categorical exclusion to improve, restore, and reduce the risk of wildfire.*

*Sec. 107. Compliance with forest plan.*

**TITLE II—SALVAGE AND REFORESTATION IN RESPONSE TO CATASTROPHIC EVENTS**

*Sec. 201. Expedited salvage operations and reforestation activities following large-scale catastrophic events.*

*Sec. 202. Compliance with forest plan.*

*Sec. 203. Prohibition on restraining orders, preliminary injunctions, and injunctions pending appeal.*

*Sec. 204. Exclusion of certain lands.*

**TITLE III—COLLABORATIVE PROJECT LITIGATION REQUIREMENT**

*Sec. 301. Definitions.*

*Sec. 302. Bond requirement as part of legal challenge of certain forest management activities.*

**TITLE IV—SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT AMENDMENTS**

Sec. 401. Use of reserved funds for title II projects on Federal land and certain non-Federal land.

Sec. 402. Resource advisory committees.

Sec. 403. Program for title II self-sustaining resource advisory committee projects.

Sec. 404. Additional authorized use of reserved funds for title III county projects.

**TITLE V—STEWARDSHIP END RESULT CONTRACTING**

Sec. 501. Cancellation ceilings for stewardship end result contracting projects.

Sec. 502. Excess offset value.

Sec. 503. Payment of portion of stewardship project revenues to county in which stewardship project occurs.

Sec. 504. Submission of existing annual report.

**TITLE VI—ADDITIONAL FUNDING SOURCES FOR FOREST MANAGEMENT ACTIVITIES**

Sec. 601. Definitions.

Sec. 602. Availability of stewardship project revenues and Collaborative Forest Landscape Restoration Fund to cover forest management activity planning costs.

Sec. 603. State-supported planning of forest management activities.

**TITLE VII—TRIBAL FORESTRY PARTICIPATION AND PROTECTION**

Sec. 701. Protection of tribal forest assets through use of stewardship end result contracting and other authorities.

Sec. 702. Management of Indian forest land authorized to include related National Forest System lands and public lands.

**TITLE VIII—MISCELLANEOUS FOREST MANAGEMENT PROVISIONS**

Sec. 801. Balancing short- and long-term effects of forest management activities in considering injunctive relief.

Sec. 802. Conditions on Forest Service road decommissioning.

Sec. 803. Prohibition on application of Eastside Screens requirements on National Forest System lands.

Sec. 804. Use of site-specific forest plan amendments for certain projects and activities.

Sec. 805. Knutson-Vandenberg Act modifications.

Sec. 806. Exclusion of certain National Forest System lands and public lands.

**TITLE IX—MAJOR DISASTER FOR WILDFIRE ON FEDERAL LAND**

Sec. 901. Wildfire on Federal lands.

Sec. 902. Declaration of a major disaster for wildfire on Federal lands.

Sec. 903. Prohibition on transfers.

**SEC. 2. DEFINITIONS.**

In titles I through VIII:

(1) **CATASTROPHIC EVENT.**—The term “catastrophic event” means any natural disaster (such as hurricane, tornado, windstorm, snow or ice storm, rain storm, high water, wind-driven water, tidal wave, earthquake, volcanic eruption, landslide, mudslide, drought, or insect or disease outbreak) or any fire, flood, or explosion, regardless of cause.

(2) **CATEGORICAL EXCLUSION.**—The term “categorical exclusion” refers to an exception to the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) for a project or activity relating to the management of National Forest System lands or public lands.

(3) **COLLABORATIVE PROCESS.**—The term “collaborative process” refers to a process relating to the management of National Forest System lands or public lands by which a project or activity is developed and implemented by the Secretary concerned through collaboration with interested persons, as described in section 603(b)(1)(C) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591b(b)(1)(C)).

(4) **COMMUNITY WILDFIRE PROTECTION PLAN.**—The term “community wildfire protection plan” has the meaning given that term in section 101(3) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511(3)).

(5) **COOS BAY WAGON ROAD GRANT LANDS.**—The term “Coos Bay Wagon Road Grant lands” means the lands reconveyed to the United States pursuant to the first section of the Act of February 26, 1919 (40 Stat. 1179).

(6) **FOREST MANAGEMENT ACTIVITY.**—The term “forest management activity” means a project or activity carried out by the Secretary concerned on National Forest System lands or public lands in concert with the forest plan covering the lands.

(7) **FOREST PLAN.**—The term “forest plan” means—

(A) a land use plan prepared by the Bureau of Land Management for public lands pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); or

(B) a land and resource management plan prepared by the Forest Service for a unit of the National Forest System pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(8) **LARGE-SCALE CATASTROPHIC EVENT.**—The term “large-scale catastrophic event” means a catastrophic event that adversely impacts at least 5,000 acres of reasonably contiguous National Forest System lands or public lands.

(9) **NATIONAL FOREST SYSTEM.**—The term “National Forest System” has the meaning given that term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

(10) **OREGON AND CALIFORNIA RAILROAD GRANT LANDS.**—The term “Oregon and California Railroad Grant lands” means the following lands:

(A) All lands in the State of Oregon vested in the United States under the Act of June 9, 1916 (39 Stat. 218), that are administered by the Secretary of the Interior, acting through the Bureau of Land Management, pursuant to the first section of the Act of August 28, 1937 (43 U.S.C. 1181a).

(B) All lands in that State obtained by the Secretary of the Interior pursuant to the land exchanges authorized and directed by section 2 of the Act of June 24, 1954 (43 U.S.C. 1181h).

(C) All lands in that State acquired by the United States at any time and made subject to the provisions of title II of the Act of August 28, 1937 (43 U.S.C. 1181f).

(11) **PUBLIC LANDS.**—The term “public lands” has the meaning given that term in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e)), except that the term includes Coos Bay Wagon Road Grant lands and Oregon and California Railroad Grant lands.

(12) **REFORESTATION ACTIVITY.**—The term “reforestation activity” means a project or activity carried out by the Secretary concerned whose primary purpose is the reforestation of impacted lands following a large-scale catastrophic event. The term includes planting, evaluating and enhancing natural regeneration, clearing competing vegetation, and other activities related to reestablishment of forest species on the fire-impacted lands.

(13) **RESOURCE ADVISORY COMMITTEE.**—The term “resource advisory committee” has the meaning given that term in section 201(3) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7121(3)).

(14) **SALVAGE OPERATION.**—The term “salvage operation” means a forest management activity undertaken in response to a catastrophic event whose primary purpose—

(A) is to prevent wildfire as a result of the catastrophic event, or, if the catastrophic event was wildfire, to prevent a re-burn of the fire-impacted area;

(B) is to provide an opportunity for utilization of forest materials damaged as a result of the catastrophic event; or

(C) is to provide a funding source for reforestation and other restoration activities for the National Forest System lands or public lands impacted by the catastrophic event.

(15) **SECRETARY CONCERNED.**—The term “Secretary concerned” means—

(A) the Secretary of Agriculture, with respect to National Forest System lands; and

(B) the Secretary of the Interior, with respect to public lands.

**TITLE I—EXPEDITED ENVIRONMENTAL ANALYSIS AND AVAILABILITY OF CATEGORICAL EXCLUSIONS TO EXPEDITE FOREST MANAGEMENT ACTIVITIES**

**SEC. 101. ANALYSIS OF ONLY TWO ALTERNATIVES (ACTION VERSUS NO ACTION) IN PROPOSED COLLABORATIVE FOREST MANAGEMENT ACTIVITIES.**

(a) **APPLICATION TO CERTAIN ENVIRONMENTAL ASSESSMENTS AND ENVIRONMENTAL IMPACT STATEMENTS.**—This section shall apply whenever the Secretary concerned prepares an environmental assessment or an environmental impact statement pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) for a forest management activity that—

(1) is developed through a collaborative process;

(2) is proposed by a resource advisory committee; or

(3) is covered by a community wildfire protection plan.

(b) **CONSIDERATION OF ALTERNATIVES.**—In an environmental assessment or environmental impact statement described in subsection (a), the Secretary concerned shall study, develop, and describe only the following two alternatives:

(1) The forest management activity, as proposed pursuant to paragraph (1), (2), or (3) of subsection (a).

(2) The alternative of no action.

(c) **ELEMENTS OF NON-ACTION ALTERNATIVE.**—In the case of the alternative of no action, the Secretary concerned shall evaluate—

(1) the effect of no action on—

(A) forest health;

(B) habitat diversity;

(C) wildfire potential; and

(D) insect and disease potential; and

(2) the implications of a resulting decline in forest health, loss of habitat diversity, wildfire, or insect or disease infestation, given fire and insect and disease historic cycles, on—

(A) domestic water costs;

(B) wildlife habitat loss; and

(C) other economic and social factors.

**SEC. 102. CATEGORICAL EXCLUSION TO EXPEDITE CERTAIN CRITICAL RESPONSE ACTIONS.**

(a) **AVAILABILITY OF CATEGORICAL EXCLUSION.**—A categorical exclusion is available to

the Secretary concerned to develop and carry out a forest management activity on National Forest System lands or public lands when the primary purpose of the forest management activity is—

- (1) to address an insect or disease infestation;
- (2) to reduce hazardous fuel loads;
- (3) to protect a municipal water source;
- (4) to maintain, enhance, or modify critical habitat to protect it from catastrophic disturbances;

- (5) to increase water yield; or
- (6) any combination of the purposes specified in paragraphs (1) through (5).

(b) ACREAGE LIMITATIONS.—

(1) IN GENERAL.—Except in the case of a forest management activity described in paragraph (2), a forest management activity covered by the categorical exclusion granted by subsection (a) may not contain harvest units exceeding a total of 5,000 acres.

(2) LARGER AREAS AUTHORIZED.—A forest management activity covered by the categorical exclusion granted by subsection (a) may not contain harvest units exceeding a total of 15,000 acres if the forest management activity—

(A) is developed through a collaborative process;

(B) is proposed by a resource advisory committee; or

(C) is covered by a community wildfire protection plan.

**SEC. 103. CATEGORICAL EXCLUSION TO EXPEDITE SALVAGE OPERATIONS IN RESPONSE TO CATASTROPHIC EVENTS.**

(a) AVAILABILITY OF CATEGORICAL EXCLUSION.—A categorical exclusion is available to the Secretary concerned to develop and carry out a salvage operation as part of the restoration of National Forest System lands or public lands following a catastrophic event.

(b) ACREAGE LIMITATIONS.—

(1) IN GENERAL.—A salvage operation covered by the categorical exclusion granted by subsection (a) may not contain harvest units exceeding a total of 5,000 acres.

(2) HARVEST AREA.—In addition to the limitation imposed by paragraph (1), the harvest units covered by the categorical exclusion granted by subsection (a) may not exceed one-third of the area impacted by the catastrophic event.

(c) ADDITIONAL REQUIREMENTS.—

(1) ROAD BUILDING.—A salvage operation covered by the categorical exclusion granted by subsection (a) may not include any new permanent roads. Temporary roads constructed as part of the salvage operation shall be retired before the end of the fifth fiscal year beginning after the completion of the salvage operation.

(2) STREAM BUFFERS.—A salvage operation covered by the categorical exclusion granted by subsection (a) shall comply with the standards and guidelines for stream buffers contained in the applicable forest plan unless waived by the Regional Forester, in the case of National Forest System lands, or the State Director of the Bureau of Land Management, in the case of public lands.

(3) REFORESTATION PLAN.—A reforestation plan shall be developed under section 3 of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b), as part of a salvage operation covered by the categorical exclusion granted by subsection (a).

**SEC. 104. CATEGORICAL EXCLUSION TO MEET FOREST PLAN GOALS FOR EARLY SUCCESSIONAL FORESTS.**

(a) AVAILABILITY OF CATEGORICAL EXCLUSION.—A categorical exclusion is available to the Secretary concerned to develop and carry out a forest management activity on National Forest System lands or public lands when the primary purpose of the forest management activity is to modify, improve, enhance, or create early successional forests for wildlife habitat improvement and other purposes, consistent with the applicable forest plan.

(b) PROJECT GOALS.—To the maximum extent practicable, the Secretary concerned shall de-

sign a forest management activity under this section to meet early successional forest goals in such a manner so as to maximize production and regeneration of priority species, as identified in the forest plan and consistent with the capability of the activity site.

(c) ACREAGE LIMITATIONS.—A forest management activity covered by the categorical exclusion granted by subsection (a) may not contain harvest units exceeding a total of 5,000 acres.

**SEC. 105. CLARIFICATION OF EXISTING CATEGORICAL EXCLUSION AUTHORITY RELATED TO INSECT AND DISEASE INFESTATION.**

Section 603(c)(2)(B) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591b(c)(2)(B)) is amended by striking “Fire Regime Groups I, II, or III” and inserting “Fire Regime I, Fire Regime II, Fire Regime III, or Fire Regime IV”.

**SEC. 106. CATEGORICAL EXCLUSION TO IMPROVE, RESTORE, AND REDUCE THE RISK OF WILDFIRE.**

(a) AVAILABILITY OF CATEGORICAL EXCLUSION.—A categorical exclusion is available to the Secretary concerned to carry out a forest management activity described in subsection (c) on National Forest System Lands or public lands when the primary purpose of the activity is to improve, restore, or reduce the risk of wildfire on those lands.

(b) ACREAGE LIMITATIONS.—A forest management activity covered by the categorical exclusion granted by subsection (a) may not exceed 5,000 acres.

(c) AUTHORIZED ACTIVITIES.—The following activities may be carried out using a categorical exclusion granted by subsection (a):

(1) Removal of juniper trees, medusahead rye, conifer trees, piñon pine trees, cheatgrass, and other noxious or invasive weeds specified on Federal or State noxious weeds lists through late-season livestock grazing, targeted livestock grazing, prescribed burns, and mechanical treatments.

(2) Performance of hazardous fuels management.

(3) Creation of fuel and fire breaks.

(4) Modification of existing fences in order to distribute livestock and help improve wildlife habitat.

(5) Installation of erosion control devices.

(6) Construction of new and maintenance of permanent infrastructure, including stock ponds, water catchments, and water spring boxes used to benefit livestock and improve wildlife habitat.

(7) Performance of soil treatments, native and non-native seeding, and planting of and transplanting sagebrush, grass, forb, shrub, and other species.

(8) Use of herbicides, so long as the Secretary concerned determines that the activity is otherwise conducted consistently with agency procedures, including any forest plan applicable to the area covered by the activity.

(d) DEFINITIONS.—In this section:

(1) HAZARDOUS FUELS MANAGEMENT.—The term “hazardous fuels management” means any vegetation management activities that reduce the risk of wildfire.

(2) LATE-SEASON GRAZING.—The term “late-season grazing” means grazing activities that occur after both the invasive species and native perennial species have completed their current-year annual growth cycle until new plant growth begins to appear in the following year.

(3) TARGETED LIVESTOCK GRAZING.—The term “targeted livestock grazing” means grazing used for purposes of hazardous fuel reduction.

**SEC. 107. COMPLIANCE WITH FOREST PLAN.**

A forest management activity covered by a categorical exclusion granted by this title shall be conducted in a manner consistent with the forest plan applicable to the National Forest System land or public lands covered by the forest management activity.

**TITLE II—SALVAGE AND REFORESTATION IN RESPONSE TO CATASTROPHIC EVENTS**

**SEC. 201. EXPEDITED SALVAGE OPERATIONS AND REFORESTATION ACTIVITIES FOLLOWING LARGE-SCALE CATASTROPHIC EVENTS.**

(a) EXPEDITED ENVIRONMENTAL ASSESSMENT.—Notwithstanding any other provision of law, any environmental assessment prepared by the Secretary concerned pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) for a salvage operation or reforestation activity proposed to be conducted on National Forest System lands or public lands adversely impacted by a large-scale catastrophic event shall be completed within three months after the conclusion of the catastrophic event.

(b) EXPEDITED IMPLEMENTATION AND COMPLETION.—In the case of reforestation activities conducted on National Forest System lands or public lands adversely impacted by a large-scale catastrophic event, the Secretary concerned shall achieve reforestation of at least 75 percent of the impacted lands during the five-year period following the conclusion of the catastrophic event.

(c) AVAILABILITY OF KNUTSON-VANDEMBERG FUNDS.—Amounts in the special fund established pursuant to section 3 of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b) shall be available to the Secretary of Agriculture for reforestation activities authorized by this title.

(d) TIMELINE FOR PUBLIC INPUT PROCESS.—Notwithstanding any other provision of law, in the case of a salvage operation or reforestation activity proposed to be conducted on National Forest System lands or public lands adversely impacted by a large-scale catastrophic event, the Secretary concerned shall allow 30 days for public scoping and comment, 15 days for filing an objection, and 15 days for the agency response to the filing of an objection. Upon completion of this process and expiration of the period specified in subsection (a), the Secretary concerned shall implement the project immediately.

**SEC. 202. COMPLIANCE WITH FOREST PLAN.**

A salvage operation or reforestation activity authorized by this title shall be conducted in a manner consistent with the forest plan applicable to the National Forest System lands or public lands covered by the salvage operation or reforestation activity.

**SEC. 203. PROHIBITION ON RESTRAINING ORDERS, PRELIMINARY INJUNCTIONS, AND INJUNCTIONS PENDING APPEAL.**

No restraining order, preliminary injunction, or injunction pending appeal shall be issued by any court of the United States with respect to any decision to prepare or conduct a salvage operation or reforestation activity in response to a large-scale catastrophic event. Section 705 of title 5, United States Code, shall not apply to any challenge to the salvage operation or reforestation activity.

**SEC. 204. EXCLUSION OF CERTAIN LANDS.**

In applying this title, the Secretary concerned may not carry out salvage operations or reforestation activities on National Forest System lands or public lands—

(1) that are included in the National Wilderness Preservation System;

(2) that are located within an inventoried roadless area unless the reforestation activity is consistent with the forest plan; or

(3) on which timber harvesting for any purpose is prohibited by statute.

**TITLE III—COLLABORATIVE PROJECT LITIGATION REQUIREMENT**

**SEC. 301. DEFINITIONS.**

In this title:

(1) COSTS.—The term “costs” refers to the fees and costs described in section 1920 of title 28, United States Code.

(2) **EXPENSES.**—The term “expenses” includes the expenditures incurred by the staff of the Secretary concerned in preparing for and responding to a legal challenge to a collaborative forest management activity and in participating in litigation that challenges the forest management activity, including such staff time as may be used to prepare the administrative record, exhibits, declarations, and affidavits in connection with the litigation.

**SEC. 302. BOND REQUIREMENT AS PART OF LEGAL CHALLENGE OF CERTAIN FOREST MANAGEMENT ACTIVITIES.**

(a) **BOND REQUIRED.**—In the case of a forest management activity developed through a collaborative process or proposed by a resource advisory committee, any plaintiff or plaintiffs challenging the forest management activity shall be required to post a bond or other security equal to the anticipated costs, expenses, and attorneys fees of the Secretary concerned as defendant, as reasonably estimated by the Secretary concerned. All proceedings in the action shall be stayed until the required bond or security is provided.

(b) **RECOVERY OF LITIGATION COSTS, EXPENSES, AND ATTORNEYS FEES.**—

(1) **MOTION FOR PAYMENT.**—If the Secretary concerned prevails in an action challenging a forest management activity described in subsection (a), the Secretary concerned shall submit to the court a motion for payment, from the bond or other security posted under subsection (a) in such action, of the reasonable costs, expenses, and attorneys fees incurred by the Secretary concerned.

(2) **MAXIMUM AMOUNT RECOVERED.**—The amount of costs, expenses, and attorneys fees recovered by the Secretary concerned under paragraph (1) as a result of prevailing in an action challenging the forest management activity may not exceed the amount of the bond or other security posted under subsection (a) in such action.

(3) **RETURN OF REMAINDER.**—Any funds remaining from the bond or other security posted under subsection (a) after the payment of costs, expenses, and attorneys fees under paragraph (1) shall be returned to the plaintiff or plaintiffs that posted the bond or security in the action.

(c) **RETURN OF BOND TO PREVAILING PLAINTIFF.**—

(1) **IN GENERAL.**—If the plaintiff ultimately prevails on the merits in every action brought by the plaintiff challenging a forest management activity described in subsection (a), the court shall return to the plaintiff any bond or security provided by the plaintiff under subsection (a), plus interest from the date the bond or security was provided.

(2) **ULTIMATELY PREVAILS ON THE MERITS.**—In this subsection, the phrase “ultimately prevails on the merits” means, in a final enforceable judgment on the merits, a court rules in favor of the plaintiff on every cause of action in every action brought by the plaintiff challenging the forest management activity.

(d) **EFFECT OF SETTLEMENT.**—If a challenge to a forest management activity described in subsection (a) for which a bond or other security was provided by the plaintiff under such subsection is resolved by settlement between the Secretary concerned and the plaintiff, the settlement agreement shall provide for sharing the costs, expenses, and attorneys fees incurred by the parties.

(e) **LIMITATION ON CERTAIN PAYMENTS.**—Notwithstanding section 1304 of title 31, United States Code, no award may be made under section 2412 of title 28, United States Code, and no amounts may be obligated or expended from the Claims and Judgment Fund of the United States Treasury to pay any fees or other expenses under such sections to any plaintiff related to an action challenging a forest management activity described in subsection (a).

**TITLE IV—SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT AMENDMENTS**

**SEC. 401. USE OF RESERVED FUNDS FOR TITLE II PROJECTS ON FEDERAL LAND AND CERTAIN NON-FEDERAL LAND.**

(a) **REPEAL OF MERCHANTABLE TIMBER CONTRACTING PILOT PROGRAM.**—Section 204(e) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7124(e)) is amended by striking paragraph (3).

(b) **REQUIREMENTS FOR PROJECT FUNDS.**—Section 204 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7124) is amended by striking subsection (f) and inserting the following new subsection:

“(f) **REQUIREMENTS FOR PROJECT FUNDS.**—  
“(1) **IN GENERAL.**—Subject to paragraph (2), the Secretary concerned shall ensure that at least 50 percent of the project funds reserved by a participating county under section 102(d) shall be available only for projects that—

“(A) include the sale of timber or other forest products, reduce fire risks, or improve water supplies; and

“(B) implement stewardship objectives that enhance forest ecosystems or restore and improve land health and water quality.

“(2) **APPLICABILITY.**—The requirement in paragraph (1) shall apply only to project funds reserved by a participating county whose boundaries include Federal land that the Secretary concerned determines has been subject to a timber or other forest products program within 5 fiscal years before the fiscal year in which the funds are reserved.”.

**SEC. 402. RESOURCE ADVISORY COMMITTEES.**

(a) **RECOGNITION OF RESOURCE ADVISORY COMMITTEES.**—Section 205(a)(4) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(a)(4)) is amended by striking “2012” each place it appears and inserting “2020”.

(b) **TEMPORARY REDUCTION IN COMPOSITION OF COMMITTEES.**—Section 205(d) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(d)) is amended—

(1) in paragraph (1), by striking “Each” and inserting “Except during the period specified in paragraph (6), each”; and

(2) by adding at the end the following new paragraph:

“(6) **TEMPORARY REDUCTION IN MINIMUM NUMBER OF MEMBERS.**—

“(A) **TEMPORARY REDUCTION.**—During the period beginning on the date of the enactment of this paragraph and ending on September 30, 2020, a resource advisory committee established under this section may be comprised of 9 or more members, of which—

“(i) at least 3 shall be representative of interests described in subparagraph (A) of paragraph (2);

“(ii) at least 3 shall be representative of interests described in subparagraph (B) of paragraph (2); and

“(iii) at least 3 shall be representative of interests described in subparagraph (C) of paragraph (2).

“(B) **ADDITIONAL REQUIREMENTS.**—In appointing members of a resource advisory committee from the 3 categories described in paragraph (2), as provided in subparagraph (A), the Secretary concerned shall ensure balanced and broad representation in each category. In the case of a vacancy on a resource advisory committee, the vacancy shall be filled within 90 days after the date on which the vacancy occurred. Appointments to a new resource advisory committee shall be made within 90 days after the date on which the decision to form the new resource advisory committee was made.

“(C) **CHARTER.**—A charter for a resource advisory committee with 15 members that was filed on or before the date of the enactment of this paragraph shall be considered to be filed for a resource advisory committee described in this

paragraph. The charter of a resource advisory committee shall be reapproved before the expiration of the existing charter of the resource advisory committee. In the case of a new resource advisory committee, the charter of the resource advisory committee shall be approved within 90 days after the date on which the decision to form the new resource advisory committee was made.”.

(c) **CONFORMING CHANGE TO PROJECT APPROVAL REQUIREMENTS.**—Section 205(e)(3) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(e)(3)) is amended by adding at the end the following new sentence: “In the case of a resource advisory committee consisting of fewer than 15 members, as authorized by subsection (d)(6), a project may be proposed to the Secretary concerned upon approval by a majority of the members of the committee, including at least 1 member from each of the 3 categories described in subsection (d)(2).”.

(d) **EXPANDING LOCAL PARTICIPATION ON COMMITTEES.**—Section 205(d) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125(d)) is amended—

(1) in paragraph (3), by inserting before the period at the end the following: “, consistent with the requirements of paragraph (4)”; and

(2) by striking paragraph (4) and inserting the following new paragraph:

“(4) **GEOGRAPHIC DISTRIBUTION.**—The members of a resource advisory committee shall reside within the county or counties in which the committee has jurisdiction or an adjacent county.”.

**SEC. 403. PROGRAM FOR TITLE II SELF-SUSTAINING RESOURCE ADVISORY COMMITTEE PROJECTS.**

(a) **SELF-SUSTAINING RESOURCE ADVISORY COMMITTEE PROJECTS.**—Title II of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7121 et seq.) is amended by adding at the end the following new section:

**“SEC. 209. PROGRAM FOR SELF-SUSTAINING RESOURCE ADVISORY COMMITTEE PROJECTS.**

“(a) **RAC PROGRAM.**—The Chief of the Forest Service shall conduct a program (to be known as the ‘self-sustaining resource advisory committee program’ or ‘RAC program’) under which 10 resource advisory committees will propose projects authorized by subsection (c) to be carried out using project funds reserved by a participating county under section 102(d).

“(b) **SELECTION OF PARTICIPATING RESOURCE ADVISORY COMMITTEES.**—The selection of resource advisory committees to participate in the RAC program is in the sole discretion of the Chief of the Forest Service, except that, consistent with section 205(d)(6), a selected resource advisory committee must have a minimum of 6 members.

“(c) **AUTHORIZED PROJECTS.**—Notwithstanding the project purposes specified in sections 202(b), 203(c), and 204(a)(5), projects under the RAC program are intended to—

“(1) accomplish forest management objectives or support community development; and

“(2) generate receipts.

“(d) **DEPOSIT AND AVAILABILITY OF REVENUES.**—Any revenue generated by a project conducted under the RAC program, including any interest accrued from the revenues, shall be—

“(1) deposited in the special account in the Treasury established under section 102(d)(2)(A); and

“(2) available, in such amounts as may be provided in advance in appropriation Acts, for additional projects under the RAC program.

“(e) **TERMINATION OF AUTHORITY.**—  
“(1) **IN GENERAL.**—The authority to initiate a project under the RAC program shall terminate on September 30, 2020.

“(2) **DEPOSITS IN TREASURY.**—Any funds available for projects under the RAC program and not obligated by September 30, 2021, shall be deposited in the Treasury of the United States.”.



(b) EXCEPTION TO GENERAL RULE REGARDING TREATMENT OF RECEIPTS.—Section 403(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7153(b)) is amended by striking “All revenues” and inserting “Except as provided in section 209, all revenues”.

**SEC. 404. ADDITIONAL AUTHORIZED USE OF RESERVED FUNDS FOR TITLE III COUNTY PROJECTS.**

Section 302(a) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7142(a)) is amended—

(1) in paragraph (2)—

(A) by inserting “and law enforcement patrols” after “including firefighting”; and

(B) by striking “and” at the end;

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following new paragraph (3):

“(3) to cover training costs and equipment purchases directly related to the emergency services described in paragraph (2); and”.

**SEC. 405. TREATMENT AS SUPPLEMENTAL FUNDING.**

Section 102 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112) is amended by adding at the end the following new subsection:

“(f) TREATMENT AS SUPPLEMENTAL FUNDING.—None of the funds made available to a beneficiary county or other political subdivision of a State under this Act shall be used in lieu of or to otherwise offset State funding sources for local schools, facilities, or educational purposes.”.

**TITLE V—STEWARDSHIP END RESULT CONTRACTING**

**SEC. 501. CANCELLATION CEILINGS FOR STEWARDSHIP END RESULT CONTRACTING PROJECTS.**

(a) CANCELLATION CEILINGS.—Section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c) is amended—

(1) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(2) by inserting after subsection (g) the following new subsection (h):

“(h) CANCELLATION CEILINGS.—

“(1) IN GENERAL.—The Chief and the Director may obligate funds to cover any potential cancellation or termination costs for an agreement or contract under subsection (b) in stages that are economically or programmatically viable.

“(2) ADVANCE NOTICE TO CONGRESS OF CANCELLATION CEILING IN EXCESS OF \$25,000,000.—Not later than 30 days before entering into a multiyear agreement or contract under subsection (b) that includes a cancellation ceiling in excess of \$25,000,000, but does not include proposed funding for the costs of cancelling the agreement or contract up to such cancellation ceiling, the Chief or the Director, as the case may be, shall submit to the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a written notice that includes—

“(A) the cancellation ceiling amounts proposed for each program year in the agreement or contract;

“(B) the reasons why such cancellation ceiling amounts were selected;

“(C) the extent to which the costs of contract cancellation are not included in the budget for the agreement or contract; and

“(D) an assessment of the financial risk of not including budgeting for the costs of agreement or contract cancellation.

“(3) TRANSMITTAL OF NOTICE TO OMB.—Not later than 14 days after the date on which written notice is provided under paragraph (2) with respect to an agreement or contract under subsection (b), the Chief or the Director, as the case

may be, shall transmit a copy of the notice to the Director of the Office of Management and Budget.”.

(b) RELATION TO OTHER LAWS.—Section 604(d)(5) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(d)(5)) is amended by striking “, the Chief may” and inserting “and section 2(a)(1) of the Act of July 31, 1947 (commonly known as the Materials Act of 1947; 30 U.S.C. 602(a)(1)), the Chief and the Director may”.

**SEC. 502. EXCESS OFFSET VALUE.**

Section 604(g)(2) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(g)(2)) is amended by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

“(A) use the excess to satisfy any outstanding liabilities for cancelled agreements or contracts; or

“(B) if there are no outstanding liabilities under subparagraph (A), apply the excess to other authorized stewardship projects.”.

**SEC. 503. PAYMENT OF PORTION OF STEWARDSHIP PROJECT REVENUES TO COUNTY IN WHICH STEWARDSHIP PROJECT OCCURS.**

Section 604(e) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(e)) is amended—

(1) in paragraph (2)(B), by inserting “subject to paragraph (3)(A),” before “shall”; and

(2) in paragraph (3)(A), by striking “services received by the Chief or the Director” and all that follows through the period at the end and inserting the following: “services and in-kind resources received by the Chief or the Director under a stewardship contract project conducted under this section shall not be considered monies received from the National Forest System or the public lands, but any payments made by the contractor to the Chief or Director under the project shall be considered monies received from the National Forest System or the public lands.”.

**SEC. 504. SUBMISSION OF EXISTING ANNUAL REPORT.**

Subsection (j) of section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c), as redesignated by section 501(a)(1), is amended by striking “report to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives” and inserting “submit to the congressional committees specified in subsection (h)(2) a report”.

**TITLE VI—ADDITIONAL FUNDING SOURCES FOR FOREST MANAGEMENT ACTIVITIES**

**SEC. 601. DEFINITIONS.**

In this title:

(1) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a State or political subdivision of a State containing National Forest System lands or public lands;

(B) a publicly chartered utility serving one or more States or a political subdivision thereof;

(C) a rural electric company; and

(D) any other entity determined by the Secretary concerned to be appropriate for participation in the Fund.

(2) FUND.—The term “Fund” means the State-Supported Forest Management Fund established by section 603.

**SEC. 602. AVAILABILITY OF STEWARDSHIP PROJECT REVENUES AND COLLABORATIVE FOREST LANDSCAPE RESTORATION FUND TO COVER FOREST MANAGEMENT ACTIVITY PLANNING COSTS.**

(a) AVAILABILITY OF STEWARDSHIP PROJECT REVENUES.—Section 604(e)(2)(B) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(e)(2)(B)), as amended by section 503, is further amended by striking “appropriation at the project site from which the monies are collected or at another project site.” and inserting the following: “appropriation—

“(i) at the project site from which the monies are collected or at another project site; and

“(ii) to cover not more than 25 percent of the cost of planning additional stewardship contracting projects.”.

(b) AVAILABILITY OF COLLABORATIVE FOREST LANDSCAPE RESTORATION FUND.—Section 4003(f)(1) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(f)(1)) is amended by striking “carrying out and” and inserting “planning, carrying out, and”.

**SEC. 603. STATE-SUPPORTED PLANNING OF FOREST MANAGEMENT ACTIVITIES.**

(a) STATE-SUPPORTED FOREST MANAGEMENT FUND.—There is established in the Treasury of the United States a fund, to be known as the “State-Supported Forest Management Fund”, to cover the cost of planning (especially related to compliance with section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2))), carrying out, and monitoring certain forest management activities on National Forest System lands or public lands.

(b) CONTENTS.—The State-Supported Forest Management Fund shall consist of such amounts as may be—

(1) contributed by an eligible entity for deposit in the Fund;

(2) appropriated to the Fund; or

(3) generated by forest management activities carried out using amounts in the Fund.

(c) GEOGRAPHICAL AND USE LIMITATIONS.—In making a contribution under subsection (b)(1), an eligible entity may—

(1) specify the National Forest System lands or public lands for which the contribution may be expended; and

(2) limit the types of forest management activities for which the contribution may be expended.

(d) AUTHORIZED FOREST MANAGEMENT ACTIVITIES.—In such amounts as may be provided in advance in appropriation Acts, the Secretary concerned may use the Fund to plan, carry out, and monitor a forest management activity that—

(1) is developed through a collaborative process;

(2) is proposed by a resource advisory committee; or

(3) is covered by a community wildfire protection plan.

(e) IMPLEMENTATION METHODS.—A forest management activity carried out using amounts in the Fund may be carried out using a contract or agreement under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c), the good neighbor authority provided by section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a), a contract under section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a), or other authority available to the Secretary concerned, but revenues generated by the forest management activity shall be used to reimburse the Fund for planning costs covered using amounts in the Fund.

(f) RELATION TO OTHER LAWS.—

(1) REVENUE SHARING.—Subject to subsection (e), revenues generated by a forest management activity carried out using amounts from the Fund shall be considered monies received from the National Forest System.

(2) KNUTSON-VANDERBERG ACT.—The Act of June 9, 1930 (commonly known as the Knutson-Vanderberg Act; 16 U.S.C. 576 et seq.), shall apply to any forest management activity carried out using amounts in the Fund.

(g) TERMINATION OF FUND.—

(1) TERMINATION.—The Fund shall terminate 10 years after the date of the enactment of this Act.

(2) EFFECT OF TERMINATION.—Upon the termination of the Fund pursuant to paragraph (1) or pursuant to any other provision of law, unobligated contributions remaining in the Fund shall be returned to the eligible entity that made the contribution.

**TITLE VII—TRIBAL FORESTRY PARTICIPATION AND PROTECTION**

**SEC. 701. PROTECTION OF TRIBAL FOREST ASSETS THROUGH USE OF STEWARDSHIP END RESULT CONTRACTING AND OTHER AUTHORITIES.**

(a) **PROMPT CONSIDERATION OF TRIBAL REQUESTS.**—Section 2(b) of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a(b)) is amended—

(1) in paragraph (1), by striking “Not later than 120 days after the date on which an Indian tribe submits to the Secretary” and inserting “In response to the submission by an Indian tribe of”; and

(2) by adding at the end the following new paragraph:

“(4) **TIME PERIODS FOR CONSIDERATION.**—

“(A) **INITIAL RESPONSE.**—Not later than 120 days after the date on which the Secretary receives a tribal request under paragraph (1), the Secretary shall provide an initial response to the Indian tribe regarding—

“(i) whether the request may meet the selection criteria described in subsection (c); and

“(ii) the likelihood of the Secretary entering into an agreement or contract with the Indian tribe under paragraph (2) for activities described in paragraph (3).

“(B) **NOTICE OF DENIAL.**—Notice under subsection (d) of the denial of a tribal request under paragraph (1) shall be provided not later than one year after the date on which the Secretary received the request.

“(C) **COMPLETION.**—Not later than two years after the date on which the Secretary receives a tribal request under paragraph (1), other than a tribal request denied under subsection (d), the Secretary shall—

“(i) complete all environmental reviews necessary in connection with the agreement or contract and proposed activities under the agreement or contract; and

“(ii) enter into the agreement or contract with the Indian tribe under paragraph (2).”.

(b) **CONFORMING AND TECHNICAL AMENDMENTS.**—Section 2 of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a) is amended—

(1) in subsections (b)(1) and (f)(1), by striking “section 347 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 2104 note; Public Law 105–277) (as amended by section 323 of the Department of the Interior and Related Agencies Appropriations Act, 2003 (117 Stat. 275))” and inserting “section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591e)”;

(2) in subsection (d), by striking “subsection (b)(1), the Secretary may” and inserting “paragraphs (1) and (4)(B) of subsection (b), the Secretary shall”.

**SEC. 702. MANAGEMENT OF INDIAN FOREST LAND AUTHORIZED TO INCLUDE RELATED NATIONAL FOREST SYSTEM LANDS AND PUBLIC LANDS.**

Section 305 of the National Indian Forest Resources Management Act (25 U.S.C. 3104) is amended by adding at the end the following new subsection:

“(c) **INCLUSION OF CERTAIN NATIONAL FOREST SYSTEM LAND AND PUBLIC LAND.**—

“(1) **AUTHORITY.**—At the request of an Indian tribe, the Secretary concerned may treat Federal forest land as Indian forest land for purposes of planning and conducting forest land management activities under this section if the Federal forest land is located within, or mostly within, a geographic area that presents a feature or involves circumstances principally relevant to that Indian tribe, such as Federal forest land ceded to the United States by treaty, Federal forest land within the boundaries of a current or former reservation, or Federal forest land adjudicated to be tribal homelands.

“(2) **REQUIREMENTS.**—As part of the agreement to treat Federal forest land as Indian forest land under paragraph (1), the Secretary concerned and the Indian tribe making the request shall—

“(A) provide for continued public access applicable to the Federal forest land prior to the agreement, except that the Secretary concerned may limit or prohibit such access as needed;

“(B) continue sharing revenue generated by the Federal forest land with State and local governments either—

“(i) on the terms applicable to the Federal forest land prior to the agreement, including, where applicable, 25-percent payments or 50 percent payments; or

“(ii) at the option of the Indian tribe, on terms agreed upon by the Indian tribe, the Secretary concerned, and State and county governments participating in a revenue sharing agreement for the Federal forest land;

“(C) comply with applicable prohibitions on the export of unprocessed logs harvested from the Federal forest land;

“(D) recognize all right-of-way agreements in place on Federal forest land prior to commencement of tribal management activities; and

“(E) ensure that all commercial timber removed from the Federal forest land is sold on a competitive bid basis.

“(3) **LIMITATION.**—Treating Federal forest land as Indian forest land for purposes of planning and conducting management activities pursuant to paragraph (1) shall not be construed to designate the Federal forest land as Indian forest lands for any other purpose.

“(4) **DEFINITIONS.**—In this subsection:

“(A) **FEDERAL FOREST LAND.**—The term ‘Federal forest land’ means—

“(i) National Forest System lands; and

“(ii) public lands (as defined in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e))), including Coos Bay Wagon Road Grant lands reconveyed to the United States pursuant to the first section of the Act of February 26, 1919 (40 Stat. 1179), and Oregon and California Railroad Grant lands.

“(B) **SECRETARY CONCERNED.**—The term ‘Secretary concerned’ means—

“(i) the Secretary of Agriculture, with respect to the Federal forest land referred to in subparagraph (A)(i); and

“(ii) the Secretary of the Interior, with respect to the Federal forest land referred to in subparagraph (A)(ii).”.

**TITLE VIII—MISCELLANEOUS FOREST MANAGEMENT PROVISIONS**

**SEC. 801. BALANCING SHORT- AND LONG-TERM EFFECTS OF FOREST MANAGEMENT ACTIVITIES IN CONSIDERING INJUNCTIVE RELIEF.**

As part of its weighing the equities while considering any request for an injunction that applies to any agency action as part of a forest management activity under titles I through VIII, the court reviewing the agency action shall balance the impact to the ecosystem likely affected by the forest management activity of—

(1) the short- and long-term effects of undertaking the agency action; against

(2) the short- and long-term effects of not undertaking the action.

**SEC. 802. CONDITIONS ON FOREST SERVICE ROAD DECOMMISSIONING.**

(a) **CONSULTATION WITH AFFECTED COUNTY.**—Whenever any Forest Service defined maintenance level one or two system road within a designated high fire prone area of a unit of the National Forest System is considered for decommissioning, the Forest Supervisor of that unit of the National Forest System shall—

(1) consult with the government of the county containing the road regarding the merits and possible consequences of decommissioning the road; and

(2) solicit possible alternatives to decommissioning the road.

(b) **REGIONAL FORESTER APPROVAL.**—A Forest Service road described in subsection (a) may not be decommissioned without the advance approval of the Regional Forester.

**SEC. 803. PROHIBITION ON APPLICATION OF EASTSIDE SCREENS REQUIREMENTS ON NATIONAL FOREST SYSTEM LANDS.**

On and after the date of the enactment of this Act, the Secretary of Agriculture may not apply to National Forest System lands any of the amendments to forest plans adopted in the Decision Notice for the Revised Continuation of Interim Management Direction Establishing Riparian, Ecosystem and Wildlife Standards for Timber Sales (commonly known as the Eastside Screens requirements), including all preceding or associated versions of these amendments.

**SEC. 804. USE OF SITE-SPECIFIC FOREST PLAN AMENDMENTS FOR CERTAIN PROJECTS AND ACTIVITIES.**

If the Secretary concerned determines that, in order to conduct a project or carry out an activity implementing a forest plan, an amendment to the forest plan is required, the Secretary concerned shall execute such amendment as a non-significant plan amendment through the record of decision or decision notice for the project or activity.

**SEC. 805. KNUTSON-VANDEMBERG ACT MODIFICATIONS.**

(a) **DEPOSITS OF FUNDS FROM NATIONAL FOREST TIMBER PURCHASERS REQUIRED.**—Section 3(a) of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b(a)), is amended by striking “The Secretary” and all that follows through “any purchaser” and inserting the following: “The Secretary of Agriculture shall require each purchaser”.

(b) **CONDITIONS ON USE OF DEPOSITS.**—Section 3 of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b), is amended—

(1) by striking “Such deposits” and inserting the following:

“(b) Amounts deposited under subsection (a)”;

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting before subsection (d), as so redesignated, the following new subsection (c):

“(c)(1) Amounts in the special fund established pursuant to this section—

“(A) shall be used exclusively to implement activities authorized by subsection (a); and

“(B) may be used anywhere within the Forest Service Region from which the original deposits were collected.

“(2) The Secretary of Agriculture may not deduct overhead costs from the funds collected under subsection (a), except as needed to fund personnel of the responsible Ranger District for the planning and implementation of the activities authorized by subsection (a).”.

**SEC. 806. EXCLUSION OF CERTAIN NATIONAL FOREST SYSTEM LANDS AND PUBLIC LANDS.**

Unless specifically provided by a provision of titles I through VIII, the authorities provided by such titles do not apply with respect to any National Forest System lands or public lands—

(1) that are included in the National Wilderness Preservation System;

(2) that are located within an inventoried roadless area unless the forest management activity to be carried out under such authority is consistent with the forest plan applicable to the area; or

(3) on which timber harvesting for any purpose is prohibited by statute.

**SEC. 807. APPLICATION OF NORTHWEST FOREST PLAN SURVEY AND MANAGE MITIGATION MEASURE STANDARD AND GUIDELINES.**

The Northwest Forest Plan Survey and Manage Mitigation Measure Standard and Guidelines shall not apply to any National Forest System lands or public lands.

**SEC. 808. MANAGEMENT OF BUREAU OF LAND MANAGEMENT LANDS IN WESTERN OREGON.**

(a) **GENERAL RULE.**—All of the public land managed by the Bureau of Land Management



in the Salem District, Eugene District, Roseburg District, Coos Bay District, Medford District and the Klamath Resource Area of the Lakeview District in the State of Oregon shall hereafter be managed pursuant to title I of the Act of August 28, 1937 (43 U.S.C. 1181a through 1181e). Except as provided in subsection (b), all of the revenue produced from such land shall be deposited in the Treasury of the United States in the Oregon and California land-grant fund and be subject to the provisions of title II of the Act of August 28, 1937 (43 U.S.C. 1181f).

(b) **CERTAIN LANDS EXCLUDED.**—Subsection (a) does not apply to any revenue that is required to be deposited in the Coos Bay Wagon Road grant fund pursuant to sections 1 through 4 of the Act of May 24, 1939 (43 U.S.C. 1181–f through f–4).

**SEC. 809. BUREAU OF LAND MANAGEMENT RESOURCE MANAGEMENT PLANS.**

(a) **ADDITIONAL ANALYSIS AND ALTERNATIVES.**—To develop a full range of reasonable alternatives as required by the National Environmental Policy Act of 1969, the Secretary of the Interior shall develop and consider in detail a reference analysis and two additional alternatives as part of the revisions of the resource management plans for the Bureau of Land Management's Salem, Eugene, Coos Bay, Roseburg, and Medford Districts and the Klamath Resource Area of the Lakeview District.

(b) **REFERENCE ANALYSIS.**—The reference analysis required by subsection (a) shall measure and assume the harvest of the annual growth net of natural mortality for all forested land in the planning area in order to determine the maximum sustained yield capacity of the forested land base and to establish a baseline by which the Secretary of the Interior shall measure incremental effects on the sustained yield capacity and environmental impacts from management prescriptions in all other alternatives.

(c) **ADDITIONAL ALTERNATIVES.**—

(1) **CARBON SEQUESTRATION ALTERNATIVE.**—The Secretary of the Interior shall develop and consider an additional alternative with the goal of maximizing the total carbon benefits from forest storage and wood product storage. To the extent practicable, the analysis shall consider—

(A) the future risks to forest carbon from wildfires, insects, and disease;

(B) the amount of carbon stored in products or in landfills;

(C) the life cycle benefits of harvested wood products compared to non-renewable products; and

(D) the energy produced from wood residues.

(2) **SUSTAINED YIELD ALTERNATIVE.**—The Secretary of the Interior shall develop and consider an additional alternative that produces the greater of 500 million board feet or the annual net growth on the acres classified as timberland, excluding any congressionally reserved areas. The projected harvest levels, as nearly as practicable, shall be distributed among the Districts referred to in subsection (a) in the same proportion as the maximum yield capacity of each such District bears to maximum yield capacity of the planning area as a whole.

(d) **ADDITIONAL ANALYSIS AND PUBLIC PARTICIPATION.**—The Secretary of the Interior shall publish the reference analysis and additional alternatives and analyze their environmental and economic consequences in a supplemental draft environmental impact statement. The draft environmental impact statement and supplemental draft environmental impact statement shall be made available for public comment for a period of not less than 180 days. The Secretary shall respond to any comments received before making a final decision between all alternatives.

(e) **RULE OF CONSTRUCTION.**—Nothing in this section shall affect the obligation of the Secretary of the Interior to manage the timberlands as required by the Act of August 28, 1937 (50 Stat. 874; 43 U.S.C. 1181a–1181j).

**TITLE IX—MAJOR DISASTER FOR WILDFIRE ON FEDERAL LAND**

**SEC. 901. WILDFIRE ON FEDERAL LANDS.**

Section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) is amended—

(1) by striking “(2)” and all that follows through “means” and inserting the following:

“(2) MAJOR DISASTER.—

“(A) MAJOR DISASTER.—The term ‘major disaster’ means”; and

(2) by adding at the end the following:

“(B) MAJOR DISASTER FOR WILDFIRE ON FEDERAL LANDS.—The term ‘major disaster for wildfire on Federal lands’ means any wildfire or wildfires, which in the determination of the President under section 802 warrants assistance under section 803 to supplement the efforts and resources of the Department of the Interior or the Department of Agriculture—

“(i) on Federal lands; or

“(ii) on non-Federal lands pursuant to a fire protection agreement or cooperative agreement.”.

**SEC. 902. DECLARATION OF A MAJOR DISASTER FOR WILDFIRE ON FEDERAL LANDS.**

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.) is amended by adding at the end the following:

**“TITLE VIII—MAJOR DISASTER FOR WILDFIRE ON FEDERAL LAND**

**“SEC. 801. DEFINITIONS.**

“As used in this title—

“(1) FEDERAL LAND.—The term ‘Federal land’ means—

“(A) any land under the jurisdiction of the Department of the Interior; and

“(B) any land under the jurisdiction of the United States Forest Service.

“(2) FEDERAL LAND MANAGEMENT AGENCIES.—The term ‘Federal land management agencies’ means—

“(A) the Bureau of Land Management;

“(B) the National Park Service;

“(C) the Bureau of Indian Affairs;

“(D) the United States Fish and Wildlife Service; and

“(E) the United States Forest Service.

“(3) WILDFIRE SUPPRESSION OPERATIONS.—The term ‘wildfire suppression operations’ means the emergency and unpredictable aspects of wildland firefighting, including support, response, emergency stabilization activities, and other emergency management activities of wildland firefighting on Federal lands (or on non-Federal lands pursuant to a fire protection agreement or cooperative agreement) by the Federal land management agencies covered by the wildfire suppression subactivity of the Wildland Fire Management account or the FLAME Wildfire Suppression Reserve Fund account of the Federal land management agencies.

**“SEC. 802. PROCEDURE FOR DECLARATION OF A MAJOR DISASTER FOR WILDFIRE ON FEDERAL LANDS.**

“(a) IN GENERAL.—The Secretary of the Interior or the Secretary of Agriculture may submit a request to the President consistent with the requirements of this title for a declaration by the President that a major disaster for wildfire on Federal lands exists.

“(b) REQUIREMENTS.—A request for a declaration by the President that a major disaster for wildfire on Federal lands exists shall—

“(1) be made in writing by the respective Secretary;

“(2) certify that the amount appropriated in the current fiscal year for wildfire suppression operations of the Federal land management agencies under the jurisdiction of the respective Secretary, net of any concurrently enacted rescissions of wildfire suppression funds, increases the total unobligated balance of amounts available for wildfire suppression by an amount equal to or greater than the average total costs incurred by the Federal land management agen-

cies per year for wildfire suppression operations, including the suppression costs in excess of appropriated amounts, over the previous ten fiscal years;

“(3) certify that the amount available for wildfire suppression operations of the Federal land management agencies under the jurisdiction of the respective Secretary will be obligated not later than 30 days after such Secretary notifies the President that wildfire suppression funds will be exhausted to fund ongoing and anticipated wildfire suppression operations related to the wildfire on which the request for the declaration of a major disaster for wildfire on Federal lands pursuant to this title is based; and

“(4) specify the amount required in the current fiscal year to fund wildfire suppression operations related to the wildfire on which the request for the declaration of a major disaster for wildfire on Federal lands pursuant to this title is based.

“(c) DECLARATION.—Based on the request of the respective Secretary under this title, the President may declare that a major disaster for wildfire on Federal lands exists.

**“SEC. 803. WILDFIRE ON FEDERAL LANDS ASSISTANCE.**

“(a) IN GENERAL.—In a major disaster for wildfire on Federal lands, the President may transfer funds, only from the account established pursuant to subsection (b), to the Secretary of the Interior or the Secretary of Agriculture to conduct wildfire suppression operations on Federal lands (and non-Federal lands pursuant to a fire protection agreement or cooperative agreement).

“(b) WILDFIRE SUPPRESSION OPERATIONS ACCOUNT.—The President shall establish a specific account for the assistance available pursuant to a declaration under section 802. Such account may only be used to fund assistance pursuant to this title.

“(c) LIMITATION.—

“(1) LIMITATION OF TRANSFER.—The assistance available pursuant to a declaration under section 802 is limited to the transfer of the amount requested pursuant to section 802(b)(4). The assistance available for transfer shall not exceed the amount contained in the wildfire suppression operations account established pursuant to subsection (b).

“(2) TRANSFER OF FUNDS.—Funds under this section shall be transferred from the wildfire suppression operations account to the wildfire suppression subactivity of the Wildland Fire Management Account.

“(d) PROHIBITION OF OTHER TRANSFERS.—Except as provided in this section, no funds may be transferred to or from the account established pursuant to subsection (b) to or from any other fund or account.

“(e) REIMBURSEMENT FOR WILDFIRE SUPPRESSION OPERATIONS ON NON-FEDERAL LAND.—If amounts transferred under subsection (c) are used to conduct wildfire suppression operations on non-Federal land, the respective Secretary shall—

“(1) secure reimbursement for the cost of such wildfire suppression operations conducted on the non-Federal land; and

“(2) transfer the amounts received as reimbursement to the wildfire suppression operations account established pursuant to subsection (b).

“(f) ANNUAL ACCOUNTING AND REPORTING REQUIREMENTS.—Not later than 90 days after the end of each fiscal year for which assistance is received pursuant to this section, the respective Secretary shall submit to the Committees on Agriculture, Appropriations, the Budget, Natural Resources, and Transportation and Infrastructure of the House of Representatives and the Committees on Agriculture, Nutrition, and Forestry, Appropriations, the Budget, Energy and Natural Resources, Homeland Security and Governmental Affairs, and Indian Affairs of the Senate, and make available to the public, a report that includes the following:

“(1) *The risk-based factors that influenced management decisions regarding wildfire suppression operations of the Federal land management agencies under the jurisdiction of the Secretary concerned.*

“(2) *Specific discussion of a statistically significant sample of large fires, in which each fire is analyzed for cost drivers, effectiveness of risk management techniques, resulting positive or negative impacts of fire on the landscape, impact of investments in preparedness, suggested corrective actions, and such other factors as the respective Secretary considers appropriate.*

“(3) *Total expenditures for wildfire suppression operations of the Federal land management agencies under the jurisdiction of the respective Secretary, broken out by fire sizes, cost, regional location, and such other factors as the such Secretary considers appropriate.*

“(4) *Lessons learned.*

“(5) *Such other matters as the respective Secretary considers appropriate.*

“(g) **SAVINGS PROVISION.**—*Nothing in this title shall limit the Secretary of the Interior, the Secretary of Agriculture, Indian tribe, or a State from receiving assistance through a declaration made by the President under this Act when the criteria for such declaration have been met.*”.

**SEC. 903. PROHIBITION ON TRANSFERS.**

*No funds may be transferred to or from the Federal land management agencies' wildfire suppression operations accounts referred to in section 801(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to or from any account or subactivity of the Federal land management agencies, as defined in section 801(2) of such Act, that is not used to cover the cost of wildfire suppression operations.*

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part C of House Report 114-192. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part C of House Report 114-192.

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 203.

Strike title III.

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, my amendment would strike a harmful and politically driven provision on the underlying bill that has the effect of limiting stakeholder input and curbing equal access to justice, a core constitutional principle in our Republic, and effectively removes an important check we have on arbitrary actions by Presidents and administrations.

Absent my language, the underlying bill would hand President Obama a blank slate in determining how we run our Western lands. My bill will restore that balance and allow civil society stakeholders and local residents to be able to challenge illegal Federal actions.

While I respect and appreciate the impetus for many parts of this bill and support them, particularly those aimed at incentivizing collaborative development management plans and fixing the flawed funding structure for wildfire response—very, very important in my district—the provision that I am striking in my amendment is truly a poison pill for many on my side of the aisle who care deeply about equal access to justice and many on the other side of the aisle who don't want to hand President Obama an unchecked control over Federal lands.

In districts like mine, which are made up of 62 percent Federal land, the Forest Service owns huge amounts of open space that we use, enjoy, is a driver of our tourism economy; we recreate as hikers, skiers, hunters, bikers; it is used commercially by loggers, utility providers, and many, many other groups.

I can attest to the fact that these groups, these stakeholders that I mentioned whose livelihood and enjoyment depend on these lands, are extremely valuable when it comes to providing practical, varied input into managing our Federal lands.

This bill, however, would discourage and limit the depth and diversity of public input by expediting the development of forest management plans while removing the legal venues that exist for protest after a management plan has been implemented, meaning not only does the provision, like the one I am trying to strike, cripple the transparency and effectiveness by limiting the form of expertise we have in planning our Federal lands, it also has the potential to repeal some critical rights, like the right to protest and legal recourse for potential wrongdoing.

The provisions I move to strike would effectively eliminate the ability of citizens, nonprofits, local residents, independent advocacy organizations, and others to file lawsuits against potentially illegal or improper forest management tools that the executive branch is using.

By creating a harmful bonding requirement, which would really exclude judicial access for everybody—except the very wealthiest corporations and people—and a prejudicial fee-shifting requirement that enables the government to act with impunity at the clear expense of the plaintiff, we really break down the core principle of equal access to justice, which is our right.

By prohibiting the courts from issuing any restraining orders, preliminary injunctions, or injunctions pending repeal in cases of postdisaster operations after broadly defined events, we are only compounding the damage.

Again, Mr. Chairman, my colleagues on the other side of the aisle's move to block the court's ability to make sound, thoughtful, and transparent decisions if the executive branch acts illegally really will come at the expense of our local stakeholders for those of us who live in and around Federal land.

Mr. Chairman, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Chairman, I think it is important to realize there is nothing, absolutely nothing in the base bill that prohibits any individual or group from filing a lawsuit.

What it does do is discourage frivolous lawsuits.

I yield 1 minute to the gentleman from Montana (Mr. ZINKE) to expand on that.

Mr. ZINKE. Mr. Chairman, I stand in opposition to the amendment. We have to reward collaboration and working together.

What this bill does not do is discourage NEPA. What it does do, though, is it brings people together to work together. That is what I was sent to Washington, D.C., to do; and that is what all of us were sent to do, is work together and move the ball up the field. It does not prevent anyone from filing a lawsuit.

What it does do, however, on frivolous lawsuits—and the numbers are clear. Between 1989 and 2008, over 1,125 lawsuits were submitted. Almost in every case, those lawsuits ended up costing the Forest Service that we are so concerned about the money they are spending—number one is forest fires; number two is litigation.

We want the same thing. We want more scientists, less lawyers in the woods, and healthy forests once again to be part of our country; yet what happens is the collaborative effort—and we made the definition of collaborative very vague so everyone can participate, everybody—it does not prevent anyone from suing.

What it does do is, if you are not going to be involved in the collaborative effort, if you are not going to spend the time and the resources, then you have to post a bond, and that bond only covers what the Forest Service would have to defend. We could have made it a lot aggressive, and we didn't.

Mr. Chairman, I stand in opposition.

Mr. POLIS. Mr. Chairman, I would like to inquire as to how much time remains on both sides.

The Acting CHAIR. The gentleman from Colorado has 1½ minutes remaining. The gentleman from Utah has 3¾ minutes remaining.

Mr. POLIS. Mr. Chairman, I yield 1 minute to the gentlewoman from Massachusetts (Ms. TSONGAS).

Ms. TSONGAS. Mr. Chairman, I thank Mr. POLIS.

As my colleague stated, title III would require anyone who challenges a

project on forest land in the Federal court system to put up a bond covering all litigation expenses of the government. Plaintiffs would only get their bond back if they prevailed on all their claim.

Further, it would not allow litigants to recover attorney's fees under the Equal Access to Justice Act. While my colleagues across the aisle have said it doesn't prevent anyone from coming forward, we do know that the impact would be that it would prevent any plaintiffs, except those large companies with deep pockets, from bringing lawsuits against these projects, essentially keeping out the average American citizen from having their voice heard.

I strongly support this amendment.

Mr. BISHOP of Utah. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. McCLINTOCK).

□ 1645

Mr. McCLINTOCK. Mr. Chairman, Eric Hoffer once said that every great cause becomes a movement, which becomes a business, which becomes a racket. That is what has happened with environmental litigation.

Through many hearings, we have discovered that most of the groups litigating collaborative projects sue just to raise money or to defeat necessary projects through delay. That is their right. No one begrudges them it.

But that does not include frivolous litigation designed solely to run out the clock on salvage projects or to nullify by delay the painstaking work of collaborative groups which often, in good faith, spend endless hours and considerable resources in negotiating a plan that is fair to all.

I oppose this amendment, and I urge my colleagues to do the same.

Mr. POLIS. Mr. Chairman, I have many of my constituents who are living in holdings on Federal lands. What happens if Federal land management policy changes their rights-of-way and makes it harder to access where they live? Where are they supposed to come up with the hundreds of thousands or millions of dollars that it would take to bond under this scenario to figure out whether what the Federal Government did was legal or not?

That is why we need to fix this, Mr. Chairman. And I urge my colleagues to support my amendment to defend the constitutional rights of families who live in and around Federal land.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I appreciate the chance to actually hear from the gentleman from California as well as from the gentleman from Montana.

You see, what happens and what has failed to be discussed here is this section only applies to whether it has been a collaborative process.

So real people, citizens, will spend years working together to develop a collaborative project. And then too frequently outside fringe groups that

don't live in the area, but that do have big pockets, wait for those projects to be announced.

Then they start to litigate, which has a chilling effect on any kind of collaborative work, and it makes the hundreds of hours that those citizens worked to come up with their projects simply moot.

That has happened in California. I have been there to see those projects that were stopped by frivolous lawsuits. It is the same thing that happens in Montana and in northern Idaho. In that particular district, of all of those lawsuits he mentioned, over 70 percent of those were stopped because of frivolous lawsuits.

Now, we are not stopping anyone from suing. What we are saying is you put up a bond if you are serious about it and you don't use this as a way of simply stopping a process that has been worked out by the citizens and the Forest Service at the same time. That is what this means, and that is what is going to be taken away.

That is why this is so essential and why this part has to be part of this bill. It has to move forward or our Forest Service does not have the tools it needs to preserve our forests and to protect our people and to protect our landscape.

This amendment cannot pass. It would destroy every effort of the Forest Service to actually move forward into the future. We oppose it. We oppose it vigorously and in all due respect.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POLIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. TIPTON

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part C of House Report 114-192.

Mr. TIPTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 33, after line 21, insert the following new section:

**SEC. 505. FIRE LIABILITY PROVISION.**

Section 604(d) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c(d)) is amended by adding at the end the following new paragraph:

“(8) MODIFICATION.—Upon the request of the contractor, a contract or agreement under this section awarded before February 7, 2014, shall be modified by the Chief or Director to include the fire liability provisions described in paragraph (7).”

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman

from Colorado (Mr. TIPTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. TIPTON. Mr. Chairman, Congress has previously authorized fire liability provisions for stewardship contracts. My amendment simply provides the same fire liability provisions for long-term stewardship contracts awarded by the Forest Service prior to February 7, 2014.

These contracts have valid concerns over their potential liability, and it is prohibitively expensive to obtain liability insurance to cover the costs of large forest fires.

The amendment provides these contractors with the same protections as all Federal timber sales and integrated resource timber purchasers and other integrated resource stewardship contracts that they already have. I urge my colleagues to support the amendment.

I reserve the balance of my time.

Ms. TSONGAS. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentlewoman from Massachusetts is recognized for 5 minutes.

Ms. TSONGAS. Mr. Chairman, I rise in opposition to this amendment, which would change the parameters of contracts that have already been awarded through a competitive bidding process.

Stewardship end result contracting is a critical tool used to achieve land management goals across our national forests and grasslands.

In addition to making the authority for stewardship contracting permanent, last year's farm bill directed the Forest Service to make the first liability provisions in integrated resource timber contracts equal to liability provisions typically found in timber sale contracts. Earlier this year the Forest Service issued rulemaking carrying out this directive.

This was a commonsense change, and I agree with the sponsors of this amendment that this is a worthwhile change. However, their amendment would retroactively extend the updated liability requirement to contracts that were awarded before the farm bill was signed into law.

The Forest Service would, therefore, have to modify existing contracts, which is not only a burden for the agency and the contract awardees, but it is unfair to companies that did not participate in the competitive bidding process because of their understanding of the fire liability requirements.

Congress should not change contracts that have already been awarded through the competitive bidding process. For that reason, I oppose the adoption of this amendment.

I reserve the balance of my time.

Mr. TIPTON. Mr. Chairman, we are talking about fairness. We just had an amendment that was presented by my

colleague from Colorado that talked about fairness, and I think Chairman BISHOP spoke very eloquently in regards to allowing that process to be able to work through the private sector.

Yet, when we are talking about forest health, Mr. Chairman, wouldn't it be an appropriate thing to make sure that we have a level playing field when it comes to liability?

If we want to be able to get in and actually protect those forests, to be able to protect those watersheds, to be able to protect endangered species and the other wildlife in the forests, let's make sure that we have a process to be able to do that so that that liability is not going to become a liability to something that I believe we all share as common ground, and that is the health of our forests.

I yield back the balance of my time.

Ms. TSONGAS. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. TIPTON).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MS. MICHELLE LUJAN GRISHAM OF NEW MEXICO

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part C of House Report 114-192.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 44, after line 15, insert the following:  
**SEC. 703. TRIBAL FOREST MANAGEMENT DEMONSTRATION PROJECT.**

The Secretary of the Interior and the Secretary of Agriculture may carry out demonstration projects by which federally recognized Indian tribes or tribal organizations may contract to perform administrative, management, and other functions of programs of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a et seq.) through contracts entered into under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

The Acting CHAIR. Pursuant to House Resolution 347, the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Mexico.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I rise in support of my amendment that allows the Forest Service to establish a pilot program to execute contracts with tribes under the Indian Self-Determination and Education Assistance Act, known as 638 contracts. 638 contracts allow tribes to manage and implement Federal programs in Indian Country.

When I was the New Mexico Secretary of Health, I witnessed how successful and beneficial these contracts could be in efficiently delivering services to tribes and their members. Through these contracts, tribes oper-

ate hospitals, health clinics, mental health facilities, and a variety of other community health services.

Having tribes manage and operate programs in their communities not only recognizes tribal self-determination and self-governance, but it also helps ensure that tribal needs are being met through traditionally and culturally appropriate methods.

Although several agencies have the authority to execute 638 contracts, such as the Bureau of Land Management, the Bureau of Reclamation, the Bureau of Indian Affairs and Indian Health Services, the Forest Service does not currently have this authority. Several tribes have expressed to me that they would like to see the Forest Service have the authority.

Many of the pueblos in New Mexico have land in tribal forests that are adjacent to national forests, and we know that wildfires and pests can quickly affect entire regions, regardless of who owns the land.

In fact, the Las Conchas wildland fire, which is one of the largest wildfires in New Mexico's history, started on June 26, 2011, in the Santa Fe National Forest. It burned more than 156,000 acres in New Mexico, including land belonging to the Pueblos of Santa Clara, Ohkay Owingeh, San Ildefonso, Pojoaque, Jemez, Cochiti, and Kewa.

It is imperative that the Forest Service and tribes actively work together to co-manage forests. I urge Members to support my amendment, which will improve the Forest Service's ability to partner with tribes in order to work on projects that impact tribal lands and forests.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I claim the time in opposition, although I may not be in opposition to this particular bill.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. BISHOP of Utah. Mr. Chairman, I would like to ask the gentlewoman from New Mexico, as this bill works its way through the process of ultimately being signed and implemented, if she would be willing to work with us to make sure this contracting authority in the future has no unintended consequences.

I yield to the gentlewoman for a response.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, absolutely. I appreciate that offer. Thank you.

Mr. BISHOP of Utah. I appreciate that.

Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I rise in support of this amendment. I want to thank the ranking member from the Conservation and Forestry Subcommittee for bringing this amendment forward.

This amendment obviously allows the Forest Service to create a pilot program that would execute contracts with tribes to perform administrative, management, and other functions of the program for the Tribal Forest Protection Act of 2004.

Allowing the Forest Service to execute contracts would recognize the government-to-government relationship that tribes have with the Federal Government, and it would be in line with the intent of the Tribal Forest Protection Act of working with tribes as partners.

I certainly would encourage my colleagues to support this amendment.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. NOLAN).

Mr. NOLAN. Mr. Chairman, I want to particularly thank the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) for yielding and for introducing this important amendment.

Mr. Chairman, there is an old saying that I know you have all heard, which is that the shadows of those who live on their land are the best protectors and the best stewards of that land.

My wife and I have had the good fortune to plant over 100,000 trees on our land, with the help of the kids, and I want you to know they are doing well.

I am supportive of this amendment because I think it is high time that the American Indians and the Alaska Natives, who are the first stewards of our lands, be allowed to better exercise their sovereignty and their self-determination in caring for the forests they have called home for untold centuries.

We already have 638 contracts that allow the tribes to manage Federal lands in Indian Country. This amendment simply adds a partnership with the U.S. Forest Service to that list.

By approving this measure, we help create jobs, protect our forests all across Indian Country, and we all become better stewards of our Nation's great resources.

I urge my colleagues to join us in support of this important amendment.

I want to again particularly thank Ms. LUJAN GRISHAM for her leadership on this important issue. I thank the chairman of the committee for his support of it as well. And I thank the gentleman from Pennsylvania (Mr. THOMPSON).

I urge my colleagues to adopt this amendment.

Mr. BISHOP of Utah. Mr. Chairman, may I inquire as to how much time is remaining?

The Acting CHAIR. The gentleman from Utah has 4 minutes remaining, and the gentlewoman from New Mexico has 1½ minutes remaining.

Mr. BISHOP of Utah. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas (Mr. WESTERMAN), the sponsor of the bill.

Mr. WESTMORELAND. Mr. Chairman, I rise in support of this amendment as it goes along with the collaborative efforts we are trying to include

in the bill with tribal and State governments.

I just want to thank the gentlewoman for proposing this amendment, and I rise in full support of it.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM).

The amendment was agreed to.

□ 1700

AMENDMENT NO. 4 OFFERED BY MR. KILMER

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part C of House Report 114–192.

Mr. KILMER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VIII, add the following new section:

**SEC. 807. LANDSCAPE-SCALE FOREST RESTORATION PROJECT.**

The Secretary of Agriculture shall develop and implement at least one landscape-scale forest restoration project that includes, as a defined purpose of the project, the generation of material that will be used to promote advanced wood products. The project shall be developed through a collaborative process.

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from Washington (Mr. KILMER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. KILMER. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, before I speak to this amendment, I actually wanted to start by expressing my appreciation to the chairman for his work on this important legislation.

I grew up in Port Angeles, Washington. I saw firsthand how a downturn in the timber industry impacted our region's economy and the livelihood of families who lived there. Those experiences were a major influence in my decision to pursue a career in economic development and now in public service. It is a big reason I have been working on harvest issues that impact the region that I represent.

On the Olympic National Forest, I have been proud to help stand up a collaborative, bringing together a group of stakeholders from all across the spectrum to figure out how we can make real progress to rebuild the trust that we need to restore our forests and to promote harvest levels and to support our local communities.

We have begun to see some successes come out of that. I am sure committed to working to help take actions that lead to better outcomes for our forests and for the local economies that rely on them as an important asset.

I think the bill that is before us today is an honest effort to address the real challenges that are facing our Federal forests. Importantly, the underlying bill includes language that would make real progress toward ending the harmful practice of fire borrowing.

Now, I have got some concerns about this bill that are going to keep me from supporting it today, but I am very hopeful that this is just a first step in a process that leads to compromise legislation that we can send on to the President and get signed into law to help our forests and to help our communities. I would welcome the opportunity to be a part of that process.

Mr. Chair, the amendment that I have offered today is focused on an initiative that would support innovative wood products, including cross-laminated timber. CLT products offer increased use of responsibly harvested wood that could mean more jobs in rural areas of Washington State and all other States.

These are renewable resources, rather than steel or concrete, that would make our buildings greener. These new wood products are strong and fire resistant and may actually be safer in an earthquake than nonwood alternatives.

We can change the way our Nation constructs buildings by utilizing these new sturdy wood products. More importantly, we can lead the way on a global timber revolution that can bring lower costs, environmentally friendly building materials to market, providing more job opportunities in rural America.

My amendment is pretty simple. It would direct the Secretary of Agriculture to develop a significant forest restoration project with the goal of generating the kind of material we can use for these advanced wood products. I would urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chair, I claim time in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I actually rise in support of this amendment as chairman of the Subcommittee on Conservation and Forestry of the Committee on Agriculture.

It is consistent with the U.S. Forest Service's recognition of the important role that advanced wood products can play, particularly in building construction. New and innovative technologies are yielding building products that are greener, stronger, fire resistant, and even safer in response to earthquakes than nonwood alternatives.

The bottom line is, when it comes to good, healthy forest management, it is just not some of the barriers we are dealing with today in terms of har-

vesting; it is also about driving the market and increasing the value.

It is a three-legged stool for healthy forests. I am very pleased with the underlying bill. I think that is helping on step one. I think this amendment helps us in terms of pushing the market value and the value of timber, and it is certainly consistent with many of the steps that we took within the farm bill in terms of research for advanced wood products.

I just am very pleased to support this amendment.

Mr. KILMER. Mr. Chair, I yield 1 minute to the gentlewoman from Massachusetts (Ms. TSONGAS).

Ms. TSONGAS. Mr. Chair, I rise in support of this amendment. While it does nothing to address our underlying concerns with the bill, the promotion of advanced wood products is an important priority, and I commend my colleague from Washington, Mr. KILMER, for taking on this issue.

The amendment directs the Forest Service to establish a pilot project to promote the production of advanced wood products. Production of these products, like cross-laminated timber, or CLT, is a growing market with many practical applications. Growing this market here in the United States is an important economic development opportunity, and I thank Mr. KILMER for his efforts in promoting this opportunity.

Mr. BISHOP of Utah. I yield 1 minute to the gentleman from Arkansas (Mr. WESTERMAN), the sponsor of the bill.

Mr. WESTERMAN. Mr. Chairman, I rise in support of the concept of this amendment. The gentleman brings out a very important fact that we do need forest products to be able to utilize the resources coming off our forests in order to do healthy management.

There are many forest products that can be made from smaller diameter materials that are already out there. We have the science behind it. A landscapewide collaborative project that uses these lower value products would be a good thing to do.

I do challenge the gentleman to support the whole bill so that we could put this into practice, should it be passed, because it would be of benefit to the bill and to healthy forests across the country if such projects were implemented.

Mr. KILMER. Mr. Chair, I have no other speakers, so I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chair, as we finish the last amendment to this very good bill, the gentleman from Washington full well knows how devastating it could be to his community if we do not pass this particular bill and wildfires actually attack his constituents and his area.

That is why it is extremely important—as we take this last opportunity to speak towards this bill and this particular amendment—to recognize that this is a bipartisan bill, bipartisan sponsorship, passed by a bipartisan

vote in our committee, passed in a bipartisan vote in the Committee on Agriculture.

This is a good bill that will move us forward, and it is essential to move forward. I appreciate all the support we have had from both sides of the aisle moving this particular piece of legislation forward. I urge support of the amendment.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. KILMER). The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MR. POLIS

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the request for a recorded vote on amendment No. 1 printed in part C of House Report 114-192 offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 181, noes 247, not voting 5, as follows:

[Roll No. 427]

AYES—181

Adams	Deutch	Larson (CT)
Aguilar	Dingell	Lawrence
Amash	Doggett	Lee
Ashford	Doyle, Michael	Levin
Bass	F.	Lewis
Beatty	Duckworth	Lieu, Ted
Becerra	Edwards	Lipinski
Bera	Ellison	Loebsack
Beyer	Engel	Lowenthal
Bishop (GA)	Eshoo	Lowe
Blumenauer	Esty	Lujan Grisham
Bonamici	Farr	(NM)
Boyle, Brendan	Fattah	Lujan, Ben Ray
F.	Foster	(NM)
Brady (PA)	Frankel (FL)	Lynch
Brown (FL)	Fudge	Maloney,
Brownley (CA)	Gabbard	Carolyn
Bustos	Gallego	Maloney, Sean
Butterfield	Garamendi	Matsui
Capps	Graham	McCollum
Capuano	Grayson	McDermott
Cárdenas	Green, Al	McGovern
Carney	Grijalva	McNerney
Carson (IN)	Gutiérrez	Meeks
Cartwright	Hahn	Meng
Castor (FL)	Hastings	Moore
Castro (TX)	Heck (WA)	Moulton
Chu, Judy	Higgins	Murphy (FL)
Ciçilline	Himes	Nadler
Clark (MA)	Hinojosa	Napolitano
Clarke (NY)	Honda	Neal
Clay	Hoyer	Nolan
Cleaver	Huffman	Norcross
Clyburn	Israel	O'Rourke
Cohen	Jackson Lee	Pallone
Connolly	Jeffries	Pascarell
Conyers	Johnson (GA)	Pelosi
Cooper	Johnson, E. B.	Perlmutter
Courtney	Kaptur	Pingree
Crowley	Keating	Pocan
Cummings	Kelly (IL)	Polis
Davis (CA)	Kennedy	Price (NC)
Davis, Danny	Kildee	Quigley
DeFazio	Kilmer	Rangel
DeGette	Kind	Rice (NY)
Delaney	Kirkpatrick	Richmond
DeLauro	Kuster	Roybal-Allard
DelBene	Langevin	Ruiz
DeSaulnier	Larsen (WA)	Ruppersberger

Rush	Sires
Ryan (OH)	Slaughter
Sánchez, Linda	Smith (WA)
T.	Speier
Sanchez, Loretta	Swalwell (CA)
Sarbanes	Takai
Schakowsky	Takano
Schiff	Thompson (CA)
Scott (VA)	Thompson (MS)
Scott, David	Titus
Serrano	Tonko
Sewell (AL)	Torres
Sherman	Tsongas
Sinema	Van Hollen

NOES—247

Abraham	Griffith
Aderholt	Grothman
Allen	Guinta
Amodei	Guthrie
Babin	Hanna
Barletta	Hardy
Barr	Harper
Barton	Harris
Benishek	Hartzler
Bilirakis	Heck (NV)
Bishop (MI)	Hensarling
Bishop (UT)	Herrera Beutler
Black	Hice, Jody B.
Blackburn	Hill
Blum	Holding
Bost	Hudson
Boustany	Huelskamp
Brady (TX)	Huizenga (MI)
Brat	Hultgren
Bridenstine	Hunter
Brooks (AL)	Hurd (TX)
Brooks (IN)	Hurt (VA)
Buchanan	Issa
Buck	Jenkins (KS)
Bucshon	Jenkins (WV)
Burgess	Johnson (OH)
Byrne	Johnson, Sam
Calvert	Jolly
Carter (GA)	Jones
Carter (TX)	Jordan
Chabot	Joyce
Chaffetz	Katko
Clawson (FL)	Kelly (MS)
Coffman	Kelly (PA)
Cole	King (IA)
Collins (GA)	King (NY)
Collins (NY)	Kinzinger (IL)
Comstock	Kline
Conaway	Knight
Cook	Labrador
Costa	LaMalfa
Costello (PA)	Lamborn
Cramer	Lance
Crawford	Latta
Crenshaw	LoBiondo
Culberson	Long
Curbelo (FL)	Loudermilk
Davis, Rodney	Love
Denham	Lucas
Dent	Luetkemeyer
DesSantis	Lummis
DeJarlais	MacArthur
Diaz-Balart	Marchant
Dold	Marino
Donovan	Massie
Duffy	McCarthy
Duncan (SC)	McCauley
Duncan (TN)	McClintock
Ellmers (NC)	McHenry
Emmer (MN)	McKinley
Farenthold	McMorris
Fincher	Rodgers
Fitzpatrick	McSally
Fleischmann	Meadows
Fleming	Meehan
Flores	Messer
Forbes	Mica
Fortenberry	Miller (FL)
Fox	Miller (MI)
Franks (AZ)	Moolenaar
Frelinghuysen	Mooney (WV)
Garrett	Mullin
Gibbs	Mulvaney
Gibson	Murphy (PA)
Gohmert	Neugebauer
Goodlatte	Newhouse
Gosar	Noem
Gowdy	Nugent
Granger	Nunes
Graves (GA)	Olson
Graves (LA)	Palazzo
Graves (MO)	Palmer
Green, Gene	Paulsen

Vargas	NOT VOTING—5
Veasey	
Vela	Cuellar
Velázquez	Loggren
Visclosky	Payne
Walz	Peters
Wasserman	
Schultz	
Waters, Maxine	
Watson Coleman	
Welch	
Wilson (FL)	
Yarmuth	

□ 1736

Messrs. CONAWAY, AMODEI, PAULSEN, MEEHAN, BRADY of TEXAS, and WALKER changed their vote from “aye” to “no.”

Messrs. HECK of Washington, GALLEGO, BUTTERFIELD, NADLER, CLAY, and ASHFORD changed their vote from “no” to “aye.”

So the amendment was rejected. The result of the vote was announced as above recorded.

Stated against:

Mr. CUELLAR. Mr. Chair, on rollcall No. 427, had I been present, I would have voted “no.”

The Acting CHAIR (Mr. FLEISCHMANN). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to. The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Mr. FLEISCHMANN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2647) to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes, and, pursuant to House Resolution 347, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. TSONGAS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 5-minute vote on passage of the bill will be followed by 5-minute votes on ordering the previous question on House



Resolution 350, and adoption of House Resolution 350, if ordered.

The vote was taken by electronic device, and there were—ayes 262, noes 167, not voting 4, as follows:

[Roll No. 428]

AYES—262

Abraham	Graves (LA)	Paulsen
Aderholt	Graves (MO)	Pearce
Allen	Griffith	Perlmutter
Amash	Grothman	Perry
Amodei	Guinta	Peterson
Ashford	Guthrie	Pittenger
Babin	Hanna	Pitts
Barletta	Hardy	Poe (TX)
Barr	Harper	Poliquin
Barton	Harris	Pompeo
Benishek	Hartzler	Posey
Bera	Heck (NV)	Price, Tom
Bilirakis	Hensarling	Ratliffe
Bishop (GA)	Herrera Beutler	Reed
Bishop (MI)	Hice, Jody B.	Reichert
Bishop (UT)	Hill	Renacci
Black	Hinojosa	Ribble
Blackburn	Holding	Rice (SC)
Blum	Hudson	Rigell
Bost	Huelskamp	Roby
Boustany	Huizenga (MI)	Rogers (AL)
Brady (TX)	Hultgren	Rogers (KY)
Brat	Hunter	Rohrabacher
Bridenstine	Hurd (TX)	Rokita
Brooks (AL)	Hurt (VA)	Rooney (FL)
Brooks (IN)	Issa	Ros-Lehtinen
Buchanan	Jenkins (KS)	Roskam
Buck	Jenkins (WV)	Ross
Bucshon	Johnson (OH)	Rothfus
Burgess	Johnson, Sam	Rouzer
Byrne	Jolly	Royce
Calvert	Jones	Russell
Carter (GA)	Jordan	Ryan (WI)
Carter (TX)	Joyce	Salmon
Chabot	Katko	Sanford
Chaffetz	Kelly (MS)	Scalise
Clawson (FL)	Kelly (PA)	Schrader
Coffman	King (IA)	Schweikert
Cole	King (NY)	Scott, Austin
Collins (GA)	Kinzinger (IL)	Sensenbrenner
Collins (NY)	Kirkpatrick	Sessions
Comstock	Kline	Sewell (AL)
Conaway	Knight	Shimkus
Cook	Kuster	Shuster
Costa	Labrador	Simpson
Costello (PA)	LaMalfa	Sinema
Cramer	Lamborn	Smith (MO)
Crawford	Lance	Smith (NE)
Crenshaw	Latta	Smith (NJ)
Cuellar	LoBiondo	Smith (TX)
Culberson	Long	Smith (TX)
Curbelo (FL)	Loudermilk	Stefanik
Davis, Rodney	Love	Stewart
DeFazio	Lucas	Stivers
Denham	Luetkemeyer	Stutzman
Dent	Lummis	Thompson (PA)
DeSantis	MacArthur	Thornberry
DesJarlais	Marchant	Tiberi
Diaz-Balart	Marino	Tipton
Dold	Massie	Titus
Donovan	McCarthy	Trott
Duffy	McCaul	Turner
Duncan (SC)	McClintock	Upton
Duncan (TN)	McHenry	Valadao
Ellmers (NC)	McKinley	Wagner
Emmer (MN)	McMorris	Walberg
Farenthold	Rodgers	Walden
Fincher	McSally	Walker
Fitzpatrick	Meadows	Walorski
Fleischmann	Meehan	Walters, Mimi
Fleming	Messer	Walz
Flores	Mica	Weber (TX)
Forbes	Miller (FL)	Webster (FL)
Fortenberry	Miller (MI)	Wenstrup
Foxx	Moolenaar	Westerman
Franks (AZ)	Mooney (WV)	Westmoreland
Frelinghuysen	Mullin	Williams
Garamendi	Mulvaney	Wilson (SC)
Garrett	Murphy (PA)	Wittman
Gibbs	Neugebauer	Womack
Gibson	Newhouse	Woodall
Gohmert	Noem	Yoder
Goodlatte	Nolan	Yoho
Gosar	Nugent	Young (AK)
Gowdy	Nunes	Young (IA)
Graham	Olson	Young (IN)
Granger	Palazzo	Zeldin
Graves (GA)	Palmer	Zinke

NOES—167

Adams	Frankel (FL)	Murphy (FL)
Aguilar	Fudge	Nadler
Bass	Gabbard	Napolitano
Beatty	Gallego	Neal
Becerra	Grayson	Norcross
Beyer	Green, Al	O'Rourke
Blumenauer	Green, Gene	Pallone
Bonamici	Grijalva	Pascrell
Boyle, Brendan F.	Gutiérrez	Pelosi
Brady (PA)	Hahn	Pingree
Brown (FL)	Hastings	Pocan
Brownley (CA)	Heck (WA)	Polis
Bustos	Higgins	Price (NC)
Butterfield	Himes	Quigley
Capps	Honda	Rangel
Capuano	Hoyer	Rice (NY)
Cárdenas	Huffman	Richmond
Carney	Israel	Roybal-Allard
Carson (IN)	Jackson Lee	Ruiz
Cartwright	Jeffries	Ruppersberger
Castor (FL)	Johnson (GA)	Rush
Castro (TX)	Johnson, E. B.	Ryan (OH)
Chu, Judy	Kaptur	Sanchez, Linda T.
Cicilline	Keating	Sanchez, Loretta
Clark (MA)	Kelly (IL)	Sarbanes
Clarke (NY)	Kennedy	Schakowsky
Clay	Kildeer	Schiff
Cleaver	Kilmer	Schiff
Clyburn	Kind	Scott (VA)
Cohen	Langevin	Scott, David
Connolly	Larsen (WA)	Serrano
Conyers	Larson (CT)	Sherman
Cooper	Lawrence	Sires
Courtney	Lee	Slaughter
Crowley	Levin	Smith (WA)
Cummings	Lewis	Speier
Davis (CA)	Lieu, Ted	Swalwell (CA)
Davis, Danny	Lipinski	Takai
DeGette	Loebsack	Takano
Delaney	Lowenthal	Thompson (CA)
DeLauro	Lowe	Thompson (MS)
DeBene	Lujan Grisham (NM)	Tonko
DeSaulnier	Luján, Ben Ray (NM)	Torres
Deutch	Lynch	Tsongas
Dingell	Maloney	Van Hollen
Doggett	Carolyn	Vargas
Doyle, Michael F.	Maloney, Sean	Veasey
Duckworth	Matsui	Vela
Edwards	McCollum	Velázquez
Ellison	McDermott	Wasserman
Engel	McGovern	Schultz
Eshoo	McNerney	Waters, Maxine
Esty	Meeks	Watson Coleman
Farr	Meng	Welch
Fattah	Moore	Whitfield
Foster	Moulton	Wilson (FL)
Loggren	Peters	Yarmuth
Payne	Roe (TN)	

NOT VOTING—4

□ 1745

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resiliency to overgrown, fire-prone forested lands, and for other purposes."

A motion to reconsider was laid on the table.

**PROVIDING FOR CONSIDERATION OF H.R. 6, 21ST CENTURY CURES ACT**

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 350) providing for consideration of the bill (H.R. 6) to accelerate the discovery, development, and

delivery of 21st century cures and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 242, nays 185, not voting 6, as follows:

[Roll No. 429]

YEAS—242

Abraham	Griffith	Palmer
Aderholt	Grothman	Paulsen
Allen	Guinta	Pearce
Amash	Guthrie	Perry
Amodei	Hanna	Pittenger
Babin	Hardy	Pitts
Barletta	Harper	Poe (TX)
Barr	Harris	Poliquin
Barton	Hartzler	Pompeo
Benishek	Heck (NV)	Posey
Bilirakis	Hensarling	Price, Tom
Bishop (MI)	Herrera Beutler	Ratliffe
Bishop (UT)	Hice, Jody B.	Reed
Black	Hill	Reichert
Blackburn	Holding	Renacci
Blum	Hudson	Ribble
Bost	Huelskamp	Rice (SC)
Boustany	Huizenga (MI)	Rigell
Brady (TX)	Hultgren	Roby
Brat	Hunter	Rogers (AL)
Bridenstine	Hurd (TX)	Rogers (KY)
Brooks (AL)	Hurt (VA)	Rohrabacher
Brooks (IN)	Issa	Rokita
Buck	Jenkins (KS)	Rooney (FL)
Bucshon	Jenkins (WV)	Ros-Lehtinen
Burgess	Johnson (OH)	Roskam
Byrne	Johnson, Sam	Ross
Calvert	Jolly	Rothfus
Carter (GA)	Jones	Rouzer
Carter (TX)	Jordan	Royce
Chabot	Joyce	Russell
Chaffetz	Katko	Ryan (WI)
Clawson (FL)	Kelly (MS)	Salmon
Coffman	Kelly (PA)	Sanford
Cole	King (IA)	Scalise
Collins (GA)	King (NY)	Schweikert
Collins (NY)	Kinzinger (IL)	Scott, Austin
Comstock	Kline	Sensenbrenner
Conaway	Knight	Sessions
Cook	Labrador	Shimkus
Costello (PA)	LaMalfa	Shuster
Cramer	Lamborn	Simpson
Crawford	Lance	Smith (MO)
Crenshaw	Latta	Smith (NE)
Culberson	LoBiondo	Smith (NJ)
Curbelo (FL)	Long	Smith (TX)
Davis, Rodney	Loudermilk	Stefanik
DeFazio	Love	Stewart
Denham	Lucas	Stivers
Dent	Luetkemeyer	Stutzman
DeSantis	Lummis	Thompson (PA)
DesJarlais	MacArthur	Thornberry
Dold	Marchant	Tiberi
Donovan	Marino	Tipton
Duffy	Massie	Trott
Duncan (SC)	McCarthy	Turner
Duncan (TN)	McCaul	Upton
Ellmers (NC)	McClintock	Valadao
Emmer (MN)	McHenry	Wagner
Farenthold	McKinley	Walberg
Fincher	McMorris	Walden
Fitzpatrick	Rodgers	Walker
Fleischmann	McSally	Walorski
Fleming	Meadows	Walters, Mimi
Flores	Meehan	Weber (TX)
Forbes	Messer	Webster (FL)
Fortenberry	Mica	Wenstrup
Foxx	Miller (FL)	Westerman
Franks (AZ)	Miller (MI)	Westmoreland
Frelinghuysen	Moolenaar	Whitfield
Garrett	Mooney (WV)	Williams
Gibbs	Mullin	Wilson (SC)
Gibson	Mulvaney	Wittman
Gohmert	Murphy (PA)	Womack
Goodlatte	Neugebauer	Woodall
Gosar	Newhouse	Yoder
Gowdy	Noem	Young (AK)
Granger	Nugent	Young (IA)
Graves (GA)	Nunes	Young (IN)
Graves (LA)	Olson	Zeldin
Graves (MO)	Palazzo	Zinke