



HOUSE COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN BRUCE WESTERMAN

To: Subcommittee on Federal Lands Republican Members
From: Subcommittee on Federal Lands Staff: Aniela Butler (Aniela@mail.house.gov),
Brandon Miller (Brandon.Miller@mail.house.gov), and Hannah Devereaux
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Date: Monday, May 18, 2026
Subject: Legislative Hearing on 7 Bills

The Subcommittee on Federal Lands will hold a legislative hearing on seven bills: H.R. 184 (Rep. McClintock), “*Action Versus No Action Act*”; H.R. 2785 (Rep. Leger Fernandez), “*New Mexico Land Grant-Mercedes Historical or Traditional Use Cooperation and Coordination Act*”; H.R. 7695 (Rep. Hageman), To provide that the final rule titled “Special Areas; Roadless Area Conservation” and issued on January 12, 2001 (66 Fed. Reg. 3244) shall have no force or effect and require the Secretary of Agriculture to construct certain roads on National Forest System lands, and for other purposes.; H.R. 8682 (Rep. Downing), “*Accelerating Forest Management Act*”; H.R. 8686 (Rep. Gosar), To amend the Military Land Withdrawals Act of 2013 to withdraw and reserve certain public land in the vicinity of Yuma Proving Ground, Arizona.; H.R. 8688 (Rep. Hurd), “*Forest Health and Wildfire Risk Reduction Act*”; and H.R. 8735 (Rep. Panetta), “*American Sovereignty and Monterey Historic Military Site Study Act*”.

The hearing will take place on **Thursday, May 21, 2026, at 10:00 a.m.**, in room 1324 Longworth House Office Building.

Member offices are requested to notify Hannah Devereaux (Hannah.Devereaux@mail.house.gov) by 4:30 p.m. on Wednesday, May 20, 2026, if their Member intends to participate in the hearing.

I. KEY MESSAGES

- Legislation from Representatives McClintock, Hurd, and Downing streamline environmental reviews to restore health and resiliency to millions of acres of federal forests susceptible to wildfires, drought, insects, and disease.
- Representative Hageman’s legislation permanently nullifies the onerous 2001 Roadless Rule, restoring active forest management, enhancing wildfire suppression efforts, and improving public access to approximately 58 million acres of federal forests.
- Representative Gosar’s legislation expands testing capacity for advanced air delivery systems to improve the U.S. Army’s military readiness.
- Together, these Republican bills advance President Trump’s Executive Orders (E.O.s) titled “Empowering Commonsense Wildfire Prevention and Response,” “Immediate Expansion of American Timber Production,” and “Prioritizing Military Excellence and Readiness.”

II. WITNESSES

Panel I (Members of Congress):

- *To Be Announced*

Panel II (Administration Witnesses):

- **Major General Patrick Gaydon**, Commanding General, Army Test and Evaluation Command (ATEC), U.S. Army, Washington, D.C. [*H.R. 8686*]
- **Mr. Chris French**, Associate Chief, U.S. Forest Service, Washington, D.C. [*H.R. 184, H.R. 2785, and H.R. 7695*]

Panel III (Outside Experts):

- **The Hon. Bobbie Daniel**, Commissioner, Mesa County, Grand Junction, CO [*H.R. 8688*]
- **The Hon. Douglas J. Nicholls**, Mayor, City of Yuma, Yuma, AZ [*H.R. 8686*]
- **Mr. Wyatt Frampton**, Acting State Forester, Montana Department of Natural Resources and Conservation, Missoula, MT [*H.R. 8682*]
- **Mr. Mark Miller**, Director of Environment and Natural Resources Litigation, Pacific Legal Foundation, Palm City, FL [*H.R. 7695*]
- **Mr. Brett Storey**, Principal Engineer II, West Yost Associates, Davis, CA [*H.R. 184*]
- **Mr. Juan Sanchez**, Chairman, New Mexico Land Grant Council, Tijeras, NM [*H.R. 2785*] [*Minority Witness*]
- **Mr. Chris Wood**, President and CEO, Trout Unlimited, Arlington, VA [*H.R. 7695*] [*Minority Witness*]

III. BACKGROUND

H.R. 184 (Rep. McClintock), “Action Versus No Action Act”

Wildfire risk across the U.S. has reached unprecedented levels, with more than one billion acres threatened and approximately 46 million at-risk homes located in the wildland-urban interface (WUI).¹ Approximately one-fifth of the land overseen by federal land management agencies is also classified at high or very high risk for wildfire.² Prior to 2015, the U.S. had never experienced a single wildfire year in which more than 10 million acres burned. In the past decade, however, the country has hit that ominous mark three times during some of the worst wildfire years on record (2015, 2017, and 2020).³ This crisis has wreaked unprecedented havoc on landscapes and communities across the western U.S., destroying lives and property, degrading air and water quality, and irreparably damaging millions of acres of wildlife habitat.⁴

¹ Testimony of Christopher French, Deputy Chief, U.S. Forest Service, before the Senate Energy and Natural Resources Committee, June 24, 2021, <https://www.energy.senate.gov/services/files/AAF7DF40-2A47-4951-ADA4-4B124AD3894F>; “Fire Adapted Communities,” U.S. Forest Service, <https://www.fs.usda.gov/managing-land/fire/fac>; Miranda H. Mockrin, “Where humans and forests meet: The rapidly growing wildland-urban interface,” U.S. Forest Service, May 14, 2025, <https://research.fs.usda.gov/nrs/articles/where-humans-and-forests-meet-rapidly-growing-wildland-urban-interface>.

² Anne Riddle, “Federal Wildfire Management: Ten-Year Funding Trends and Issues (FY2011-FY2020),” Congressional Research Service, October 28, 2020, <https://www.congress.gov/crs-product/R46583>.

³ *Id.*

⁴ Philip E. Higuera, *et al.*, “Shifting social-ecological fire regimes explain increasing structure loss from Western wildfires,” *PNAS Nexus*, March 2023, <https://academic.oup.com/pnasnexus/article/2/3/pgad005/7017542> (time period references 2016-2025); Kimiko Barrett, “Wildfires destroy thousands of structures each year,” *Headwaters Economics*, May 2025,

Federal lands significantly affect wildfire risk, with research indicating that 71 percent of Bureau of Land Management (BLM) and 89 percent of U.S. Forest Service (USFS) lands have the potential to ignite and spread wildfire to nearby communities.⁵ Despite this, only a small portion of high-risk federal lands are treated annually, highlighting a gap between identified risk and the pace of active forest management.⁶ This discrepancy is due largely to a mixture of bureaucratic red tape, onerous regulations, and frivolous litigation stemming from the National Environmental Policy Act of 1969 (NEPA).⁷ Vital forest management projects are often delayed or canceled as land managers divert finite agency time and resources to endless analysis aimed at “bulletproofing” environmental assessments (EAs) or environmental impact statements (EISs) against litigation risk. As a result, research has found that mechanical treatments take 4.3 and 5.3 years to begin under EAs and EISs, respectively, while prescribed burns can take between 5.6 to 7.2 years to start.⁸ After analyzing more than 30,000 of USFS’s NEPA decisions, this same research led to the following conclusions:

“The odds that a project with an EA or EIS designation will be completed quickly are low. While almost 85 percent of Forest Service [Categorical Exclusion (CE)] projects are approved within one year, this is true for only 42 percent of EAs and only about 20 percent of EISs. Because forest restoration projects are more likely, on average, to require an EA or EIS, they are also less likely to be completed quickly.”⁹

Because forests are living, evolving ecosystems, taking no action during this crisis period *is* a management decision, one that often results in project areas incinerating in catastrophic wildfires before receiving required federal approvals.¹⁰ To prevent this from recurring, H.R. 184, sponsored by Representative Tom McClintock (R-CA-05), limits the number of alternatives analyzed for certain forest management projects to: (1) the proposed agency action and (2) a no action alternative. Instead of leaving agencies to analyze endless permutations of management choices and get caught in analysis paralysis, this bill expedites environmental review while emphasizing the consequences of inaction in the face of increasing wildfire risk. Finally, this legislation also incentivizes community engagement and collaboration by allowing this streamlined authority only for projects in high-risk areas or developed through a collaborative process, proposed by a resource advisory committee, or covered by a community wildfire protection plan.

<https://headwaterseconomics.org/natural%20hazards/structures-destroyed-by-wildfire/>; “Wildfires,” Congressional Budget Office, <https://www.cbo.gov/system/files?file=2022-06/57970-Wildfires.pdf>.

⁵ A fireshed is a landscape-scale area that faces similar wildfire threats where a fire management strategy could affect fire outcomes. Alan Ager, *et al.* “Development and Application of the Fireshed Registry,” U.S. Forest Service, Rocky Mountain Region, May 2021.

⁶ Anne Riddle, “Federal Wildfire Management: Ten-Year Funding Trends and Issues (FY2011-FY2020),” Congressional Research Service, October 28, 2020, <https://www.congress.gov/crs-product/R46583>.

⁷ 43 U.S.C. 1638.

⁸ Eric Edwards & Sara Sutherland, “Does Environmental Review Worsen the Wildfire Crisis”, Property and Environment Research Center, June 14, 2022, <https://perc.org/2022/06/14/does-environmental-review-worsen-the-wildfire-crisis/>.

⁹ *Id.*

¹⁰ Scott Rodd, “Stalled U.S. Forest Service project could have protected California town from Caldor Fire destruction,” CapRadio, August 16, 2022, <https://www.capradio.org/articles/2022/08/16/stalled-us-forest-service-project-could-have-protected-california-town-from-caldor-fire-destruction/>.

H.R. 2785 (Rep. Leger Fernandez), “New Mexico Land Grant-Mercedes Historical or Traditional Use Cooperation and Coordination Act”

Following the Mexican-American War, the U.S. gained significant portions of Mexico’s territory under the Treaty of Guadalupe Hidalgo (Treaty).¹¹ Pursuant to the Treaty, the U.S. was required to establish a process for adjudicating and recognizing land titles in the newly ceded territory, which included land grants, or mercedes, that successive Spanish and Mexican governments had awarded to settlers.¹² During the lengthy adjudication process, many of the original boundaries were obscured as a result of lost documents, overlapping grants, corruption and exploitation by attorneys demanding huge fees to clear titles.¹³ Despite this, many land grant-mercedes continue to exist as political subdivisions of the State of New Mexico with official governing bodies.¹⁴ Today, these land grant-merced communities remain concerned by the loss of much of their historic property and have expressed a desire to work with federal land management agencies to improve access to these public lands. These concerns are compounded by the complexity, lack of clarity, and inconsistent coordination communities encounter when working with federal agencies, which has hampered their ability to carry out traditional and non-commercial uses.¹⁵

H.R. 2785 addresses this problem by establishing a formal framework via a memorandum of understanding (MOU) to improve coordination, permitting clarity, and communication between federal land agencies and New Mexico land grant-merced communities for traditional, noncommercial uses of BLM and USFS lands. The legislation does not create new land rights but clarifies procedures for communication between local and federal entities.

H.R. 7695 (Rep. Hageman), To provide that the final rule titled “Special Areas; Roadless Area Conservation” and issued on January 12, 2001 (66 Fed. Reg. 3244) shall have no force or effect and require the Secretary of Agriculture to construct certain roads on National Forest System lands, and for other purposes.

USFS manages roughly 58.2 million acres of National Forest System (NFS) lands (or approximately 30 percent of all USFS lands) as “inventoried roadless areas” (IRAs),¹⁶ which are roughly equivalent to Wilderness Study Areas on BLM lands. While IRAs are not part of the National Wilderness Preservation System, certain activities, such as road construction and timber harvesting, are similarly restricted, with limited exceptions.¹⁷ However, there are no comprehensive data that demonstrate these exceptions are being utilized, leaving timber harvesting and road construction as de facto banned in IRAs.¹⁸ IRAs are predominantly located

¹¹ “Land grants,” Albuquerque Historical Society, <https://albuqhistsoc.org/SecondSite/pkfiles/pk208landgrants.htm>.

¹² *Id.*

¹³ *Id.*

¹⁴ “Land Grants-Mercedes and Acequias,” New Mexico Department of Justice, May 5, 2026, <https://nm DOJ.gov/about-the-office/civil-affairs/land-grants-mercedes-and-acequias/>.

¹⁵ *Id.*

¹⁶ Katie Hoover, “Federal Lands and Related Resources: Overview and Selected Issues for the 118th Congress,” Congressional Research Service, February 24, 2023, <https://www.crs.gov/Reports/R43429?source=search&guid=954916e1bf18467b9cded7490958723b&index=0>.

¹⁷ Exceptions include public safety in case dangers like wildfires, improvement of habitat/ecosystem, and small diameter timber harvesting if it improves roadless characteristics. Anne Riddle & Adam Vann, “Forest Service Inventoried Roadless Areas (IRAs)” Congressional Research Service, August 28, 2020, <https://www.crs.gov/Reports/R46504?source=search&guid=bdb74457ae7d4fcd925ed39ce11bcffe&index=1>.

¹⁸ *Id.*

in the West, with more than 96 percent of them located in just 12 western states.¹⁹ When combined with the 111 million acres of lands classified as wilderness, this means that more than 169 million acres of USFS land are off-limits to active management.²⁰



Dead, dying, and downed trees and an active wildfire in the Jericho IRA. **Source:** Helena-Lewis and Clark National Forest, 2025.

IRAs were formally created in 2001, when the Clinton administration initiated an administrative rulemaking process (2001 Rule, or Roadless Rule).²¹ Prior to this, USFS had spent several decades managing IRAs as “wilderness areas,” “primitive areas,” or “wild areas” at the local forest-level through individual land management plans.²² President Clinton’s 2001 Rule significantly changed USFS’s longstanding policy regarding the management of roadless areas by mandating systemwide prohibitions that banned road construction and reconstruction, as well as cutting, selling, or removing any timber, apart from limited exceptions.²³ In 2005, President George W. Bush amended the 2001 Roadless Rule (2005 Rule) to give states greater say in IRAs, which was successfully utilized by Colorado and Idaho.²⁴ Both state-specific rules included limitations on timber harvesting, road construction, and reconstruction; however, they also addressed items not mentioned in the 2001 Rule, such as energy and mineral development, wildfires, fish habitat, and surface occupancy.²⁵

Although the Clinton and Bush regulations were

heavily litigated, the Clinton prohibition on many activities in roadless areas remained intact after the Supreme Court refused to review a lower court’s 2012 decision striking down the 2005 Rule.²⁶ In June 2025, U.S. Secretary of Agriculture Brooke Rollins announced plans to rescind the 2001 Rule.²⁷ On August 29, 2025, USFS published a notice of intent to prepare an EIS rescinding the 2001 Rule on approximately 44.7 million acres of NFS land, while leaving in

¹⁹ *Id.*

²⁰ Katie Hoover & Anne Riddle, “Wilderness: Overview, Management, and Statistics,” Congressional Research Service, July 24, 2019, <https://crsreports.congress.gov/product/pdf/RL/RL31447>.

²¹ 36 C.F.R. Part 294, “Roadless Area Conservation” final rule (Jan. 12, 2001), 66 Fed. Reg. 3244.

²² *Id.*

²³ “Background Information on Wilderness and Roadless Area Evaluation” The Western Forestry Leadership Coalition, http://www.thewflc.org/news_pdf/138_pdf.pdf.

²⁴ *Id.*

²⁵ *Id.*

²⁶ Katie Hoover, “Federal Lands and Related Resources: Overview and Selected Issues for the 118th Congress,” Congressional Research Service, February 24, 2023,

<https://www.crs.gov/Reports/R43429?source=search&guid=954916e1bf18467b9ced7490958723b&index=0>.

²⁷ “Secretary Rollins Rescinds Roadless Rule, Eliminating Impediment to Responsible Forest Management,” U.S. Department of Agriculture, June 23, 2025, <https://www.usda.gov/about-usda/news/press-releases/2025/06/23/secretary-rollins-rescinds-roadless-rule-eliminating-impediment-responsible-forest-management>.

place the Colorado and Idaho rules.²⁸ A record of decision is expected to be released sometime in 2026.²⁹

The Roadless Rule has been disastrous for the health and resiliency of our nation’s federal forests, exacerbating catastrophic wildfires, impeding wildfire suppression, and creating hotbeds of insect and disease infestations.



A roadless area in Wyoming has been converted into a tree-less area.

Source: Blue Ribbon Coalition, 2025.

According to USFS, 40 percent of IRAs “have a high or very-high wildfire hazard potential, ranging from 5 percent in the Eastern Region to 60 percent in California.”³⁰ 35 percent, or 15 million acres, of IRAs are located in, or within one mile of, WUIs, putting countless lives and property at risk.³¹ Recent research shows that “an area equivalent to approximately one-third of roadless areas burned in the last three decades, while an area equivalent to less than one-fifth of roaded areas experienced fires” despite the fact that roadless areas are “generally [in] cooler, moister, and higher elevation landscapes less conducive to fire.”³² Even more concerning is that fact that the largest fires that burned on NFS land in recent years began in roadless areas.³³ Lack of road access not only prevents active management, but also “hampers firefighter access” and deprives forests of fuel breaks necessary to slow down fire expansion.³⁴ Wildland firefighters depend on reliable roads to travel to where these fires are located; without road access, firefighters must rely on more costly air support.

Introduced by Representative Harriet Hageman (R-WY-At Large), H.R. 7695 permanently repeals the 2001 Rule and affirmatively directs USFS to construct permanent and temporary roads where necessary to support restoration and hazardous fuels reduction activities. This will help protect at-risk communities, the WUI, and municipal watersheds. By ending one-size-fits-all

²⁸ “Special Areas; Roadless Area Conservation; National Forest System Lands,” U.S. Forest Service, August 29, 2025, <https://www.federalregister.gov/documents/2025/08/29/2025-16581/special-areas-roadless-area-conservation-national-forest-system-lands>.

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² James D. Johnston, *et al.*, “Does conserving roadless wildland increase wildfire activity in western US national forests?,” *Environmental Research Letters*, Volume 16, Number 8, July 30 2021, <https://iopscience.iop.org/article/10.1088/1748-9326/ac13ee/pdf>.

³³ *Id.*

³⁴ Statement of Daniel R. Munsey, Fire Chief, San Bernardino County Fire Protection District, May 15, 2025, <https://www.congress.gov/119/meeting/house/118173/witnesses/HHRG-119-III5-Wstate-MunseyD-20250515.pdf>.



If the road above did not exist, there would be no firefighters or firetruck in this picture. **Source:** CNN Wire, 2018.

restrictions, this bill would improve forest health, wildfire prevention and response, public access, outdoor recreation, and economic opportunities for rural communities. By promoting more active forest management, this legislation also directly advances the goals of President Trump’s E.O. 14225, “Immediate Expansion of American

Timber Production.”³⁵ Further, by giving firefighters greater access to quickly and effectively respond to wildland fires, this legislation directly aligns with President Trump’s E.O. 14308, “Empowering Commonsense Wildfire Prevention and Response.”³⁶

H.R. 8682 (Rep. Downing), “Accelerating Forest Management Act”

BLM manages roughly 248 million acres of public lands, including 58 million forested acres, predominantly across the western U.S.³⁷ The agency estimates that “roughly 2 million acres of dead or dying timber” on BLM-managed lands are in need of salvage harvesting.³⁸ Salvage harvesting is a critical tool for removing dead and dying trees following wildfire, insect infestation, disease, drought, and other disturbances. Salvage harvesting helps “improve forest conditions by accelerating reestablishment of native resilient forest tree species [and] reducing wildfire fuel loads.”³⁹ Additionally, salvage harvesting can “recover economic value from timber to contribute to rural economies.”⁴⁰ Failure to quickly salvage timber following wildfires results in hazard trees, which pose major safety threats to firefighters and the public.⁴¹ Concerningly, the need for salvage harvesting continues to rise, as wildfires destroy an average of 7 million acres annually, more than double the amount seen during the 1990s.⁴²

³⁵ *Id.*

³⁶ “Empowering Commonsense Wildfire Prevention and Response,” Executive Order 14308, June 12, 2025, <https://www.federalregister.gov/documents/2025/06/18/2025-11358/empowering-commonsense-wildfire-prevention-and-response>.

³⁷ “National Environmental Policy Act Implementing Procedures for the Bureau of Land Management,” U.S. Department of the Interior, April 6, 2026, <https://www.federalregister.gov/documents/2026/04/06/2026-06603/national-environmental-policy-act-implementing-procedures-for-the-bureau-of-land-management>; “Forests and Woodlands,” Bureau of Land Management, https://www.blm.gov/programs/natural-resources/forests-and-woodlands#:~:text=The%20BLM%20manages%20close%20to%2058%20million,**Collaboration**%20%20**BLM%20and%20USFS%20Collaboration%20Agreement**.

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ “The case for removing dead and dying trees after last year’s wildfires,” Healthy Forests Healthy Communities, April 9, 2021, <https://healthyforests.org/2021/04/the-case-for-removing-dead-and-dying-trees-after-last-years-wildfires/>.

⁴² Anne Riddle, “Wildfire Statistics,” Congressional Research Service, June 1, 2023, <https://www.crs.gov/Reports/IF10244?source=search&guid=b82a4d954677449b918a65ece823396f&index=0>.



BLM land burned by the Archie Creek Fire in Oregon with timber in need of salvage.

Source: KLCC 2021.

In 2020, during President Trump’s first term, BLM established a CE under NEPA in response to the obvious need to expedite salvage harvesting to restore forest health and reduce wildfire threats.⁴³ During the first year of the Biden administration, the country experienced its worst wildfire year in 15 years, burning more than 10.3 million acres.⁴⁴

Despite this, just one year later, the Biden

administration issued an Instruction Memorandum (IM) directing BLM offices to stop using the 2020 CE due to the “complexity of land management and other matters” and removed the CE from its NEPA procedures.⁴⁵ Notably, neither the IM nor the notice removing the CE from BLM’s NEPA procedures ever asserted that the CE had been “used incorrectly or other than as intended.”⁴⁶ In fact, BLM’s NEPA data dating back to 1986 overwhelmingly show “that salvage implementation with no significant environmental impacts is routine for BLM.”⁴⁷ In 2026, the Trump administration acted to restore and expand the salvage CE that the Biden administration wrongly discarded.

H.R. 8682, sponsored by Representative Troy Downing (R-MT-02), codifies this CE in statute, giving “BLM more flexibility to quickly respond to disturbances across larger areas to provide for public and infrastructure safety, reduce hazardous fuel loads that impact firefighters and public safety, and contribute to one of the six principal or major uses of the public lands identified in the Federal Land Policy and Management Act of 1976.”⁴⁸ The CE allows salvage

⁴³ 42 U.S.C. 4332.

⁴⁴ *Id.*

⁴⁵ “Discontinued Use of Categorical Exclusions for Salvage Harvest,” Bureau of Land Management, August 12, 2022, [https://www.blm.gov/policy/pim-2022-010#:~:text=Handbook%20Sections%20Affected:-,This%20Permanent%20Instruction%20Memorandum%20\(PIM\)%20directs%20the%20BLM%20to%20discontinue,Council%20on%20Environmental%20Quality%20requirements.](https://www.blm.gov/policy/pim-2022-010#:~:text=Handbook%20Sections%20Affected:-,This%20Permanent%20Instruction%20Memorandum%20(PIM)%20directs%20the%20BLM%20to%20discontinue,Council%20on%20Environmental%20Quality%20requirements.)

⁴⁶ *Id.*

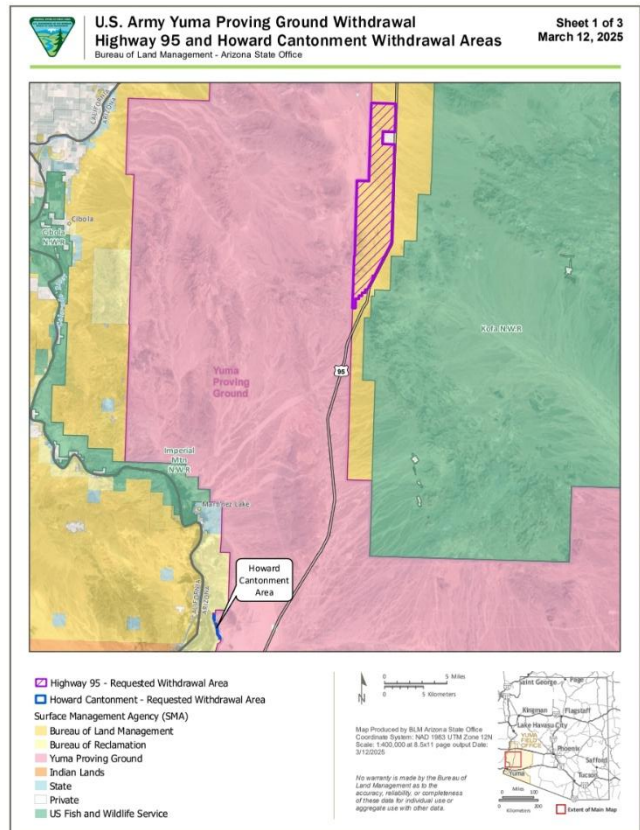
⁴⁷ *Id.*

⁴⁸ *Id.*

harvesting of up to 5,000 acres, an increase from the BLM’s current 250-acre limitation.⁴⁹ H.R. 8682 also provides a seven-year extension for the expanded authorities of the Forest Ecosystem Health and Recovery Fund (FEHRF), which uses receipts from BLM salvage timber sales to support rapid response to wildfire and the reforestation of lands damaged by wildfire, insects, and disease.⁵⁰ In total, this legislation safeguards the continued availability of vital forest management tools necessary to combat the wildfire and forest health crisis, ensuring their durability across different administrations. By promoting more active forest management, this legislation also directly advances the goals of President Trump’s E.O. 14225, “Immediate Expansion of American Timber Production.”⁵¹

H.R. 8686 (Rep. Gosar), To amend the Military Land Withdrawals Act of 2013 to withdraw and reserve certain public land in the vicinity of Yuma Proving Ground, Arizona.

The Yuma Proving Ground (YPG) in Arizona ranks among the U.S. Army’s premiere test and evaluation installations and is one of only eight facilities designated as a Major Range and Test Facility Base.⁵² YPG is the only Army facility capable of supporting high-altitude precision parachute testing, with existing airspace, instrumentation, and drop zone infrastructure necessary for advanced air delivery systems.⁵³ However, the Army recently identified a capability gap at YPG, finding surface safety zones insufficient to support testing of next-generation air delivery and aviation systems.⁵⁴ As a result, guided parachute systems cannot be tested at altitudes exceeding 25,000 feet, despite being capable of operating at significantly higher altitudes.⁵⁵ A lack of sufficient land area at YPG limits the Army’s ability to conduct this important testing at optimal altitudes and restricts the development of longer delivery



Yuma Proving Ground Withdrawal Map.
Source: BLM, 2025.

⁴⁹ Executive Order 14225, “Immediate Expansion of American Timber Production,” 90 FR 11365, March 1, 2025, <https://www.federalregister.gov/documents/2026/04/06/2026-06603/national-environmental-policy-act-implementing-procedures-for-the-bureau-of-land-management>.

⁵⁰ P.L. 102–381.

⁵¹ *Id.*

⁵² Information provided by U.S. Army.

⁵³ *Id.*

⁵⁴ *Id.*

⁵⁵ *Id.*

capabilities.⁵⁶ These limitations pose risks to both mission effectiveness and force protection.⁵⁷ Without expanded testing capability, the Army is unable to fully develop systems designed to deploy equipment from higher altitudes and greater distances, which are critical to reducing aircraft exposure to enemy fire and improving delivery accuracy in contested environments.⁵⁸

To remove these constraints, H.R. 8686, introduced by Representative Paul Gosar (R-AZ-09), withdraws and reserves approximately 22,000 acres of public land adjacent to YPG for military purposes, allowing for expanded surface safety zones and enabling testing at higher altitudes—up to approximately 35,000 feet.⁵⁹ The affected land is largely undeveloped, has low mineral potential, does not support significant industrial use, and is used primarily for hunting.⁶⁰ Public access may continue to be authorized through existing programs, and BLM would retain administrative jurisdiction in coordination with the Army.⁶¹ This vital legislation directly reflects the priorities set forth in President Trump’s E.O. 14183, “Prioritizing Military Excellence and Readiness,” which reaffirmed America’s commitment to maintaining the world’s most capable armed forces.⁶²

H.R. 8688 (Rep. Hurd), “Forest Health and Wildfire Risk Reduction Act”

Millions of acres of high-risk federal forests are overloaded with dangerous, dry fuels that have been allowed to accumulate through a century of fire suppression combined with a lack of thinning, prescribed burns, and mechanical treatments.⁶³ Overstocking makes forests less resilient by increasing competition among trees for the water, minerals, and sunlight necessary to sustain a healthy forest. This is true of BLM lands, an estimated 36 million acres of which are at high or very high risk of wildfire, driven by “increased fuel loading that has contributed to the increasing frequency of complex fires on public lands and their threat to human life and property.”⁶⁴ Consequently, wildfire frequency and severity continues to rise on BLM lands, with the agency averaging approximately 236,530 burned acres annually.⁶⁵

Despite fearmongering by increasingly isolated, radical environmentalists, the “weight of evidence has long supported the effectiveness of well-implemented fuel treatments at reducing

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² A Presidential Document by the Executive Office of the President, “Prioritizing Military Excellence and Readiness,” February 3, 2025, Executive Order 14183, <https://www.federalregister.gov/documents/2025/02/03/2025-02178/prioritizing-military-excellence-and-readiness>.

⁶³ Robert G. Ingram, “Robert G. Ingram: Forest Fuel Management - the Ugly Truth.” *TheUnion.com*, October 9, 2020, www.theunion.com/opinion/columns/robert-g-ingram-forest-fuel-management-the-ugly-truth/.

⁶⁴ U.S. Department of the Interior, National Environmental Policy Act Implementing Procedures for the Bureau of Land Management, April 6, 2026, <https://www.federalregister.gov/documents/2026/04/06/2026-06602/national-environmental-policy-act-implementing-procedures-for-the-bureau-of-land-management>. U.S. Department of the Interior, “BLM Fire Year 2024 Program Overview,” <https://www.blm.gov/sites/default/files/docs/2024-02/2024%20BLM%20Wildfire%20Management%20Info.pdf>.

⁶⁵ Bureau of Land Management, “BLM proposes expedited review of timber salvage and thinning projects” April 3, 2026, <https://www.blm.gov/press-release/blm-proposes-expedited-review-timber-salvage-and-thinning-projects>.

fire severity compared to untreated areas.”⁶⁶ In fact, recent research “found overwhelming evidence” that forest treatments like mechanical thinning and prescribed burning reduce wildfire severity by as much as 72 percent compared to untreated areas.⁶⁷ Similar inquiry also found that “reducing canopy bulk density via mechanical thinning treatments can help to limit crown fire behavior for 20 years or more” and that “the benefits of fuel treatments are not eliminated by severe fire weather,” thus validating “the continued use of thinning and burning treatments for forest restoration and enhancing resilience to wildfire.”⁶⁸ Active forest management, therefore, encourages sustained, healthy growth while removing much of the dangerous fuel buildups that lead to catastrophic wildfires.⁶⁹ Moreover, thinning forest stands to restore natural tree densities improves wildlife habitat, creates clean air and water, provides abundant outdoor recreation opportunities, and supports rural economies and job growth.⁷⁰

Sponsored by Representative Jeff Hurd (R-CO-03), H.R. 8688 codifies a recently announced CE for thinning on BLM lands.⁷¹ BLM’s existing CE for thinning is limited to a mere 70 acres, with significant limitations on road construction impeding access to the forest stands that need to be thinned.⁷² H.R. 8688 gives BLM greater “flexibility to respond to forest health and wildfire concerns across larger areas” by creating a new CE for 5,000 acres and up to five miles of new road construction.⁷³ While significant, the application of one 5,000-acre CE would still only represent “0.0000862 (or 1/116 of 1%) of the estimated 58 million acres of BLM forest and woodlands.”⁷⁴ This CE is based on BLM data dating back to 1990 “evaluating the more than 1,800 thinning-based timber sales” “under EAs and associated Findings of No Significant Impact (FONSIs)” demonstrating that thinning does “not significantly affect the quality of the human environment.”⁷⁵ By codifying the Trump administration’s new CE, this legislation directly advances the goals of E.O. 14225, promotes more active forest management, and creates durability across administrations to appropriately address the catastrophic wildfire and forest health crisis.⁷⁶

H.R. 8735 (Rep. Panetta), “American Sovereignty and Monterey Historic Military Site Study Act”

The Lower Presidio Historic Park in Monterey, California, is a 25-acre site widely regarded by historians as one of the most historically significant sites on the West Coast, with cultural,

⁶⁶ Emily G. Brodie, *et al.*, “Forest thinning and prescribed burning treatments reduce wildfire severity and buffer the impacts of severe fire weather,” *Fire Ecology* (2024) 20:17, <https://link.springer.com/content/pdf/10.1186/s42408-023-00241-z.pdf>.

⁶⁷ Kimberly T. Davis, *et al.*, “Tamm review: A meta-analysis of thinning, prescribed fire, and wildfire effects on subsequent wildfire severity in conifer dominated forests of the Western US,” *Forest Ecology and Management* Volume 561, 1 June 2024, 121885, available at <https://research.fs.usda.gov/treearch/67659>.

⁶⁸ *Id.*

⁶⁹ *Id.*

⁷⁰ Robert Hudson Westover, “Thinning the Forest for the Trees,” U.S. Forest Service, August 19, 2021, <https://www.fs.usda.gov/about-agency/features/thinning-forest-trees>; “How Cutting Down Trees Can Improve Forest Health,” National Forest Foundation, <https://www.nationalforests.org/article/how-cutting-down-trees-can-improve-forest-health/>.

⁷¹ H.R. 8688, 119th Congress, <https://www.congress.gov/bill/119th-congress/house-bill/8688/text?s=2&r=1>.

⁷² U.S. Department of the Interior, National Environmental Policy Act Implementing Procedures for the Bureau of Land Management, April 6, 2026, <https://www.federalregister.gov/documents/2026/04/06/2026-06602/national-environmental-policy-act-implementing-procedures-for-the-bureau-of-land-management>.

⁷³ *Id.*

⁷⁴ *Id.*

⁷⁵ *Id.*

⁷⁶ *Id.*

military, and civic importance spanning thousands of years.⁷⁷ Managed by the U.S. Army, the site has significant archeological and cultural resources associated with indigenous tribes, Spanish and Mexican governance, and early U.S. military presence.⁷⁸ The site is also associated with the Presidio of Monterey, an active military installation.⁷⁹ Today, the park is open to the public under a lease agreement with the City of Monterey and the Army and is undergoing incremental restoration and improvement efforts led by local partners.⁸⁰ Despite its significance and scenic location overlooking Monterey Bay, however, the park remains relatively unvisited, in part due to confusion regarding public access and limited visibility.⁸¹

H.R. 8735 directs the Secretary of the Interior to conduct a special resource study to assess whether the site meets the criteria for designation as a unit of the National Park System. Special resource studies conducted or certified by the National Park Service are required to assess a site's national significance, the suitability and feasibility for designation, and alternative approaches for conservation and interpretation.⁸² Separate legislation is required for any official designation. Because this land is already managed by the Army, any subsequent designation would not add to the federal estate.

IV. MAJOR PROVISIONS & SECTION-BY-SECTION

H.R. 184 (Rep. McClintock), “Action Versus No Action Act”

Section 2. Analysis of Only Two Alternatives (Action Versus No Action) in Proposed Collaborative Forest Management Activities.

- Limits the range of alternatives considered in an EA or EIS under Section 102 of NEPA for forest management activities on lands identified as suitable for timber production that meet at least one of the following conditions:
 - Occurs on land designated pursuant to section 602(b) of the Healthy Forest Restoration Act of 2003.⁸³
 - Developed through a collaborative process.
 - Proposed by a resource advisory committee.
 - Covered by a community wildfire protection plan.
- Directs the Secretary of the Interior or Agriculture to study, develop, and describe only two alternatives for EAs or EISs that meet such criteria: (1) the forest management activity and (2) the alternative of no action.
- Provides that, in analyzing the no action alternative, the Secretary concerned shall consider impacts to forest health, potential losses of life and property, habitat diversity, wildfire risk, insect and disease threats, and timber production. Further directs the Secretary concerned to evaluate the implications of declining forest health on losses of

⁷⁷ “About the Lower Presidio Historic Park,” Old Monterey Foundation, May 7, 2026, <https://oldmontereyfoundation.org/about-the-lower-presidio-historic-park/>.

⁷⁸ *Id.*

⁷⁹ *Id.*

⁸⁰ *Id.*

⁸¹ *Id.*

⁸² “Types of Studies,” National Park Service, May 7, 2026, <https://www.nps.gov/subjects/parkplanning/types-of-special-studies.htm>.

⁸³ 16 U.S.C. 6591a(b).

life and property, water supply, wildlife habitat loss, and other economic and social factors.

H.R. 2785 (Rep. Leger Fernandez), “New Mexico Land Grant-Mercedes Historical or Traditional Use Cooperation and Coordination Act”

Section 3. Memorandum of Understanding on Permit Requirements and Other Land Use Authorizations for Historical or Traditional Uses for Qualified Land Grant-Mercedes; Reduction or Waiver of Certain Fees.

- Directs the Secretaries of Agriculture and the Interior to enter into a MOU with the New Mexico Land Grant Council within two years of the bill’s enactment. The MOU must contain provisions to enhance coordination between the Secretary concerned and qualified land grant-mercedes, authorize subsidiary agreements for project-specific activities, and be consistent with applicable laws, land use plans, and valid existing rights.
- Stipulates the MOU’s requirements regarding permits and other land use authorizations, routine maintenance and minor improvements, major improvements, and notice and comment.
- Stipulates the role of the New Mexico Land Grant Council and qualified land grant-mercedes in developing and executing the MOU.
- Directs the Secretary concerned, when considering fee reductions or waivers for land use permits, to consider the socioeconomic conditions of community users and the financial capacity of the land grant-merced.

Section 4. Consideration and Inclusion of Provisions with Respect to Historical or Traditional Uses in Land Use Planning.

- Directs the Secretary concerned to evaluate the impact of other uses on historical or traditional uses by qualified land-grant mercedes when developing, maintaining, and revising land use plans.

Section 5. Effect.

- Clarifies that nothing in the legislation modifies or affects any treaty-reserved or other rights of Indian Tribes; state authority over water use management or fish and wildlife; or any valid existing rights or permitted uses of federal land. Further clarifies the bill does not create any new implicit right to any type of use of federal land.

H.R. 7695 (Rep. Hageman), To provide that the final rule titled “Special Areas; Roadless Area Conservation” and issued on January 12, 2001 (66 Fed. Reg. 3244) shall have no force or effect and require the Secretary of Agriculture to construct certain roads on National Forest System lands, and for other purposes.

Section 1. Requirement For Construction of Certain Roads on National Forest System Lands.

- Nullifies the final rule of the U.S. Department of Agriculture titled “Special Areas; Roadless Area Conservation” issued on January 12, 2001.

- Prohibits Secretary of Agriculture from proposing, finalizing, implementing, administering, or enforcing any rule that is substantially similar to the 2001 Roadless Rule.
- Requires the Secretary to construct permanent and temporary roads, subject to all applicable environmental requirements, that the Secretary determines necessary to carry out: restoration activities; hazardous fuels reduction activities in an at-risk community, the wildland-urban interface, or a municipal watershed; the replacement or decommissioning of an existing road; or the Forest Service Organic Administration Act of 1897.⁸⁴

H.R. 8682 (Rep. Downing), “Accelerating Forest Management Act”

Section 2. Codification of Categorical Exclusion.

- Establishes a CE under NEPA for salvage harvesting activities conducted on BLM land.
- Clarifies eligible projects are limited to up to 1,000 acres for disturbances that affect 3,000 acres or less, or, for larger disturbances, the lesser of 5,000 acres or one-third of the disturbance area.
- Allows for the construction of up to one mile of new permanent roads, the maintenance and renovation of existing roads, and the construction of temporary roads with limitations.
- Requires design features of the project to address the following resource considerations: snag and downed wood, erosion control, soil compaction, logging systems, seasonal operations, invasive species, riparian areas, prescribed fire, and temporary roads.

Section 3. Extension of Forest Ecosystem Health and Recovery Fund.

- Extends BLM’s FEHRF through Fiscal Year 2033.

H.R. 8686 (Rep. Gosar), To amend the Military Land Withdrawals Act of 2013 to withdraw and reserve certain public land in the vicinity of Yuma Proving Ground, Arizona.

Section 1. Withdrawal and Reservation of Lands Located on the Yuma Proving Ground, Arizona, to Support Military Readiness and Security.

- Amends the Military Land Withdrawals Act of 2013 to withdraw approximately 21,782 acres of public land at YPG for use by the Secretary of the Army to support military readiness and testing activities, subject to valid existing rights.⁸⁵
- Requires the Secretary of the Interior to manage the withdrawn lands in a manner that permits certain non-defense activities including wildlife conservation, cultural resource protection, wild horse and burro management, control of predatory and other animals, outdoor recreation, public access, hunting, and wildlife suppression, where consistent with military use as jointly determined between the Secretaries of the Interior and Army.
- Maintains the Secretary of the Interior’s ability to issue rights-of-way, permits, and other land use authorizations with the consent of the Secretary of the Army.

⁸⁴ 16 U.S.C. 473–482, 551.

⁸⁵ Title XXIX of Public Law 113–66; 127 Stat. 1025.

- Authorizes the Secretary of the Interior to assign management responsibility for the withdrawn lands to the Secretary of the Army.
- Allows for the issuance of rights-of-way within the designated Parker-Blaisdell Utility Corridor for any critical regional-grid level utility infrastructure without consent from the Army.
- Provides that the withdrawal and reservation remain in effect indefinitely or until the Secretary of the Army determines the land is no longer needed for military purposes.

H.R. 8688 (Rep. Hurd), “Forest Health and Wildfire Risk Reduction Act”

Section 2. Codification of Categorical Exclusion.

- Establishes a CE under NEPA for tree density modification activities (thinning) on BLM land.
- Clarifies that eligible projects are limited to up to 5,000 acres and do not apply to certain silvicultural or vegetation management methods.
- Allows for the construction of up to five miles of new permanent roads, the maintenance and renovation of existing roads, and the construction of temporary roads with limitations.
- Requires design features of the project to address the following resource considerations: snag and downed wood, erosion control, soil compaction, logging systems, seasonal operations, invasive species, riparian areas, prescribed fire, and temporary roads.

H.R. 8735 (Rep. Panetta), “American Sovereignty and Monterey Historic Military Site Study Act”

Section 4. Lower Presidio Historic Park Special Resource Study.

- Directs the Secretary of the Interior to conduct a special resource study of Lower Presidio Historic Park.
- Requires the study to evaluate the national significance of the site; assess the suitability and feasibility of designating the site as a unit of the National Park System; consider alternative approaches for protection and interpretation; consult with interested stakeholders; and identify cost estimates associated with a potential designation or other management alternatives.
- Requires the study to be conducted in accordance with applicable federal law governing special resource studies.⁸⁶
- Directs the Secretary of the Interior to submit a report to Congress within three years of funding availability including findings, conclusions, and recommendations from the study.

V. COST

A formal cost estimate from the Congressional Budget Office (CBO) is not yet available for any of the bills.

⁸⁶ 54 U.S.C. 100507.

VI. ADMINISTRATION POSITION

The Department of the Interior testified in support of the goals of Senate companion legislation to the “New Mexico Land Grant-Mercedes Historical or Traditional Use Cooperation and Coordination Act.”⁸⁷ The Trump administration’s position on these bills is unknown at this time.

VII. EFFECT ON CURRENT LAW

[H.R. 8682](#)

[H.R. 8686](#)

⁸⁷ Statement of Jon Raby, Nevada State Director, Bureau of Land Management, U.S. Department of the Interior, Senate Committee on Energy and Natural Resources, Subcommittee on Public Lands, Forests, and Mining, Legislative Hearing, December 2, 2025, <https://www.doi.gov/sites/default/files/documents/2026-01/20251202-pending-legislation-26-bils-senr-raby.pdf>.