

118TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To amend the Healthy Forests Restoration Act of 2003 to require the Secretary of Agriculture to expedite hazardous fuel or insect and disease risk reduction projects on certain National Forest System land, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. THUNE introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Healthy Forests Restoration Act of 2003 to require the Secretary of Agriculture to expedite hazardous fuel or insect and disease risk reduction projects on certain National Forest System land, 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 “Expediting Forest Res-  
5 toration and Recovery Act of 2023”.

1 **SEC. 2. APPLICATION BY FOREST SERVICE OF AUTHORI-**  
2 **TIES TO EXPEDITE ENVIRONMENTAL ANAL-**  
3 **YSES IN CARRYING OUT HAZARDOUS FUEL**  
4 **AND INSECT AND DISEASE RISK REDUCTION**  
5 **PROJECTS.**

6 Section 104 of the Healthy Forests Restoration Act  
7 of 2003 (16 U.S.C. 6514) is amended by adding at the  
8 end the following:

9 “(i) APPLICATION BY FOREST SERVICE OF AUTHORI-  
10 TIES TO EXPEDITE ENVIRONMENTAL ANALYSES IN CAR-  
11 RYING OUT HAZARDOUS FUEL AND INSECT AND DISEASE  
12 RISK REDUCTION PROJECTS.—

13 “(1) DEFINITIONS.—In this subsection:

14 “(A) INSECT AND DISEASE TREATMENT  
15 AREA.—The term ‘insect and disease treatment  
16 area’ means an area that—

17 “(i) is designated by the Secretary as  
18 an insect and disease treatment area under  
19 this title; or

20 “(ii) is designated as at risk or a haz-  
21 ard on the most recent National Insect and  
22 Disease Risk Map published by the Forest  
23 Service.

24 “(B) SECRETARY.—The term ‘Secretary’  
25 has the meaning given the term in section  
26 101(14)(A).

1           “(2) USE OF AUTHORITIES.—In carrying out a  
2 hazardous fuel or insect and disease risk reduction  
3 project in an insect and disease treatment area au-  
4 thorized under this Act, the Secretary shall—

5           “(A) apply the categorical exclusion estab-  
6 lished by section 603 in the case of a hazardous  
7 fuel or insect and disease risk reduction project  
8 carried out in an area—

9           “(i) designated as suitable for timber  
10 production within the applicable forest  
11 plan; or

12           “(ii) where timber harvest activities  
13 are not prohibited;

14           “(B) conduct applicable environmental as-  
15 sessments and environmental impact statements  
16 in accordance with this section in the case of a  
17 hazardous fuel or insect and disease risk reduc-  
18 tion project—

19           “(i) carried out in an area—

20           “(I) outside of an area described  
21 in subparagraph (A); or

22           “(II) where other significant re-  
23 source concerns exist, as determined  
24 exclusively by the Secretary; or

1                   “(ii) that is carried out in an area  
2                   equivalent to not less than a hydrologic  
3                   unit code 5 watershed, as defined by the  
4                   United States Geological Survey; and

5                   “(C) notwithstanding subsection (d), in the  
6                   case of any other hazardous fuel or insect and  
7                   disease risk reduction project, in the environ-  
8                   mental assessment or environmental impact  
9                   statement prepared under subsection (b), study,  
10                  develop, and describe—

11                  “(i) the proposed agency action; and

12                  “(ii) the alternative of no action.

13                  “(3) PRIORITY FOR REDUCING RISKS OF IN-  
14                  SECT INFESTATION AND WILDFIRE.—Except where  
15                  established as a mandatory standard that constrains  
16                  project and activity decision making in a resource  
17                  management plan (as defined in section 101(13)(A))  
18                  in effect on the date of enactment of this Act, in the  
19                  case of an insect and disease treatment area, the  
20                  Secretary shall prioritize reducing the risks of insect  
21                  and disease infestation and wildfire over other plan-  
22                  ning objectives.

23                  “(4) INCLUSION OF FIRE REGIME GROUP IV.—  
24                  Notwithstanding section 603(c)(2)(B), the Secretary

1 shall apply the categorical exclusion described in  
2 paragraph (2)(A) to areas in Fire Regime Group IV.

3 “(5) EXCLUDED AREAS.—This subsection shall  
4 not apply to—

5 “(A) a component of the National Wilder-  
6 ness Preservation System; or

7 “(B) an inventoried roadless area, except  
8 in the case of an activity that is permitted  
9 under—

10 “(i) the final rule of the Secretary en-  
11 titled ‘Special Areas; Roadless Area Con-  
12 servation’ (66 Fed. Reg. 3244 (January  
13 12, 2001)); or

14 “(ii) a State-specific roadless area  
15 conservation rule.

16 “(6) REPORTS.—The Secretary shall annually  
17 make publicly available data describing the acreage  
18 treated under hazardous fuel or insect and disease  
19 risk reduction projects in insect and disease treat-  
20 ment areas during the previous year.”.

21 **SEC. 3. GOOD NEIGHBOR AUTHORITY.**

22 Section 8206(b)(2) of the Agricultural Act of 2014  
23 (16 U.S.C. 2113a(b)(2)) is amended by striking subpara-  
24 graph (C) and inserting the following:

1           “(C) TREATMENT OF REVENUE.—Funds  
2 received from the sale of timber by a Governor  
3 of a State under a good neighbor agreement  
4 shall be retained and used by the Governor—

5                   “(i) to carry out authorized restora-  
6 tion services under that good neighbor  
7 agreement; and

8                   “(ii) if funds remain after carrying  
9 out authorized restoration services under  
10 clause (i), to carry out authorized restora-  
11 tion services within the State under other  
12 good neighbor agreements.”.