

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MARSHALL) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Compassionate and merciful God, we give You thanks for giving us another day.

Give the Members of this House strength, fortitude, and patience. Fill their parties with charity; their minds with understanding; their wills with courage to do the right thing for all of America.

In the work to be done in the week to come may they rise together to accomplish what is best for our great Nation.

Last week, we honored, and we thank You for the service rendered to the Allied cause of the Filipino veterans of World War II. May we always be grateful for the courageous in our midst, and the sacrifices of so many that we might enjoy the freedoms we have as a nation.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 27, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of

the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 27, 2017, at 9:48 a.m.:

That the Senate concurs in the House amendment to the bill S. 782.

That the Senate agreed to S. Con. Res. 28.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

MADE IN SOUTH CAROLINA
CREATES JOBS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful to recognize the statewide consortium of ten institutions of higher education in South Carolina for receiving a 5-year Research Infrastructure Improvement Track-1 grant from the National Science Foundation's Established Program to Stimulate Competitive Research. This grant led to the creation of the Materials, Assembly, and Design Excellence in South Carolina initiative—or MADE in South Carolina—to create jobs.

This grant encourages small businesses to grow by providing seed money through the Small Business Innovation Research and Small Business Technology Transfer awards to businesses and materials-related projects. This consortium will further foster research and development in the State by focusing on advanced materials discovery and optimization efforts that are in high demand. MADE in South Carolina will boost the manufacturing and materials science workforce by adding new undergraduate degree programs and expanding current coursework, which will provide and increase the skilled-labor workforce.

As a proponent of creating jobs and encouraging manufacturing across South Carolina, I look forward to seeing these higher education institutions utilizing the grant to stimulate small business growth, jobs, and valuable research.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 4 minutes p.m.), the House stood in recess.

□ 1700

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 5 p.m.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair

will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

NATIONAL FOREST SYSTEM VEGETATION
MANAGEMENT PILOT
PROGRAM ACT OF 2017

Mr. CRAWFORD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2921) to establish a vegetation management pilot program on National Forest System land to better protect utility infrastructure from passing wildfire, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2921

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Forest System Vegetation Management Pilot Program Act of 2017".

SEC. 2. UTILITY INFRASTRUCTURE RIGHTS-OF-WAY
VEGETATION MANAGEMENT
PILOT PROGRAM.

(a) PILOT PROGRAM REQUIRED.—To encourage owners or operators of rights-of-way on National Forest System land to partner with the Forest Service to voluntarily perform vegetation management on a proactive basis to better protect utility infrastructure from potential passing wildfires, the Secretary shall conduct a limited, voluntary pilot program, in the manner described in this section, to permit vegetation management projects on National Forest System land adjacent to or near such rights-of-way.

(b) ELIGIBLE PARTICIPANTS.—A participant in the pilot program must have a right-of-way on National Forest System land. In selecting participants, the Secretary shall give priority to holders of a right-of-way who have worked with Forest Service fire scientists and used technologies, such as Light Detection and Ranging surveys, to improve utility infrastructure protection prescriptions.

(c) PROJECT ELEMENTS.—A vegetation management project under the pilot program involves limited and selective vegetation management activities, which—

(1) shall create the least amount of disturbance reasonably necessary to protect utility infrastructure from passing wildfires based on applicable models, including Forest Service fuel models;

(2) may include thinning, fuel reduction, creation and treatment of shaded fuel breaks, and other measures as appropriate;

(3) shall only take place adjacent to the participant's right-of-way or within 75 feet of the participant's right-of-way;

(4) shall not take place in any designated wilderness area, wilderness study area, or inventoried roadless area; and

(5) shall be subject to approval by the Forest Service in accordance with this Act.

(d) PROJECT COSTS.—A participant in the pilot program shall be responsible for all costs, as determined by the Secretary, incurred in participating in the pilot program, unless the Secretary determines that it is in the public interest for the Forest Service to contribute funds for a vegetation management project conducted under the pilot program.

(e) LIABILITY.—

(1) IN GENERAL.—Participation in the pilot program does not affect any existing legal obligations or liability standards that—

(A) arise under the right-of-way for activities in the right-of-way; or

(B) apply to fires resulting from causes other than activities conducted pursuant to an approved vegetation management project.

(2) PROJECT WORK.—A participant shall not be liable to the United States for damage proximately caused by activities conducted pursuant to an approved vegetation management project unless—

(A) such activities were carried out in a manner that was grossly negligent or that violated criminal law; or

(B) the damage was caused by the failure of the participant to comply with specific safety requirements expressly imposed by the Forest Service as a condition of participating in the pilot program.

(f) IMPLEMENTATION.—The Secretary shall utilize existing laws and regulations in the conduct of the pilot program and, in order to implement the pilot program in an efficient and expeditious manner, may waive or modify specific provisions of the Federal Acquisition Regulation, including modifications to allow for formation of contracts or agreements on a noncompetitive basis.

(g) TREATMENT OF PROCEEDS.—Notwithstanding any other provision of law, the Secretary may—

(1) retain any funds provided to the Forest Service by a participant in the pilot program; and

(2) use such funds, in such amounts as may be appropriated, in the conduct of the pilot program.

(h) DEFINITIONS.—In this section:

(1) NATIONAL FOREST SYSTEM LAND.—The term “National Forest System land” means land within the National Forest System, as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)) exclusive of the National Grasslands and land utilization projects designated as National Grasslands administered pursuant to the Act of July 22, 1937 (7 U.S.C. 1010–1012).

(2) PASSING WILDFIRE.—The term “passing wildfire” means a wildfire that originates outside the right-of-way.

(3) RIGHT-OF-WAY.—The term “right-of-way” means a special use authorization issued by the Forest Service allowing the placement of utility infrastructure.

(4) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(5) UTILITY INFRASTRUCTURE.—The term “utility infrastructure” means electric transmission lines, natural gas infrastructure, or related structures.

(i) DURATION.—The authority to conduct the pilot program, and any vegetation management project under the pilot program, expires December 21, 2027.

(j) REPORT TO CONGRESS.—Not later than December 31, 2019, and every two years thereafter, the Secretary shall issue a report to the Committee on Energy and Natural Resources of the Senate, the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Committee on Natural Resources of the House of Representatives, and the Committee on Agriculture of the House of Representatives on the status of the program and any projects established under this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. CRAWFORD) and the gentlewoman from Ohio (Ms. FUDGE) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas.

GENERAL LEAVE

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2921, the National Forest System Vegetation Management Pilot Program Act of 2017. This legislation authorizes the U.S. Forest Service to create a pilot program to assist in the management of our Federal forests to reduce wildfire risk and associated costs. These management pilot projects are approved by the Forest Service, but will be conducted and paid for by the private sector.

This collaborative approach will ensure a more stable power grid for Americans in rural areas. Deteriorating forest health is a problem felt across the United States, particularly in the West. This has resulted in increased fire threats to the electric transmission and associated utility infrastructures across the Forest Service land.

The Government Accountability Office has found that fuel reduction treatment projects reduce flammable vegetation, minimize the severity of wildland fires, create landscape resiliency to fire, and provide firefighter access during fire suppression activities.

Utility infrastructure destroyed by a fire or a fallen dead tree is costly to repair or replace, and outages can result in significant economic costs to businesses and homes.

Mr. Speaker, I urge my colleagues to support this legislation to allow utilities to collaborate with the Forest Service to keep the lights on in rural communities, and I reserve the balance of my time.

Ms. FUDGE. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 2921, the National Forest System Vegetation Management Pilot Program Act of 2017.

Mr. Speaker, H.R. 2921 is a bipartisan bill that would help protect electric transmission lines from forest fires and other potential forest management issues. The bill creates voluntary pilot project authority for the U.S. Forest Service to partner with the private sector to proactively undertake limited and selective vegetation management projects near utility infrastructure.

These pilot projects include, but are not limited to, things like tree thinning and fuel reduction, which would help to alleviate some of the risk of forest fires and enhance electric reliability.

H.R. 2921 requires that all projects comply with existing environmental laws.

Mr. Speaker, I urge my colleagues to vote “yes,” and I yield back the balance of my time.

Mr. CRAWFORD. Mr. Speaker, I yield 2 minutes to the gentleman from North Dakota (Mr. CRAMER).

Mr. CRAMER. Mr. Speaker, I thank the gentleman for yielding.

It is no secret that a reliable supply of electricity is important to us on many levels, from human health, and, of course, to commercial productivity.

As a former public service commissioner, I can tell you that one of the main reasons for large outages is trees growing in power lines. And one of the reasons for forest fires, oftentimes, is power lines falling in the forest. Fires get to the power lines; power lines create fires. This bill, I think, helps alleviate some of that.

With consumers and regulators demanding, of course, reliable service, and a utility company's natural incentive to keep the sale of electrons flowing, vegetation management has improved tremendously over the years. However, deep within the lands that are managed by our Federal agencies, the potential for problems persists.

My bill creates a pilot program, as the chairman described, for utility companies to partner with the Forest Service to voluntarily perform vegetation management proactively. Under Forest Service approval, utilities can propose a plan to selectively manage vegetation within 75 feet of the right-of-way with the least amount of disturbances as reasonably possible, and outside of designated wilderness areas is a very important point.

All of that work would be paid for by the utility company, not by the Federal Government. Currently, this offer of right-of-way work is the responsibility of the government, and with a strict liability standard, Mr. Speaker, to any utility company to step in and help. There is not an incentive—in fact, there is a disincentive for them to do so. So under the pilot program, these activities will be subject to a more appropriate standard of liability, a gross negligence standard, along with any specific safety requirements imposed under the programs in agreement with the Forest Service.

It removes the barrier for utility companies to carry out this important work not currently being done by them, to reduce direct impacts to damage utility infrastructure, and the amount of fuel for possible forest fires.

There is a lot of bipartisan support for this. I appreciate my friends in the more mountainous and more forested regions than the prairies of North Dakota on both side of the aisle. I know there is good support in the Senate as well.

Mr. Speaker, I urge all of my colleagues to support this important bill.

Mr. CRAWFORD. Mr. Speaker, I urge all Members to support the passage of H.R. 2921, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Arkansas (Mr. CRAWFORD) that the House suspend the rules and pass the bill, H.R. 2921.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

KISATCHIE NATIONAL FOREST LAND CONVEYANCE ACT

Mr. CRAWFORD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2941) to provide for the conveyance of certain National Forest System land within Kisatchie National Forest in the State of Louisiana.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2941

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Kisatchie National Forest Land Conveyance Act".

SEC. 2. FINDING.

Congress finds that it is in the public interest to authorize the conveyance of certain Federal land in the Kisatchie National Forest in the State of Louisiana for market value consideration.

SEC. 3. DEFINITIONS.

In this Act:

(1) COLLINS CAMP PROPERTIES.—The term "Collins Camp Properties" means Collins Camp Properties, Inc., a corporation incorporated under the laws of the State.

(2) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(3) STATE.—The term "State" means the State of Louisiana.

SEC. 4. AUTHORIZATION OF CONVEYANCES, KISATCHIE NATIONAL FOREST, LOUISIANA.

(a) AUTHORIZATION.—

(1) IN GENERAL.—Subject to valid existing rights and subsection (b), the Secretary may convey the Federal land described in paragraph (2) by quitclaim deed at public or private sale, including competitive sale by auction, bid, or other methods.

(2) DESCRIPTION OF LAND.—The Federal land referred to in paragraph (1) consists of—

(A) all Federal land within sec. 9, T. 10 N., R. 5 W., Winn Parish, Louisiana; and

(B) a 2.16-acre parcel of Federal land located in the SW¼ of sec. 4, T. 10 N., R. 5 W., Winn Parish, Louisiana, as depicted on a certificate of survey dated March 7, 2007, by Glen L. Cannon, P.L.S. 4436.

(b) FIRST RIGHT OF PURCHASE.—Subject to valid existing rights and section 6, during the 1-year period beginning on the date of enactment of this Act, on the provision of consideration by the Collins Camp Properties to the Secretary, the Secretary shall convey, by quitclaim deed, to Collins Camp Properties all right, title and interest of the United States in and to—

(1) not more than 47.92 acres of Federal land comprising the Collins Campsites within sec. 9, T. 10 N., R. 5 W., in Winn Parish, Louisiana, as generally depicted on a certificate of survey dated February 28, 2007, by Glen L. Cannon, P.L.S. 4436; and

(2) the parcel of Federal land described in subsection (a)(2)(B).

(c) TERMS AND CONDITIONS.—The Secretary may—

(1) configure the Federal land to be conveyed under this Act—

(A) to maximize the marketability of the conveyance; or

(B) to achieve management objectives; and

(2) establish any terms and conditions for the conveyances under this Act that the Secretary determines to be in the public interest.

(d) CONSIDERATION.—Consideration for a conveyance of Federal land under this Act shall be—

(1) in the form of cash; and

(2) in an amount equal to the market value of the Federal land being conveyed, as determined under subsection (e).

(e) MARKET VALUE.—The market value of the Federal land conveyed under this Act shall be determined—

(1) in the case of Federal land conveyed under subsection (b), by an appraisal that is—

(A) conducted in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions; and

(B) approved by the Secretary; or

(2) if conveyed by a method other than the methods described in subsection (b), by competitive sale.

(f) HAZARDOUS SUBSTANCES.—

(1) IN GENERAL.—In any conveyance of Federal land under this Act, the Secretary shall meet disclosure requirements for hazardous substances, but shall otherwise not be required to remediate or abate the substances.

(2) EFFECT.—Nothing in this section otherwise affects the application of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) to the conveyances of Federal land.

SEC. 5. PROCEEDS FROM THE SALE OF LAND.

The Secretary shall deposit the proceeds of a conveyance of Federal land under section 4 in the fund established under Public Law 90-171 (commonly known as the "Sisk Act") (16 U.S.C. 484a).

SEC. 6. ADMINISTRATION.

(a) COSTS.—As a condition of a conveyance of Federal land to Collins Camp Properties under section 4, the Secretary shall require Collins Camp Properties to pay at closing—

(1) reasonable appraisal costs; and

(2) the cost of any administrative and environmental analyses required by law (including regulations).

(b) PERMITS.—

(1) IN GENERAL.—An offer by Collins Camp Properties for the acquisition of the Federal land under section 4 shall be accompanied by a written statement from each holder of a Forest Service special use authorization with respect to the Federal land that specifies that the holder agrees to relinquish the special use authorization on the conveyance of the Federal land to Collins Camp Properties.

(2) SPECIAL USE AUTHORIZATIONS.—If any holder of a special use authorization described in paragraph (1) fails to provide a written authorization in accordance with that paragraph, the Secretary shall require, as a condition of the conveyance, that Collins Camp Properties administer the special use authorization according to the terms of the special use authorization until the date on which the special use authorization expires.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. CRAWFORD) and the gentlewoman from Ohio (Ms. FUDGE) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas.

GENERAL LEAVE

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that all Members

have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2941, the Kisatchie National Forest Land Conveyance Act.

This measure introduced by our colleague, Mr. ABRAHAM, authorizes the USDA to sell specified Federal land in Winn Parish, Louisiana. The rural residential qualities of the land make it incompatible with National Forest management, and this transfer would eliminate unnecessary administrative and boundary maintenance costs on the already strained Forest Service.

The Kisatchie National Forest is rich in renewable wildlife resources, and supporting wilderness habitat is vital to their sustainability. This transfer, supported by the Forest Service, will allow the forest to be managed at the highest level of stewardship.

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

Ms. FUDGE. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 2941, the Kisatchie National Forest Land Conveyance Act.

Mr. Speaker, H.R. 2941 permits the sale of two isolated parcels of Kisatchie National Forest land, totaling approximately 50 acres. These parcels are isolated from the forest's core lands and are intermixed with private land and residences, leaving it incompatible with the National Forest management.

The proceeds from the sale of these parcels will be made available for the acquisition of lands and interest in the Kisatchie National Forest.

Under H.R. 2941, the Secretary of Agriculture is required to first convey a portion of the land to Collins Camp Properties. Collins Camp Properties must pay reasonable appraisal costs and costs of any required administrative and environmental analysis.

H.R. 2941 allows the Kisatchie National Forest to consolidate ownership of natural lands and continues the strong tradition of the National Forest Service acting as stewards for the environment.

Mr. Speaker, I urge my colleagues to vote in favor of the bill, and I yield back the balance of my time.

Mr. CRAWFORD. Mr. Speaker, I urge all Members to support the passage of H.R. 2941. I thank the gentlewoman from Ohio for her support.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas (Mr. CRAWFORD) that the House suspend the rules and pass the bill, H.R. 2941.

The question was taken; and (two-thirds being in the affirmative) the