

STATEMENT OF
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BEFORE THE
UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON NATURAL RESOURCES, SUBCOMMITTEE ON FEDERAL LANDS
REGARDING:

H.R. 184, “ACTION VERSUS NO ACTION ACT”
H.R. 7695, “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. 2785, “NEW MEXICO LAND GRANT-MERCEDES HISTORICAL OR TRADITIONAL USE COOPERATION AND COORDINATION ACT”

MAY 21, 2026

Chairman Tiffany, Ranking Member Neguse, and Members of the Subcommittee, thank you for the opportunity to present the views of the U.S. Department of Agriculture (USDA) on several bills pertaining to the Forest Service. We defer to the U.S. Department of the Interior (DOI) for its views on those elements of the bills that would affect federal lands under its jurisdiction

H.R. 184, Action Versus No Action Act

H.R. 184, the Action Versus No Action Act, would limit the scope of environmental assessments (EAs) or environmental impact statements (EISs) conducted under the National Environmental Policy Act of 1969 (NEPA) for certain forest management activities to only two alternatives: the forest management activity and the alternative of no action.

The bill would apply to any EA or EIS prepared by the Forest Service or the Department of the Interior for a forest management activity on National Forest System or public land that is suitable for timber production, and that: occurs on land designated as an insect and disease treatment area under the Healthy Forests Restoration Act of 2003; is developed through a collaborative process; is proposed by a resource advisory committee; or is covered by a community wildfire protection plan.

In the case of the alternative of no action, the Forest Service or Interior must consider whether to evaluate the effect of no action on forest health, potential losses of life and property, habitat diversity, wildfire potential, insect and disease potential, and timber production; and the implications of a resulting decline in forest health, loss of habitat diversity, wildfire, or insect or disease infestation on potential losses of life and property, domestic water supply in the project area, wildlife habitat loss, and other economic and social factors.

The Department supports the goals of H.R. 184 and would like to work with the Committee on technical assistance to ensure we meet the intent of the legislation.

In April 2026, U.S. Secretary of Agriculture Brooke Rollins announced the U.S. Department of Agriculture had finalized a rule modernizing the NEPA regulations. This revised rule is intended to align NEPA with its Congressionally mandated dimensions, reflecting guidance given by the President and the Supreme Court, and making review under it faster, more flexible, and more efficient and effective.

The new rule ensures a more standardized approach to NEPA compliance where necessary, while also allowing flexibility where appropriate, and will equip the Forest Service to streamline permitting and the delivery of essential forest health, infrastructure, and energy projects to safeguard communities and support rural prosperity.

By narrowing the scope of environmental reviews for certain federal forest management activities, focusing solely on “action” versus “no action” scenarios, H.R 184 would streamline decision-making for collaborative forest projects. This focus on NEPA as a procedural statute aligns with recent actions by the USDA in support of President Trump’s Executive Orders 14192 and 14154, *Unleashing Prosperity Through Deregulation* and *Unleashing American Energy*.

H.R. 7695, 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. 7695 would nullify the 2001 Roadless Rule (36 CFR 294 Subpart B) and prohibit the Secretary of Agriculture from proposing, implementing, or enforcing any substantially similar rule.

Further, H.R. 7695 would require the Secretary of Agriculture, through the Chief of the Forest Service, to construct both permanent and temporary roads on National Forest System lands, subject to the National Environmental Policy Act (NEPA) and other applicable environmental requirements, for a variety of purposes, including: conducting restoration activities; performing hazardous fuels reduction activities in areas such as at-risk communities and the wildland-urban interface; and, replacing or decommissioning existing roads that are determined to harm the health of a forest, rangeland, or watershed.

USDA supports the rescission of the 2001 Roadless Rule and would like to work with the Committee and bill sponsor to provide technical assistance that will aid in the implementation of the legislation.

In June 2025, U.S. Secretary of Agriculture Brooke Rollins announced the U.S. Department of Agriculture (USDA) would be rescinding the 2001 Roadless Rule, noting that this action aligns with President Trump’s Executive Order 14192 *Unleashing Prosperity Through Deregulation* to get rid of overcomplicated, burdensome barriers that hamper American business and innovation, and would allow more decisions to be made at the local level, helping land managers make the

best decisions to protect people, communities and resources based on their unique local conditions.

In August 2025, the USDA Forest Service published a notice seeking public comment on its intention to develop an environmental impact statement for the proposed rescission of the 2001 Roadless Rule. The Forest Service is currently in the process of analyzing these comments and anticipates issuing a final rule for public comment in the coming months.

The proposed rule would respond to the need for national forests to take swift and immediate action to reduce wildfire risk and help protect surrounding communities and infrastructure. It would allow local managers, as deemed appropriate and consistent with land management plans, to build roads and implement active forest management practices in inventoried roadless areas. Rescinding the 2001 Roadless Rule would provide discretion for local land managers to tailor management, as appropriate, to local land conditions.

H.R. 7695 would build on USDA's administrative actions by codifying the repeal of the 2001 Roadless Rule into law.

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

H.R. 2785 directs the Departments of Agriculture and Interior to enter a Memorandum of Understanding with the New Mexico Land Grant Council to enhance cooperation and coordination between Federal agencies and qualified land grant-mercedes. The Memorandum would provide for the creation of subsidiary agreements for specific projects, describe the types of historical or traditional uses that may require permits or other land use authorizations and the administrative procedures for obtaining them, and clarify the process for infrastructure improvements to sites with a connection to a historical or traditional use as well as policies for notice and comment on land management planning decisions and major Federal actions that could affect historical or traditional uses.

H.R. 2785 also addresses fee waivers and reductions where the Secretary concerned already has authority to reduce or waive land use fees or consider an applicant's fiscal capacity and requires that land grant-mercedes' historical or traditional use of Federal lands be considered in land use planning in accordance with applicable law.

National Forest System lands in northern New Mexico have a rich and unique history dating back hundreds of years. Natural resources are fundamental to the economic, social, and cultural vitality of the State, which is home to federally recognized Tribes and Pueblos, land grant-mercedes, acequia associations, and traditional Hispanic communities, among others. USDA supports H.R. 2785 and would like to work with the Committee and the bill sponsor on technical assistance.

That concludes the Forest Service's testimony. Thank you again Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee for the opportunity to present USDA's views on the proposed legislation.