

118TH CONGRESS
1ST SESSION

H. R. 4717

To amend the Healthy Forests Restoration Act of 2003 with respect to third-party contracts for wildfire hazard fuel removal, to amend the National Forest Management Act with respect to the threshold for advertised timber sales, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 18, 2023

Mr. LAMBORN (for himself, Mr. COSTA, Mrs. BOEBERT, and Mr. LAMALFA) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Healthy Forests Restoration Act of 2003 with respect to third-party contracts for wildfire hazard fuel removal, to amend the National Forest Management Act with respect to the threshold for advertised timber sales, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Locally Led Restora-
5 tion Act of 2023”.

1 **SEC. 2. THIRD-PARTY CONTRACTS FOR WILDFIRE HAZARD**
2 **FUEL REMOVAL.**

3 (a) IN GENERAL.—Section 604 of the Healthy For-
4 ests Restoration Act of 2003 (16 U.S.C. 6591c) is amend-
5 ed—

6 (1) in subsection (b), by inserting “(including
7 contracts proposed by such entities)” after “private
8 entities”; and

9 (2) in subsection (d), by adding at the end the
10 following:

11 “(8) SALVAGE REQUIREMENTS.—

12 “(A) IN GENERAL.—A contract or agree-
13 ment for a stewardship contracting project pro-
14 posed by a private person or other public or pri-
15 vate entity may only be entered into under sub-
16 section (b) if—

17 “(i) the land management goals of the
18 project include the removal of vegetation;
19 and

20 “(ii) at least 10 percent of the vegeta-
21 tion proposed to be removed is salvage.

22 “(B) SALVAGE DEFINED.—For purposes of
23 subparagraph (A), the term ‘salvage’ includes
24 wildfire kill, beetle kill, and dead or dying or-
25 ganic material.

26 “(9) NOTIFICATIONS AND RESPONSES.—

1 “(A) NOTIFICATION OF OPPORTUNITY TO
2 SUBMIT PROPOSALS.—Not less than once per
3 year, the Chief and the Director shall publicly
4 notice the opportunity to submit proposals for
5 stewardship contracting projects under sub-
6 section (b).

7 “(B) RESPONSE TO PROPOSAL.—

8 “(i) IN GENERAL.—In the case of a
9 stewardship contracting project proposed
10 by a private person or other public or pri-
11 vate entity, the Chief and the Director
12 shall not later than 120 days after receiv-
13 ing such a proposal, provide the person or
14 entity submitting such proposal a response
15 with respect to such proposal.

16 “(ii) NOTICE OF DENIAL.—In the case
17 of a response referred to in clause (i) that
18 is a denial, such response may—

19 “(I) identify the specific factors
20 that caused, and explain the reasons
21 that support, the denial; and

22 “(II) identify potential courses of
23 action for overcoming specific issues
24 that led to the denial.

1 “(C) RULE OF CONSTRUCTION.—Nothing
2 in this paragraph shall be construed as requir-
3 ing the Chief or the Director to enter into a
4 contract or an agreement with respect to a
5 stewardship contracting project proposed by a
6 private person or other public or private entity.

7 “(10) ENVIRONMENTAL REVIEW.—

8 “(A) IN GENERAL.—Not later than 120
9 days after the date on which a private person
10 or other public or private entity submits to the
11 Chief or the Director a proposal to enter into
12 a stewardship contracting project under sub-
13 section (b), the Chief or the Director may issue
14 public notice of initiation of any necessary envi-
15 ronmental review.

16 “(B) AGREEMENTS AND CONTRACTS.—
17 Following completion of any necessary environ-
18 mental review, the Chief or the Director may
19 enter into an agreement or contract with the
20 private person or other public or private entity
21 under subsection (b).

22 “(11) CONFLICTING PROPOSALS.—In the case
23 of conflicting proposals for a stewardship con-
24 tracting project under subsection (b), the Chief and

1 the Director shall have sole discretion in determining
2 which such proposals, if any, are accepted.

3 “(12) OTHER REQUIREMENTS.—A contract or
4 agreement entered into under this section—

5 “(A) shall be made on a best value basis,
6 as determined by the Chief and the Director;

7 “(B) may not be carried out—

8 “(i) on acres that are—

9 “(I) included in the National
10 Wilderness Preservation System; or

11 “(II) located within an inven-
12 toried roadless area; or

13 “(ii) on any area where removal of
14 vegetation is prohibited by Federal statute;

15 and

16 “(C) may only be carried out if the Chief
17 and the Director determine the stewardship
18 contracting project is in accordance with the
19 forest plan or land and resource management
20 plan applicable to the land on which the project
21 will be carried out.”.

22 (b) REPORT.—Not later than 5 years after the date
23 of the enactment of this Act, the Comptroller General of
24 the United States shall submit a report to Congress that

1 includes, with respect to the preceding 5-year period, in-
2 formation on—

3 (1) the number of project proposals under sec-
4 tion 604 of the Healthy Forests Restoration Act of
5 2003 (16 U.S.C. 6591e) received by the Chief of the
6 Forest Service and the Director of the Bureau of
7 Land Management;

8 (2) the number of contracts and agreements en-
9 tered into under such section; and

10 (3) the number of acres on which forest
11 thinning and hazardous fuels reduction were carried
12 out pursuant to such contracts and agreements.

13 **SEC. 3. THRESHOLD FOR ADVERTISED SALES.**

14 (a) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that the threshold above which the Secretary of Ag-
16 riculture shall advertise timber sales, absent extraordinary
17 conditions, established in section 14(d) of the National
18 Forest Management Act of 1976 (16 U.S.C. 472a(d)), is
19 adjusted by the amendments made by subsection (b) to
20 reflect the inflation that has occurred since the date of
21 enactment of such section and to address any inflation
22 that may occur after the date of enactment of this section.

23 (b) THRESHOLD ADJUSTMENT.—Section 14(d) of the
24 National Forest Management Act of 1976 (16 U.S.C.
25 472a(d)) is amended by—

1 (1) striking “\$10,000” and inserting
2 “\$55,000”; and

3 (2) by adding at the end the following: “Begin-
4 ning the first year after the date of enactment of the
5 Locally Led Restoration Act of 2023, the amount in
6 the first sentence of this subsection shall be adjusted
7 annually by the Secretary for changes in the Con-
8 sumer Price Index of All Urban Consumers pub-
9 lished by the Bureau of Labor Statistics of the De-
10 partment of Labor.”.

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