Comparative Print: Changes in Existing Law for Bill number:

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Summary

(1) 24 amendments.
(2) 2 automated notifications.

Current Law(s) being amended

1. Forest and Rangeland Renewable Resources Planning Act of 1974
2. Wilderness Act
3. Agricultural Act of 2014
4. Healthy Forests Restoration Act of 2003
5. Title 54 of the United States Code

Comparative Print: Changes in Existing Law

1. Forest and Rangeland Renewable Resources Planning Act of 1974

[As Amended Through P.L. 117–286, Enacted December 27, 2022]

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Sec. 3. RENEWABLE RESOURCE ASSESSMENT.—(a) In recognition of the vital importance of America's renewable resources of the forest, range, and other associated lands to the Nation's social and economic well-being, and of the necessity for a long term perspective in planning and undertaking related national renewable resource programs administered by the Forest Service, the Secretary of Agriculture (referred to in this Act as the "Secretary") shall prepare a

Renewable Resource Assessment (hereinafter called the "Assessment"). The Assessment shall be prepared not later than December 31, 1975, and shall be undated during 1979 and each tenth year thereafter, and shall include but not be limited to—

(1) an analysis of present and anticipated uses, demand for, and supply of the renewable resources, with consideration of the international resource situation, and an emphasis of pertinent supply and demand and price relationship trends;

(2) an inventory, based on information developed by the Forest Service and other ``Federal agencies, of present and potential renewable resources, and an evaluation of opportunities for improving their yield of tangible and intangible goods and services, together with estimates of investment costs and direct and indirect returns to the Federal Government;

(3) a description of Forest Service programs and responsibilities in research, cooperative programs and management of the National Forest System, their interrelationships, and the relationship of these programs and responsibilities to public and private activities;

(4) a discussion of important policy considerations, laws, regulations, and other factors expected to influence and affect significantly the use, ownership, and management of forest, range, and other associated lands; and[1]

1

Note regarding paragraph (4): The "and" at the end should be omitted.

(5) an analysis of the potential effects of global climate change on the condition of renewable resources on the forests and rangelands of the United States; and

(6) an analysis of the rural and urban forestry opportunities to mitigate the buildup of atmospheric carbon dioxide and reduce the risk of global climate change,[2]

2

Note regarding paragraph (6): The comma should be a period. See P.L. 101–624, sec. 2408(a)(3), 104 Stat. 4061.

(b) [Omitted-Amendment]

(c) The Secretary shall report in the 1979 and subsequent Assessments on:

(1) the additional fiber potential in the National Forest System including, but not restricted to, forest mortality, growth, salvage potential, potential increased forest products sales, economic constraints, alternate markets, contract considerations, and other multiple use considerations;

(2) the potential for increased utilization of forest and wood product wastes in the National Forest System and on other lands, and of urban wood wastes and wood product recycling, including recommendations to the Congress for actions which would lead to increased utilization of materials now being wasted both in the forests and in manufactured products; and

(3) the milling and other wood fiber product fabrication facilities and their location in the United States, noting the public and private forested areas that supply such facilities, assessing the degree of utilization into product form of harvested trees by such facilities, and setting forth the technology appropriate to the facilities to improve utilization either individually or in aggregate units of harvested trees and to reduce wasted wood fibers. The Secretary shall set forth a program to encourage the adoption by these facilities of these technologies for improving wood fiber utilization.

(d) In developing the reports required under subsection (c) of this section, the Secretary shall provide opportunity for public involvement and shall consult with other interested governmental departments and agencies.

(e) (1) It is the policy of the Congress that all forested lands in the National Forest System shall be maintained in appropriate forest cover with species of trees, degree of stocking, rate of growth, and conditions of stand designed to secure the maximum benefits of multiple use sustained yield management in accordance with land management plans. Accordingly, the Secretary is directed to identify and report to the Congress annually at the time of submission of the President's budget together with the annual report provided for under section 8(c) of this Act, beginning with submission of the President's budget for fiscal year 1978, the amount and location by forests and States and by productivity class, where practicable, of all lands in the National Forest System where objectives of land management plans indicate the need to reforest areas that have been cut-over or otherwise denuded or deforested, and all lands with stands of trees that are not growing at their best potential rate of growth. All national forest lands treated from year to year shall be examined after the first and third growing seasons and certified by the Secretary in the report provided for under this subsection as to stocking rate, growth rate in relation to potential and other pertinent measures. Any lands not certified as satisfactory shall be returned to the backlog and scheduled for prompt treatment. The level and types of treatment shall be those which secure the most effective mix of multiple use benefits.

(2) Notwithstanding the provisions of section 9, the Secretary shall, annually during each of the 10 years beginning after the date of enactment of the REPLANT Act, transmit to the Congress in the manner provided in this subsection an estimate of the sums necessary to be appropriated, in addition to the funds available from other sources, to replant and otherwise treat an acreage equal to the acreage to be cut over that year, plus a sufficient portion of the backlog of lands found to be in need of treatment to eliminate the backlog within the 10-year period. After the 10-year period, the Secretary shall transmit annually to the Congress an estimate of the sums necessary to replant and otherwise treat all lands being cut over and maintain planned timber production on all other forested lands in the National Forest System so as to prevent the development of a backlog of needed work larger than the needed work at the beginning of the fiscal year. The Secretary's estimate of sums necessary, in addition to the sums available under other authorities, for accomplishment of the reforestation and other treatment of National Forest System lands under this section shall be provided annually for inclusion in the President's budget and shall also be transmitted to the Speaker of the House and the President of the Senate together with the annual report provided for under section 8(c) of this Act at the time of submission of the President's budget to the Congress beginning with the budget for fiscal year 2021. The sums estimated as necessary for reforestation and other treatment shall include moneys needed to secure seed, grow seedlings, prepare sites, plant trees, thin, remove deleterious growth and underbrush, build fence to exclude livestock and adverse wildlife from regeneration areas and otherwise establish and improve forests to secure planned production of trees and other multiple use values.

(3) Effective for the fiscal year beginning October 1, 1977, and each fiscal year thereafter, there is hereby authorized to be appropriated for the purpose of reforesting and treating lands in the National Forest System $200,000,000 annually to meet requirements of this subsection. All sums appropriated for the purposes of this subsection shall be available until expended.

(4)[3] **Reforestation requirements.—**

(A) **Definitions.—** In this paragraph:

(i) **Natural regeneration.—**

(I) **In general.—** The term "natural regeneration" means the establishment of a tree or tree age class from natural seeding, sprouting, or suckering in

accordance with the management objectives of an applicable land management plan.

(II) **Inclusion.—** The term "natural regeneration" may include any site preparation activity to enhance the success of regeneration to the desired species composition and structure.

(ii) **Priority land.—** The term "priority land" means National Forest System land that, due to an unplanned event—

(I) does not meet the conditions for appropriate forest cover described in paragraph (1);

(II) requires reforestation to meet the objectives of an applicable land management plan; and

(III) is unlikely to experience natural regeneration without assistance.

(iii) **Reforestation.—** The term "reforestation" means the act of renewing tree cover, taking into consideration species composition and resilience, by establishing young trees through—

(I) natural regeneration;

(II) natural regeneration with site preparation; or

(III) planting or direct seeding.

(iv) **Secretary.—** The term "Secretary" means the Secretary, acting through the Chief of the Forest Service.

(v) **Unplanned event.—**

(I) **In general.—** The term "unplanned event" means any unplanned disturbance that—

(aa) disrupts ecosystem or forest structure or composition; or

(bb) changes resources, substrate availability, or the physical environment.

(II) **Inclusions.—** The term "unplanned event" may include—

(aa) a wildfire;

(bb) an infestation of insects or disease;

(cc) a weather event; and

(dd) animal damage.

(B) **Requirement.—** Each reforestation activity under this section shall be carried out in accordance with applicable Forest Service management practices and definitions, including definitions relating to silvicultural practices and forest management.

(C) **Reforestation priority.—**

(i) **In general.—** In carrying out this subsection, the Secretary shall give priority to projects on the priority list described in clause (ii).

(ii) **Priority list.—**

(I) **In general.—** The Secretary shall, based on recommendations from regional foresters, create a priority list of reforestation projects that—

(aa) primarily take place on priority land;

(bb) promote effective reforestation following unplanned events; ~~and~~

(cc) may include activities to ensure adequate and appropriate seed availability~~.~~ *; and*

(dd) shall include reforestation and rehabilitation activities conducted under section 7 of the Save Our Sequoias Act.

(II) **Ranking.—** The Secretary shall rank projects on the priority list under subclause (I) based on—

(aa) documentation of an effective reforestation project plan;

(bb) the ability to measure the progress and success of the project; and

(cc) the ability of a project to provide benefits relating to forest function and health, soil health and productivity, wildlife habitat, improved air and water quality, carbon sequestration potential, resilience, job creation, and enhanced recreational opportunities.

3

Margin of paragraph (4) so in law. See amendment made by section 70302(a)(1)(A)(iii)(III) of Division G of Public Law 117-58.

(f) The Secretary shall submit an annual report to the Congress on the amounts, types, and uses of herbicides and pesticides used in the National Forest System, including the beneficial or adverse effects of such uses.

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2. Wilderness Act

[As Amended Through Public Law 113–287, Enacted December 19, 2014]

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Sec. 4. USE OF WILDERNESS AREAS (a) The purposes of this Act are hereby declared to be within and supplemental to the purposes for which national forest and units of the national park and national wildlife refuge systems are established and administered and—

(1) Nothing in this Act shall be deemed to be in interference with the purpose for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple-Use Sustained-Yield Act of June 12, 1960 (74 Stat. 215).

(2) Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act (Public Law 539, Seventy-first Congress, July 10, 1930; 46 Stat. 1020), the Thye-Blatnik Act (Public Law 733, Eightieth Congress, June 22, 1948; 62 Stat. 568), and the Humphrey-Thye-Blatnik-Andresen Act (Public Law 607, Eighty-fourth Congress, June 22, 1956; 70 Stat.

326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture.

(3) Nothing in this Act shall modify the statutory authority under which units of the national park system are created. Further, the designation of any area of any park, monument, or other unit of the national park system as a wilderness area pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such park, monument, or other unit of the national park system in accordance with section 100101(b)(1), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not limited to, section 3(2) of the Federal Power Act (16 U.S.C. 796(2)); and chapters 3201 and 3203 of title 54, United States Code.

(b) Except as otherwise provided in this Act, each agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

(c) prohibition of certain uses Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

(d) special provisions The following special provisions are hereby made:

(1) Within wilderness areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the Secretary deems desirable.*Nothing in this Act precludes reforestation (as defined in section 2 of the Save our Sequoias Act) activities to reestablish giant sequoias following a wildfire.*

(2) Nothing in this Act shall prevent within national forest wilderness areas any activity, including prospecting, for the purpose of gathering information about mineral or other resources, if such activity is carried on in a manner compatible with the preservation of the wilderness environment. Furthermore, in accordance with such program as the Secretary of the Interior shall develop and conduct in consultation with the Secretary of Agriculture, such areas shall be surveyed on a planned, recurring basis consistent with the concept of wilderness preservation by the Geological Survey[4] and the Bureau of Mines[5] to determine the mineral values, if any, that may be present; and the results of such surveys shall be made available to the public and submitted to the President and Congress.

4

With regard to subsection (d)(2), title I of Public Law 102–154, 105 Stat. 1000, provides that the Geological Survey (43 U.S.C. 31(a)) shall hereafter be designated the United States Geological Survey.

5

With regard to subsection (d)(2), section 10(b) of the National Geologic Mapping Act of 1992 (Public Law 102–285; 106 Stat. 172), provides the Bureau of Mines shall hereafter be known as the United States Bureau of Mines.

(3) Notwithstanding any other provisions of this Act, until midnight December 31, 1983, the United States mining laws and all laws pertaining to mineral leasing shall, to the same extent as applicable prior to the effective date of this Act, extend to those national forest lands designated by this Act as "wilderness areas"; subject, however, to such reasonable regulations governing ingress and egress as may be prescribed by the Secretary of Agriculture consistent with the use of the land for mineral location and development and exploration, drilling, and production, and use of land for transmission lines, waterlines, telephone lines, or facilities necessary in exploring, drilling, producing, mining, and processing operations, including where essential the use of mechanized ground or air equipment and restoration as near as practicable of the surface of the land disturbed in performing prospecting, location, and, in oil and gas leasing, discovery work, exploration, drilling and production, as soon as they have served their purpose. Mining locations lying within the boundaries of said wilderness areas shall be held and used solely for mining or processing operations and uses reasonably incident thereto; and hereafter, subject to valid existing rights, all patents issued under the mining laws of the United States affecting national forest lands designated by this Act as wilderness areas shall convey title to the mineral deposits within the claim, together with the right to cut and use so much of the mature timber therefrom as may be needed in the extraction, removal, and beneficiation of the mineral deposits, if needed timber is not otherwise reasonably available, and if the timber is cut under sound principles of forest management as defined by the national forest rules and regulations, but each such patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except as otherwise expressly provided in this Act: *Provided,* That, unless hereafter specifically authorized, no patent within wilderness areas designated by this Act shall issue after December 31, 1983, except for the valid claims existing on or before December 31, 1983. Mining claims located after the effective date of this Act within the boundaries of wilderness areas designated by this Act shall create no rights in excess of those rights which may be patented under the provisions of this subsection. Mineral leases, permits, and licenses covering lands within national forest wilderness areas designated by this Act shall contain such reasonable stipulations as may be prescribed by the Secretary of Agriculture for the protection of the wilderness character of the land consistent with the use of the land for the purposes for which they are leased, permitted, or licensed. Subject to valid rights then existing, effective January 1, 1984, the minerals in lands designated by this Act as wilderness areas are withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

(4) Within wilderness areas in the national forest designated by this Act, (1) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting for water resources, the establishment and maintenance of reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interest of the United States and the people thereof than will its denial; and (2) the grazing[6] of livestock, where established prior to the effective date of this Act, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture.

6

With regard to the grazing of livestock referred to in subsection (d)(4), section 108 of title I of Public Law 96–560 (94 Stat. 3271; 16 U.S.C. 1133 note) provides as follows: "The Congress hereby declares that, without amending the Wilderness Act of 1964, with respect to livestock grazing in National Forest wilderness areas, the provisions of the Wilderness Act relating to grazing shall be interpreted and administered in accordance with the guidelines contained under the heading 'Grazing in National Forest Wilderness' in the House Committee Report (H. Report 96–617) accompanying this Act [Public Law 96–560] .".

(5) Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.

(6) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(7) Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

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3. Agricultural Act of 2014

[As Amended Through P.L. 119–21, Enacted July 4, 2025]

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TITLE VIII—FORESTRY

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Subtitle C—Reauthorization of Other Forestry-Related Laws

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Sec. 8206. GOOD NEIGHBOR AUTHORITY.

(a) **Definitions.—** In this section:

(1) **Authorized restoration services.—** The term "authorized restoration services" means similar and complementary forest, rangeland, and watershed restoration services carried out—

(A) on Federal land, non-Federal land, and land owned by an Indian tribe; and

(B) by either the Secretary or a Governor or county, as applicable, pursuant to a good neighbor agreement.

(2) **County.—** The term "county" means—

(A) the appropriate executive official of an affected county; or

(B) in any case in which multiple counties are affected, the appropriate executive official of a compact of the affected counties.

(3) **Federal land.—**

(A) **In general.—** The term "Federal land" means land that is—

(i) National Forest System land; ~~or~~

(ii) Kings Canyon National Park, Sequoia National Park, and Yosemite National Park; or

(iii)[5] National Park System land; or

(iii)[5] National Park System land; or

(iv) National Wildlife Refuge Land.

5

Section 443 of division E of Public Law 118-42 provides for amendments to subsections (a) and (b) of section 8206 of the "Agriculture Act of 2014". Such amendments should have been made to the "Agricultural Act of 2014"; however, they were carried out to reflect the probable intent of Congress.

(B) **Exclusions.—** The term "Federal land" does not include—

(i) a component of the National Wilderness Preservation System;

(ii) Federal land on which the removal of vegetation is prohibited or restricted by Act of Congress or Presidential proclamation (including the applicable implementation plan); or

(iii) a wilderness study area.

(4) **Forest, rangeland, and watershed restoration services.—**

(A) **In general.—** The term "forest, rangeland, and watershed restoration services" means—

(i) activities to treat insect- and disease-infected trees;

(ii) activities to reduce hazardous fuels; ~~and~~

(iii) activities conducted under section 6 of the Save Our Sequoias Act;

(~~iii~~ *iv*) any other activities to restore or improve forest, rangeland, and watershed health, including fish and wildlife habitat~~.~~ *; or*

(v) any combination of activities specified in clauses (i) through (iv).

(B) **Exclusions.—** The term "forest, rangeland, and watershed restoration services" does not include—

(i)[5] construction, reconstruction, repair, or restoration of paved or permanent roads or parking areas, other than the reconstruction, repair, or restoration of a

National Forest System, Bureau of Land Management, National Park Service, or National Wildlife Refuge managed road that is—

(I) necessary to carry out authorized restoration services pursuant to a good neighbor agreement; and

(II) in the case of a National Forest System road that is determined to be unneeded in accordance with section 212.5(b)(2) of title 36, Code of Federal Regulations (as in effect on the date of enactment of the Wildfire Suppression Funding and Forest Management Activities Act), decommissioned in accordance with subparagraph (A)(iii)—

(aa) in a manner that is consistent with the applicable travel management plan; and

(bb) not later than 3 years after the date on which the applicable authorized restoration services project is completed; or

(ii) construction, alteration, repair or replacement of public buildings or works.

(5) **Good neighbor agreement.—** The term "good neighbor agreement" means a cooperative agreement or contract (including a sole source contract) entered into between the Secretary and a Governor or county, as applicable, to carry out authorized restoration services under this section.

(6) **Governor.—** The term "Governor" means the Governor or any other appropriate executive official of an affected State ~~or Indian tribe~~ or the Commonwealth of Puerto Rico.

(7) **Indian tribe.—** The term "Indian tribe" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(8) **National forest system road.—** The term "National Forest System road" has the meaning given the term in section 212.1 of title 36, Code of Federal Regulations (as in effect on the date of enactment of the Wildfire Suppression Funding and Forest Management Activities Act).

(9) **Road.—** The term "road" has the meaning given the term in section 212.1 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(10) **Secretary.—** The term "Secretary" means—

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

(B) the Secretary of the Interior, with respect to Bureau of Land Management ~~land.~~ *land, Kings Canyon National Park, Sequoia National Park, and Yosemite National Park.*

(b) **Good Neighbor Agreements.—**

(1) **Good neighbor agreements.—**

(A) **In general.—** The Secretary may enter into a good neighbor agreement with a Governor *, Indian tribe,* or county to carry out authorized restoration services in accordance with this section.

(B) **Public availability.—** The Secretary shall make each good neighbor agreement available to the public.

(2) **Timber sales.—**

(A) **In general.—** Subsections (d) and (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a(d) and (g)) shall not apply to services performed under a good neighbor agreement.

(B) **Approval of silviculture prescriptions and marking guides.—** The Secretary shall provide or approve all silviculture prescriptions and marking guides to be applied on Federal land in all timber sale projects conducted under this section.

~~(C) **Treatment of revenue.—**~~

~~(i) **In general.—** Funds received from the sale of timber by a Governor, Indian Tribe, or county under a good neighbor agreement shall be retained and used by the Governor, Indian Tribe, or county, as applicable—~~

~~(I) to carry out authorized restoration services on under the good neighbor agreement; and~~

~~(II) if there are funds remaining after carrying out clause (i), to carry out—~~

~~(aa) authorized restoration services under other good neighbor agreements; or~~

~~(bb) authorized recreation services under the Good Neighbor Authority for Recreation Act.~~

~~(ii) **Termination of effectiveness.—** The authority provided under this subparagraph terminates effective October 1, 2028.~~

(C) TREATMENT OF REVENUE.—

(i) IN GENERAL.— Funds received from the sale of timber by a Governor, an Indian tribe, or a county under a good neighbor agreement shall be retained and used by the Governor, Indian tribe, or county, as applicable—

(I) to carry out authorized restoration services under such good neighbor agreement; and

(II) if there are funds remaining after carrying out the services under clause (i), to carry out authorized restoration services within the State under other good neighbor agreements.

(ii) SPECIAL RULE FOR CERTAIN NATIONAL PARKS.— Funds received from the sale of timber by a Governor, an Indian tribe, or a county under a good neighbor agreement carried out within the boundaries of Kings Canyon National Park, Sequoia National Park, or Yosemite National Park shall be retained and used by the Governor, Indian tribe, or county, as applicable—

(I) to carry out authorized restoration services under such good neighbor agreement;

(II) if there are funds remaining after carrying out the services under clause (i), to carry out authorized restoration services under other good neighbor agreements within the boundaries of the park unit in which the initial good neighbor agreement occurred; and

(III) if there are no further good neighbor agreements to carry out under clause (ii), to transfer to the park unit in which the initial good neighbor agreement occurred to be used for giant sequoia conservation and management.

(iii) TERMINATION OF EFFECTIVENESS.— The authority provided by this subparagraph terminates effective October 1, 2030.

(3) **Retention of nepa responsibilities.—** Any decision required to be made under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to any

authorized restoration services to be provided under this section on Federal land shall not be delegated to a Governor*, Indian tribe,* or county.

~~(4)~~[5] ~~**Receipts.—** Notwithstanding any other provision of law, any payment made by a county to the Secretary under a project conducted under a good neighbor agreement shall not be considered to be monies received from National Forest System, Bureau of Land Management, National Park System, or U.S. Fish and Wildlife Service land, as applicable.~~

(4) AUTHORIZED RESTORATION SERVICES IN CERTAIN NATIONAL PARKS.— Authorized restoration services occurring in Kings Canyon National Park, Sequoia National Park, and Yosemite National Park shall be carried out in accordance with section 100753 of title 54, United States Code.

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4. Healthy Forests Restoration Act of 2003

[As Amended Through P.L. 117–328, Enacted December 29, 2022]

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TITLE VI—MISCELLANEOUS

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Sec. 604. STEWARDSHIP END RESULT CONTRACTING PROJECTS.

(a) **Definitions.—** In this section:

(1) **Chief.—** The term "Chief" means the Chief of the Forest Service.

~~(2) **Director.—** The term "Director" means the Director of the Bureau of Land Management.~~

(2) DIRECTOR.— The term 'Director' means the Director of the Bureau of Land Management with respect to Bureau of Land Management lands and the Director of the National Park Service with respect to lands within Kings Canyon National Park, Sequoia National Park, and Yosemite National Park.

(b) **Projects.—** The Chief and the Director, via agreement or contract as appropriate, may enter into stewardship contracting projects with private persons or other public or private entities to perform services to achieve land management goals for the national forests and the public lands that meet local and rural community needs.

(c) **Land Management Goals.—** The land management goals of a project under subsection (b) may include any of the following:

(1) Road and trail maintenance or obliteration to restore or maintain water quality.

(2) Soil productivity, habitat for wildlife and fisheries, or other resource values.

(3) Setting of prescribed fires to improve the composition, structure, condition, and health of stands or to improve wildlife habitat.

(4) Removing vegetation or other activities to promote healthy forest stands, reduce fire hazards, or achieve other land management objectives.

(5) Watershed restoration and maintenance.

(6) Restoration and maintenance of wildlife and fish.

(7) Control of noxious and exotic weeds and reestablishing native plant species.

(8) Promoting the health and resiliency of giant sequoias.

(d) **Agreements or Contracts.—**

(1) **Procurement procedure.—** A source for performance of an agreement or contract under subsection (b) shall be selected on a best-value basis, including consideration of source under other public and private agreements or contracts.

(2) **Contract for sale of property.—** A contract entered into under this section may, at the discretion of the Secretary of Agriculture, be considered a contract for the sale of property under such terms as the Secretary may prescribe without regard to any other provision of law.

(3) **Term.—**

(A) **In general.—** Except as provided in subparagraph (B), the Chief and the Director may enter into a contract under subsection (b) in accordance with section 3903 of title 41, United States Code.

(B) **Maximum.—** The period of the contract under subsection (b) may exceed 5 years but may not exceed 10 years.

(4) **Offsets.—**

(A) **In general.—** The Chief and the Director may apply the value of timber or other forest products removed as an offset against the cost of services received under the agreement or contract described in subsection (b).

(B) **Methods of appraisal.—** The value of timber or other forest products used as an offset under subparagraph (A)—

(i) shall be determined using appropriate methods of appraisal commensurate with the quantity of products to be removed; and

(ii) may—

(I) be determined using a unit of measure appropriate to the contracts; and

(II) may include valuing products on a per-acre basis.

(5) **Relation to other laws.—** Notwithstanding subsections (d) and (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a), the Chief may enter into an agreement or contract under subsection (b). Notwithstanding the Materials Act of 1947 (30 U.S.C. 602(a)), the Director may enter into an agreement or contract under subsection (b).

(6) **Contracting officer.—** Notwithstanding any other provision of law, the Secretary or the Secretary of the Interior may determine the appropriate contracting officer to enter into and administer an agreement or contract under subsection (b).

(7) **Fire liability provisions.—** Not later than 90 days after the date of enactment of this section, the Chief shall issue for use in all contracts and agreements under this section fire

liability provisions that are in substantially the same form as the fire liability provisions contained in—

(A) integrated resource timber contracts, as described in the Forest Service contract numbered 2400–13, part H, section H.4; and

(B) timber sale contracts conducted pursuant to section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a).

(e) **Receipts.—**

(1) **In general.—** The Chief and the Director may collect monies from an agreement or contract under subsection (b) if the collection is a secondary objective of negotiating the contract that will best achieve the purposes of this section.

(2) **Use.—** Monies from an agreement or contract under subsection (b)—

(A) may be retained by the Chief and the Director; and

(B) shall be available for expenditure without further appropriation at the project site from which the monies are collected or at another project site.

(3) **Relation to other laws.—**

(A) **In general.—** Notwithstanding any other provision of law, the value of services received by the Chief or the Director under a stewardship contract project conducted under this section, and any payments made or resources provided by the contractor, Chief, or Director shall not be considered monies received from the National Forest System or the public lands.

(B) **Knutson-vanderberg Act.—** The Act of June 9, 1930 (commonly known as the "Knutson-Vanderberg Act") (16 U.S.C. 576 et seq.) shall not apply to any agreement or contract under subsection (b).

(f) **Costs of Removal.—** Notwithstanding the fact that a contractor did not harvest the timber, the Chief may collect deposits from a contractor covering the costs of removal of timber or other forest products under—

(1) the Act of August 11, 1916 (16 U.S.C. 490); and

(2) the Act of June 30, 1914 (16 U.S.C. 498).

(g) **Performance and Payment Guarantees.—**

(1) **In general.—** The Chief and the Director may require performance and payment bonds under sections 28.103–2 and 28.103–3 of the Federal Acquisition Regulation, in an amount that the contracting officer considers sufficient to protect the investment in receipts by the Federal Government generated by the contractor from the estimated value of the forest products to be removed under a contract under subsection (b).

(2) **Excess offset value.—** If the offset value of the forest products exceeds the value of the resource improvement treatments, the Chief and the Director may—

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

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

(h) **Cancellation Ceilings.—**

(1) **In general.—** Notwithstanding section 3903(b)(1) of title 41, United States Code, the Chief and the Director may obligate funds in stages that are economically or programmatically

viable to cover any potential cancellation or termination costs for an agreement or contract under subsection (b).

(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 that cancellation ceiling, the Chief or the Director, as applicable, 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) a description of the cancellation ceiling amounts proposed for each program year in the agreement or contract;

(B) the reasons why the cancellation ceiling amounts described under subparagraph (A) were selected;

(C) a description of 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), the Chief or the Director, as appropriate, shall transmit a copy of the notice to the Director of the Office of Management and Budget.

(i) **Monitoring and Evaluation.—**

(1) **In general.—** The Chief and the Director shall establish a multiparty monitoring and evaluation process that accesses the stewardship contracting projects conducted under this section.

(2) **Participants.—** Other than the Chief and Director, participants in the process described in paragraph (1) may include—

(A) any cooperating governmental agencies, including tribal governments; and

(B) any other interested groups or individuals.

(j) **Reporting.—** Not later than 1 year after the date of enactment of this section, and annually thereafter, the Chief and the Director shall submit to the congressional committees described in subsection (h)(2) a report on—

(1) the status of development, execution, and administration of agreements or contracts under subsection (b);

(2) the specific accomplishments that have resulted; and

(3) the role of local communities in the development of agreements or contract plans.

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5. Title 54 of the United States Code

TITLE Title 54—NATIONAL PARK SERVICE AND RELATED PROGRAMS

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SUBTITLE Subtitle I—National Park System

DIVISION A—ESTABLISHMENT AND GENERAL ADMINISTRATION

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CHAPTER CHAPTER 1011—DONATIONS

SUBCHAPTER I—AUTHORITY OF SECRETARY

Sec.
101101. Authority to accept land, rights-of-way, buildings, other property, and money.
101102. Authority to accept and use funds to consolidate Federal land ownership.

SUBCHAPTER II—NATIONAL PARK FOUNDATION

101111. Purpose and establishment of Foundation.
101112. Board.
101113. Gifts, devises, or bequests.
101114. Disposition of property or income.
101115. Corporate succession and powers and duties acting as trustee; personal liability for malfeasance.
101116. Corporate powers.
101117. Authority of Board.
101118. Tax exemptions; contributions toward costs of local government; contributions, gifts, or transfers to or for use of United States.
101119. Liability of United States.
101120. Promotion of local fundraising support.
101121. Second Century Endowment for the National Park Service.
101122. Authorization of appropriations; use of funds.

Editorial Notes

Amendments

101123. Giant Sequoia Emergency Protection Program and Fund.

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§101123. Giant Sequoia Emergency Protection Program and Fund

(a) GIANT SEQUOIA EMERGENCY PROTECTION PROGRAM.— The National Park Foundation, in coordination with the National Forest Foundation, shall design and implement a comprehensive program to assist and promote philanthropic programs of support that benefit—

(1) primarily, the management and conservation of giant sequoias on National Park Service and covered National Forest System lands to promote resiliency to wildfires, insects, and drought; and

(2) secondarily, the reforestation of giant sequoias on National Park Service and covered National Forest System lands impacted by wildfire.

(b) GIANT SEQUOIA EMERGENCY PROTECTION FUND.— The National Park Foundation, in coordination with the National Forest Foundation, shall establish a joint special account to be known as the Giant Sequoia Emergency Protection Fund (referred to as 'the Fund' in this section), to be administered in support of the program established under subsection (a).

(1) FUNDS FOR GIANT SEQUOIA EMERGENCY PROTECTION.— The Fund shall consist of any gifts, devises, or bequests that are provided to the National Park Foundation or National Forest Foundation for such purpose.

(2) USE OF FUNDS.— Funds shall be available to the National Park Foundation and National Forest Foundation without further appropriation, subject to the provisions in paragraph (3), for projects and activities approved by the Chief of the Forest Service or the Director of the National Park Service as appropriate, or their designees, to—

(A) primarily, support the management and conservation of giant sequoias on National Park Service and covered National Forest System lands to promote resiliency to wildfires, insects, and drought; and

(B) secondarily, support the reforestation of giant sequoias on National Park Service and covered National Forest System lands impacted by wildfire.

(3) TRIBAL SUPPORT.— Of the funds provided to the National Park Foundation and National Forest Foundation under paragraph (2), not less than 15 percent of such funds shall be used to support tribal management and conservation of giant sequoias including funding for tribal historic preservation officers.

(c) SUMMARY.— Beginning 1 year after the date of the enactment of this Act, the National Park Foundation and National Forest Foundation shall include with their annual reports a summary of the status of the program and Fund created under this section that includes—

(1) a statement of the amounts deposited in the Fund during the fiscal year;

(2) the amount of the balance remaining in the Fund at the end of the fiscal year; and

(3) a description of the program and projects funded during the fiscal year.

(d) COVERED NATIONAL FOREST SYSTEM LANDS DEFINED.— In this section, the term 'covered National Forest System lands' has the meaning given such term in section 2 of the Save Our Sequoias Act.

(e) TERMINATION OF EFFECTIVENESS.— The authority provided by this section shall terminate 7 years after the date of enactment of the Save Our Sequoias Act.

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Summary

(1) 24 amendments.

(2) 2 automated notifications.

2 Automated Notifications

Automated notifications with target identifiers: 0.
Automated notifications without target identifiers: 2.

Automated Notification: The instruction language could not be processed programmatically.

Details:

- Amendment number 19
- Amendment target identifier:
- Amendment target category:
- Lex failed: token <Agricultural> not found..
- The portion of law being amended could not be found.

AMENDMENT:

SEC. 10. GOOD NEIGHBOR AUTHORITY FOR GIANT SEQUOIAS.

Section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a) is amended—

(3) CONFORMING AMENDMENTS.— Section 8206(a) of the Agricultural Act of 2014 (16 U.S.C. 2113a(a)) is amended—

(A) in paragraph (1)(B), by inserting “, Indian tribe,” after “Governor”; and

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Automated Notification: The instruction language could not be processed programmatically.

Details:

- Amendment number 20
- Amendment target identifier:
- Amendment target category:
- Lex failed: token <Agricultural> not found..
- The portion of law being amended could not be found.

AMENDMENT:

SEC. 10. GOOD NEIGHBOR AUTHORITY FOR GIANT SEQUOIAS.

Section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a) is amended—

(3) CONFORMING AMENDMENTS.— Section 8206(a) of the Agricultural Act of 2014 (16 U.S.C. 2113a(a)) is amended—

(B) in paragraph (5), by inserting “, Indian tribe,” after “Governor”.

About this report

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