



HOUSE COMMITTEE ON  
**NATURAL RESOURCES**  
CHAIRMAN BRUCE WESTERMAN

**To:** Subcommittee on Federal Lands Republican Members  
**From:** Subcommittee on Federal Lands – Aniela Butler and William Kelleher  
([Aniela@mail.house.gov](mailto:Aniela@mail.house.gov) and [William.Kelleher@mail.house.gov](mailto:William.Kelleher@mail.house.gov); x6-7736)  
**Date:** Monday, May 19, 2025  
**Subject:** Legislative Hearing on a Discussion Draft of H.R. \_\_\_\_ (Rep. Hurd), the “*Fostering Opportunities to Restore Ecosystems through Sound Tribal Stewardship Act*” or “*FORESTS Act*”.

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The Subcommittee on Federal Lands will hold a legislative hearing on a Discussion Draft of H.R. \_\_\_\_ (Rep. Hurd), the “*Fostering Opportunities to Restore Ecosystems through Sound Tribal Stewardship Act*” or “*FORESTS Act*” on **Tuesday, May 20, 2025, at 10:15 a.m. in Room 1324 Longworth House Office Building.**

Member offices are requested to notify Will Rodriguez ([Will.Rodriguez@mail.house.gov](mailto:Will.Rodriguez@mail.house.gov)) by 4:30 p.m. on Monday, May 19, if their Member intends to participate in the hearing.

## I. KEY MESSAGES

- Tribes, along with state and local leaders, are increasingly important partners in cross-boundary efforts to improve federal forest health and increase resiliency against catastrophic wildfire.
- Rep. Hurd’s FORESTS Act bolsters Tribal and federal forest management by providing new tools to increase Tribal management of fire-prone federal forests, encouraging the utilization of low-value hazardous fuels, addressing sawmill infrastructure shortages, and requiring more transparency and responsiveness from federal land managers.
- This innovative proposal will help Tribes better protect their forests, create additional economic opportunities for Tribes and rural communities, and greatly improve the health and resiliency of all our nation’s forests.

## II. WITNESSES

### Panel I (Members of Congress):

- *To Be Announced*

### Panel II (Federal Officials):

- **Mr. John Crockett**, Deputy Chief for State, Private, and Tribal Forestry, U.S. Forest Service, Washington, D.C.

### Panel III (Outside Experts):

- **Mr. Cody Desautel**, President, Intertribal Timber Council, Nespalem, Washington
- **Ms. Sara Clark**, Co-Lead, The Stewardship Project, San Francisco, California
- **Mr. Tim Vredenburg**, Director of Forest Management, Cow Creek Band of Umpqua Tribe of Indians, Roseburg, Oregon
- **Mr. Austin Lowes**, Chairman, Sault Ste. Marie Tribe of Chippewa Indians, Sault Ste. Marie, Michigan [*Minority Witness*]

### III. BACKGROUND

The “Fostering Opportunities to Restore Ecosystems through Sound Tribal Stewardship (FORESTS) Act” is comprehensive legislation that empowers cross-boundary forest management to address the devastating wildfire and forest health crisis afflicting federal and Tribal forest lands. Indian Tribes have a rich history in forest management, dating back centuries in North America. However, for the past century, Tribes have been largely banned from practicing cultural burning in the West, leading to more overstocked forests.<sup>1</sup> As a result, Tribes are now “three times more concentrated” in areas at the highest risk of wildland fire in some areas of the country.<sup>2</sup> These lands, once properly stewarded by their ancestors, go virtually untended by federal land managers. By harnessing the knowledge of Tribes and expanding the tools available to them to assist with forest management, the FORESTS Act will help reverse the trend of catastrophic wildfires and make forests more resilient to drought, insects, and disease. For more information about tribal forest management, please see the Subcommittee on Federal Lands’ oversight hearing entitled “[\*Examining Opportunities to Promote and Enhance Tribal Forest Management\*](#).”

#### [Discussion Draft of H.R. \\_\\_\\_\\_\\_ \(Rep. Hurd\), “Fostering Opportunities to Restore Ecosystems through Sound Tribal Stewardship Act” or “FORESTS Act”](#)

#### *Empowering Cross-Boundary Forest Management*

Tribes consistently manage their forests better than federal agencies and do so with less funding. Throughout the United States, there are 19.3 million acres of Tribal forest lands, including 10.2 million acres of commercial forests and woodlands.<sup>3</sup> In fiscal year (FY) 2022, active forest management on Indian forest lands yielded a harvest of over 312 million board feet of timber, which provided roughly \$79 million in revenue for Tribes.<sup>4</sup> Due to more effective wildfire

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<sup>1</sup> Wigglesworth, Alex, “This tribe was barred from cultural burning for decades — then a fire hit their community,” May 7, 2023, LA Times, <https://www.latimes.com/california/story/2023-05-07/native-tribe-faces-displacement-after-california-wildfire>.

<sup>2</sup> *Id.*

<sup>3</sup> Indian Forest Management Assessment Team for the Intertribal Timber Council, “Assessment of Indian Forests and Forest Management in the United States”, 2023, [https://www.itcnet.org/issues\\_projects/issues\\_2/forest\\_management/assessment.html](https://www.itcnet.org/issues_projects/issues_2/forest_management/assessment.html).

<sup>4</sup> Bodie K. Shaw, Deputy Regional Director – Trust Service, Northwest Region, Bureau of Indian Affairs, Testimony before the House Committee on Natural Resources Federal Lands Subcommittee Oversight Hearing on “Examining Opportunities to Promote and Enhance Tribal Forest Management” December 5, 2023, <https://naturalresources.house.gov/calendar/eventsingle.aspx?EventID=415219>.

suppression efforts and forest management practices, the average size of a wildfire on Indian lands is three times smaller than those that occur on U.S. Forest Service (USFS) lands.<sup>5</sup>



The town of Happy Camp, California, after the Slater Fire, which ignited on USFS land. Happy Camp is the headquarters of the Karuk Tribe. **Source:** The Record Searchlight, 2020.

One of the biggest wildfire and forest health threats facing Tribal forests is the thousands of miles of shared boundaries with federal lands.<sup>6</sup> Tragically, there are countless examples of catastrophic blazes that begin on federal lands, escape containment, move onto Tribal forests, and cause immense

ecological and economic harm. Last Congress, Cody DeSautel, a witness on Panel III, testified that the “Colville Tribe has seen more than one billion board feet of our timber burn since 2015, with a current delivered log value of approximately \$500,000,000” due to mismanaged federal lands.<sup>7</sup> Similarly, Bill Tripp, a member of the Karuk Tribe in California, testified that the Slater Fire in the Klamath National Forest in 2020 burned over 157,000 acres, tore through the historic land of the Karuk Tribe, and destroyed almost 200 homes.<sup>8</sup> The following year, the Dixie Fire destroyed the Mountain Maidu’s Greenville Rancheria office and health facilities.<sup>9</sup>

To keep Indian forest lands safer and make federal forests more resilient, more must be done to empower Tribes to conduct cross-boundary forest management. The FORESTS Act includes several provisions that enhance existing tools or provide new authorities to help facilitate greater cross-boundary collaboration between Tribes and the federal government. Specifically, Section 2 amends the National Indian Forest Resources Management Act (NIFRMA) to give Tribes the

<sup>5</sup> Cody Desautel, President, Intertribal Timber Council, Testimony before the House Committee on Natural Resources, Oversight Hearing on “Examining the History of Federal Lands and the Development of Tribal Co-Management” March 8, 2022, <https://docs.house.gov/meetings/II/II00/20220308/114483/HHRG-117-II00-Wstate-DesautelC-20220308.pdf>.

<sup>6</sup> Cody Desautel, President, Intertribal Timber Council, Testimony before the House Committee on Natural Resources, Legislative Hearing on “Hearing on H.R. 1450: “Treating Tribes and Counties as Good Neighbors Act” May 23, 2023, [https://naturalresources.house.gov/uploadedfiles/testimony\\_desautel\\_.pdf](https://naturalresources.house.gov/uploadedfiles/testimony_desautel_.pdf).

<sup>7</sup> Cody Desautel, President, Intertribal Timber Council, Testimony before the House Committee on Natural Resources Subcommittee on Federal Lands, Oversight Hearing on “Examining Opportunities to Promote and Enhance Tribal Forest Management”, December 5, 2023, [https://naturalresources.house.gov/uploadedfiles/desautel\\_testimony.pdf](https://naturalresources.house.gov/uploadedfiles/desautel_testimony.pdf).

<sup>8</sup> U.S. Forest Service, “Slater/Devil Fires 2020”, November 24, 2020, [https://www.fs.usda.gov/sites/default/files/2021-05/SlaterFire\\_FINAL%202.pdf](https://www.fs.usda.gov/sites/default/files/2021-05/SlaterFire_FINAL%202.pdf). The Guardian, “Fire tore through Karuk tribe’s homeland. Many won’t be able to rebuild” Vivial Ho, October 23, 2023, <https://www.theguardian.com/us-news/2020/oct/23/karuk-tribe-california-slater-fire-insurance>.

<sup>9</sup> *Id.*

opportunity to conduct forest management activities on federal forest lands where they have a principally relevant tribal interest.<sup>10</sup> NIFRMA is the primary statute authorizing Tribal forest management activities. The amendments made by this section would allow Tribes to treat federal forests as Tribal lands for the purpose of conducting forest management activities. The section includes provisions ensuring continuity of all laws and requirements applicable to federal lands that Tribes must follow, such as allowing for public access and ensuring a fair return to the taxpayer for any timber sold. Tribes will also be able to work with federal land managers to identify the areas where this forest management authority should be applied. Empowering Tribes with this tool will help them better protect their forests from threats posed by unhealthy adjacent federal lands. This will also complement broader goals to increase forest management on a landscape scale in areas at risk for catastrophic wildfire.

Additionally, Section 9 of the discussion draft contains several improvements to enhance Good Neighbor Authority (GNA) for Tribes.<sup>11</sup> GNA is a critical tool that expands agency capacity by allowing states, Tribes, and counties to conduct cross-boundary restoration projects such as fuels reduction, habitat improvement, and road restoration.<sup>12</sup> Despite including Tribes in GNA in 2018, USFS only entered into 17 Good Neighbor Agreements with Tribes across the nation, compared to 490 with state partners.<sup>13</sup> Section 9 builds on technical fixes signed into law as part of the EXPLORE Act to make Tribes full partners in GNA and allow for the retention of receipts from timber sales to fund additional restoration work.<sup>14</sup> This section also requires USFS and the Bureau of Land Management (BLM) to proactively reach out to Tribes to encourage greater use of GNA and identify any barriers to participation.

Finally, the FORESTS Act includes several expansions and improvements to the Tribal Forest Protection Act (TFPA) that will make federal land managers more responsive to Tribes and facilitate greater cross-boundary management.<sup>15</sup> Currently, the TFPA allows Tribes to submit requests to the Secretaries of Agriculture and the Interior to conduct projects on adjacent federal lands. Specifically, the TFPA directs the Secretaries of Agriculture and the Interior to give “special consideration” to Tribally proposed stewardship contracting projects on adjacent federal lands that pose a threat to Tribal lands.<sup>16</sup> While the TFPA has been very successful, federal land managers have lagged behind on timely reviews and approvals of TFPA requests from Tribes. To expedite the approval process and ensure more management work occurs, the FORESTS Act strengthens the statutory deadlines to respond to Tribal requests. If an agency fails to respond in a timely manner, the request from a Tribe can proceed forward so vital forest management work is not delayed.

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<sup>10</sup> 25 U.S.C. 3101-3120.

<sup>11</sup> 16 U.S.C. 2113a.

<sup>12</sup> Congressional Research Service, The Good Neighbor Authority on Federal Lands, January 11, 2023, <https://crsreports.congress.gov/product/pdf/IF/IF11658>.

<sup>13</sup> Public Law No: 115–334. National Association of State Foresters, “Good Neighbor Authority”, [https://www.stateforesters.org/state-defined-solutions/good-neighbor-authority/#:~:text=It%20is%20simply%20good%20government,more%20than%20490%20GNA%20projects,https://naturalresources.house.gov/uploadedfiles/list\\_of\\_tribes\\_engaged\\_in\\_fs\\_gna\\_projects.pdf](https://www.stateforesters.org/state-defined-solutions/good-neighbor-authority/#:~:text=It%20is%20simply%20good%20government,more%20than%20490%20GNA%20projects,https://naturalresources.house.gov/uploadedfiles/list_of_tribes_engaged_in_fs_gna_projects.pdf).

<sup>14</sup> [Public Law No: 118-234](#)

<sup>15</sup> Public Law No: 108–278.

<sup>16</sup> U.S. Forest Service, “Tribal Forest Protection Act in Brief,” <https://www.fs.usda.gov/detail/r5/workingtogether/tribalrelations?cid=stelprdb5351850>.

## *Addressing Sawmill Infrastructure Losses Limiting Forest Management Needs*

Dwindling sawmill infrastructure has been a growing problem in western states. Since 2000, over 1,500 sawmills, or approximately one-third of the total number of sawmills then in operation, shut down or severely curtailed their business activities.<sup>17</sup> A consistent driver of mill closures has been “federal timber supply constraints.”<sup>18</sup> Without a stable supply of timber, investments in new sawmills, which often cost hundreds of millions of dollars, make little sense for private industry.<sup>19</sup> Tribal lands hold the potential to be a key part of the solution in returning sawmill infrastructure to the west. Following the devastating Caldor Fire in 2021, the Washoe Tribe of Nevada and California partnered with a private timber company and the USFS to build a sawmill to process the salvage timber left behind by the wildfire.<sup>20</sup> This partnership improved forest health and provided an important source of revenue and jobs in that region.<sup>21</sup>



The Washoe Tribe of Nevada and California is working with private partners and USFS to build a sawmill to help process salvage timber and excess fuels. **Source:** Tahoe Fund, 2022.

Section 7 of the FORESTS Act builds upon this model by directing USFS and BLM to conduct Tribal demonstration projects that expedite salvage timber harvests and hazardous fuels treatments. Proximity to treatment areas remains a critically important factor when it comes to carrying out forest management projects. For this reason, Tribal demonstration projects must be within 50 miles of where salvage timber harvesting and hazardous fuels treatments in high-risk areas are being carried out.

Additionally, the projects are also directed to support forest

management activities in high-risk fireheds. For new sawmill infrastructure projects, USFS and BLM are directed to prioritize areas where the existing sawmill infrastructure is insufficient to meet forest management needs.

Providing reliable supplies of federal timber is vital in attracting new investments in sawmill infrastructure near fire-prone forests. Under this provision, federal land managers must provide a 20-year stewardship contract or similar agreement to ensure a reliable source of material from

<sup>17</sup> “Wildfires,” Congressional Budget Office, June 2022, <https://www.cbo.gov/publication/58212>.

<sup>18</sup> Epoch Times, “Oregon Mill Closures Emblematic of US Timber Industry Decline”, Scott Barnes, August 7, 2024, <https://amforest.org/wp-content/uploads/2024/09/Oregon-Mill-Closures-Emblematic-of-US-Timber-Industry-Decline--The-Epoch-Times.pdf>.

<sup>19</sup> The Advocate, “More than half a billion investment in sawmills planned across Louisiana amid higher lumber prices”, Kristen Mosbrucker, July 26, 2021, [https://www.theadvocate.com/acadiana/news/business/more-than-half-a-billion-investment-in-sawmills-planned-across-louisiana-amid-higher-lumber-prices/article\\_600c8bac-ee3e-11eb-8075-cbf03f7e098e.html](https://www.theadvocate.com/acadiana/news/business/more-than-half-a-billion-investment-in-sawmills-planned-across-louisiana-amid-higher-lumber-prices/article_600c8bac-ee3e-11eb-8075-cbf03f7e098e.html).

<sup>20</sup> Tahoe Daily Tribune, “New sawmill to start processing Caldor Fire salvage logs for Sierra-at-Tahoe”, August 17, 2022, <https://www.tahoe-dailytribune.com/news/new-sawmill-to-start-processing-caldor-fire-salvage-logs-from-sierra-at-tahoe/>.

<sup>21</sup> See *ibid*.

federal forests, allowing the project to remain operational. This will encourage investments by individual Indian Tribes and collaborative efforts, as seen with the Washoe Tribe’s partnership after the Caldor Fire. Similarly, Section 8 amends the Healthy Forests Restoration Act to add the retention of forest products infrastructure and the creation of Tribal forest products infrastructure as a land management goal under stewardship contracts.<sup>22</sup>



The Tule River Tribe in California have a co-stewardship agreement to work in the Sequoia National Forest Source: USFS, 2024

### *Creating New and Innovative Demonstration Projects*

A key barrier to increasing the scale of active forest management, particularly in the west, is a lack of markets for excess, low-value hazardous fuels that must be removed from overgrown federal forests. Biomass represents a viable end-use market for otherwise low-value forest byproducts. In recognition of this potential, during the 115<sup>th</sup> Congress, Tribal biomass demonstration projects were authorized as part of the “Indian Tribal Energy Development and Self-Determination Act Amendments of 2017.”<sup>23</sup> That project marked a great step forward in the effort to improve forest and watershed health on federal lands through the responsible utilization of excess timber. The FORESTS Act would reauthorize this authority, which expired in 2021, for an additional seven years, through 2032.

The FORESTS Act would create new tribal biochar demonstration projects and encourage the expanded utilization of biomass from hazardous fuels. Biochar has numerous benefits for improving forest health, agricultural productivity, and rural economies. It is produced by burning biomass or organic waste (a feedstock) at very high temperatures in the absence of oxygen through a process known as pyrolysis.<sup>24</sup> Because producers can create biochar from low-value materials, biochar can make forest management projects, such as thinning, more viable and cost-effective. This, in turn, improves forest health and reduces the risk of catastrophic fire. The FORESTS Act amends the TFFPA to establish Tribal and Alaska Native biochar demonstration projects on USFS and BLM lands. Under this section, USFS and BLM would be required to carry out with Tribes or Tribal organizations at least four biochar demonstration projects per year for seven years, through 2032. Demonstration projects would be located in areas with nearby

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<sup>22</sup> 16 U.S.C. 6591c(c).

<sup>23</sup> [Public Law No: 115-325](#).

<sup>24</sup> U.S. Department of Agriculture, “Biochar”, <https://www.climatehubs.usda.gov/hubs/northwest/topic/biochar>.

lands at high risk of wildfire, where demand for biochar is high, or in areas with sufficient quantities of biochar feedstock.

Finally, Section 10 of the bill codifies and expands the Wood for Life (WFL) program, which connects excess biomass from forest restoration projects with Tribal communities in need of firewood.<sup>25</sup> Originally launched in northern Arizona in response to the closure of the Navajo Generating Station, WFL has become a model for simultaneously meeting restoration and energy access goals.<sup>26</sup> By leveraging stewardship agreements, free use permits, and a growing network of partners, WFL has supplied thousands of cords of wood to tribal households while reducing hazardous fuels on National Forest System lands.<sup>27</sup> Building on this success, the bill directs the expansion of this community firewood delivery model to each USFS region.

### *Tribal Prescribed Fire and Cultural Burns*



Aja Conrad, a member of the Karuk Tribe in California, was the burn boss trainee on a prescribed burn in the Klamath National Forest, **Source:** Boise State Public Radio, 2025.

Historically, Tribes managed forests primarily using low-intensity fire to “improve visibility, facilitate travel, and control the habitat of the forest by getting rid of unwanted plants and encouraging the growth of more desirable ones like blackberries and strawberries.”<sup>28</sup> The results of that management helped shape the American landscape and provided Tribes with many important benefits and uses.<sup>29</sup> Controlled fire, as used by Tribes for millennia, promoted vegetative health, reduced fuel loads, cultivated desired resources, and improved wildlife

habitat.<sup>30</sup> However, during the 20th century, fire suppression efforts by federal land management agencies curtailed the use of controlled burning by Tribes and other land managers, disrupting forest composition.<sup>31</sup> Tribes have consistently advocated for the responsible use of prescribed fire, including cultural burning as an important tool for cross-boundary forest management.<sup>32</sup> Prescribed burns and cultural burns are both lower-intensity controlled fires, with the primary

<sup>25</sup> National Forest Foundation, “Wood For Life,” [www.nationalforests.org/assets/pdfs/WFL-FAQ-Flyer-jan-24.pdf.pdf](http://www.nationalforests.org/assets/pdfs/WFL-FAQ-Flyer-jan-24.pdf.pdf).

<sup>26</sup> Ancestral Lands, “Wood For Life Program,” <https://ancestrallands.org/wood-for-life>.

<sup>27</sup> U.S. Fish and Wildlife Service, “Wood for Life, a Collaborative Partnership,” <https://www.fws.gov/project/wood-life-collaborative-partnership>.

<sup>28</sup> Forest History Society, “American Prehistory: 800 Years of Forest Management”, <https://foresthistory.org/education/trees-talk-curriculum/american-prehistory-8000-years-of-forest-management/american-prehistory-essay/>.

<sup>29</sup> History.com “Native Americans Used Fire to Protect and Cultivate Land”, Dave Roos, September 18, 2020, <https://www.history.com/news/native-american-wildfires>.

<sup>30</sup> National Park Service, “Indigenous Fire Practices Shape our Land”, <https://www.nps.gov/subjects/fire/indigenous-fire-practices-shape-our-land.htm>.

<sup>31</sup> *Id.*

<sup>32</sup> Indian Forest Management Assessment Team for the Intertribal Timber Council, “Assessment of Indian Forests and Forest Management in the United States”, 2023, [https://www.itcnet.org/issues\\_projects/issues\\_2/forest\\_management/assessment.html](https://www.itcnet.org/issues_projects/issues_2/forest_management/assessment.html).

difference being that Tribes also use cultural burns to cultivate materials and food important to Tribal traditions.<sup>33</sup>

Section 5 of the FORESTS Act authorizes USFS and BLM to enter into cooperative agreements and contracts with Tribes to conduct prescribed fire or cultural burns on federal forest lands. Prescribed fires would be required to be executed within the scope of the relevant burn plan approved by USFS or BLM, which are used to identify the ideal conditions for trees and other plants on a landscape to burn safely.<sup>34</sup> In addition, Tribes using this authority must adhere to all personnel safety standards in carrying out prescribed or cultural burns. This tool would empower Tribes to help restore controlled fire in areas where it will be safe and beneficial.

### *Wildland Firefighters on Indian Forest Land*

Finally, Section 11 of the FORESTS Act requires a report to Congress to ensure parity between Tribal and federal wildland firefighters. The Infrastructure Investment and Jobs Act provided \$500 million in increased compensation for federal wildland firefighters; during the law's implementation, concerns were raised that these provisions unintentionally created pay disparities for Tribally contracted wildland firefighters conducting fire suppression operations on federal lands.<sup>35</sup> Section 11 requires an assessment of the magnitude of any such disparities for Tribal wildland firefighters and policy recommendations to address this issue.

## **IV. MAJOR PROVISIONS & SECTION-BY-SECTION**

### **Discussion Draft of H.R. (Rep. Hurd), "FORESTS Act"**

#### **Section 2. Management of Indian Forest Land.**

- Amends section 305 of NIFRMA to allow USFS and DOI to treat federal forest land as Indian forest land for the purpose of planning and conducting forest land management activities on lands where Tribes have a principally relevant interest.
- Requires Tribes to enter into agreements that allow for public access; maintain revenue sharing agreements with state and local governments; comply with requirements applicable to federal lands; recognize valid and existing rights; allow for competitive timber sales; and maintain cooperation with state fish and wildlife agencies.
- Clarifies that nothing in this section creates a new land use designation for any federal lands.
- Defines what lands are considered "principally relevant" to a Tribe to allow for the use of these authorities and sets up a determination process for the relevant Secretaries.
- Emphasizes that the treatment of federal forest land as Indian forest land under this bill shall solely be used for forest management activities and no other purpose.
- Allows the Secretary of the Interior to approve an amendment to an Indian Trust Asset Management Plan to include the federal forest lands treated as Indian forest lands.

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<sup>33</sup> U.S. Forest Service, "Tribal and Indigenous Fire Tradition", Andrew Avitt, November 16, 2021, <https://www.fs.usda.gov/about-agency/features/tribal-and-indigenous-fire-tradition#:~:text=Cultural%20burns%20are%20lower%20intensity,essential%20to%20centuries%20long%20traditions.>

<sup>34</sup> U.S. Forest Service, "Prescribed Fire", <https://www.fs.usda.gov/managing-land/prescribed-fire>.

<sup>35</sup> [Public Law No: 117-58](#).

### **Section 3. Tribal and Alaska Native Biomass Demonstration Project Extension.**

- Amends the TFPA to reauthorize Tribal biomass demonstration projects for seven years, through 2032.
- Amends the Indian Tribal Energy Development and Self-Determination Act Amendments Act of 2017 to reauthorize Alaska Native biomass demonstration projects for seven years, through 2032.

### **Section 4. Tribal and Alaska Native Biochar Demonstration Project.**

- Amends the TFPA to establish Tribal and Alaska Native biochar demonstration projects. Under this section, the USFS must conduct at least four demonstration projects with Tribes and four with Alaska Native Corporations.
- Stipulates the application and selection process for demonstration projects, prioritizing the selection of applications that create new jobs, improve forest health, and help the commercialization of biochar.
- Requires a report to Congress on the implementation of this section.
- Allows the Secretary to carry out this section utilizing 20-year stewardship contracts.

### **Section 5. Tribal Prescribed Burn and Cultural Burn Demonstration Projects.**

- Authorizes the Secretary to enter into cooperative agreements and contracts for prescribed fire or cultural burns with Tribes.
- Establishes the authority for Tribes to conduct prescribed burn demonstration projects on federal lands within the scope of a burn plan approved by the Secretary concerned. Such a burn plan can cover multiple prescribed burns and shall include provisions for the safe and effective use of prescribed fire on federal lands. In particular, such plans must adhere to the National Wildfire Coordinating Group standards for Prescribed Fire Planning and Implementation.

### **Section 6. Tribal Forest Protection Act Amendments.**

- Amends the TFPA to add timing requirements that give federal land management agencies 120 days to respond to a Tribal request to conduct forest management activities on federal lands and 2 years to complete environmental analyses required to facilitate those activities. Deemed approval is provided if the Secretary does not respond to the request within 120 days.
- Makes technical and conforming edits.

### **Section 7. Indian Tribe Sawmill Infrastructure Demonstration Project.**

- Directs USFS and BLM to carry out Tribal sawmill infrastructure demonstration projects to expedite the removal of salvage timber, process timber from hazardous fuels reduction activities, or conduct forest management activities in a high-risk fireshed.
- Allows projects to be carried out through a 20-year stewardship contract or similar agreement that may be renewed for an additional 10-years at the discretion of the Secretary concerned and consent of the relevant Indian Tribe.
- Stipulates the application and selection process for demonstration projects, prioritizing applications that propose the creation of a sawmill on Tribal land and are located within 100 miles of an area that has previously burned or is within a high-risk fireshed.

- Requires BLM and USFS to submit a report within 2 years, and annually thereafter documenting the progress of the program.

**Sec. 8. Land Management Goals Under Stewardship End Result Contracting Projects.**

- Adds the retention and expansion of existing forest products infrastructure and the development or expansion of wood processing facilities on lands managed by an Indian Tribe as goals under stewardship contracting.

**Sec. 9. Good Neighbor Agreements.**

- Provides technical changes to ensure that the Tribes can fully participate in the Good Neighbor Authority program.
- Requires USFS and BLM to solicit meetings with Indian Tribes to discuss opportunities to enter into agreements under Good Neighbor Authority and the TFPA.

**Sec. 10. Wood For Life.**

- Requires USFS to create or expand an existing program, known as the Wood For Life Program, to enter into partnerships to provide firewood harvested on federal lands to Tribes and reduce wildfire risk in each USFS region.
- Stipulates the application and selection process for demonstration projects, prioritizing areas at high-fire risk and with demonstrated needs for community firewood.
- Requires the program to be carried out using existing authorities and codifies existing regulations regarding free firewood use.
- Sunsets after seven years.

**Sec. 11. Report on Indian Forest Land or Rangeland Wildland Fire Pay.**

- Requires the Department of the Interior and the U.S. Department of Agriculture to submit a report to Congress on the rate of basic and premium pay for wildland firefighters on Indian forest land or rangeland and include policy recommendations to address any pay disparities that are found.

**Sec. 12. Rule of Application.**

- Specifies that nothing in the FORESTS Act interferes with, diminishes or conflicts with any State’s authority to manage fish and wildlife within their State or the treaty rights of an Indian Tribe.

**V. COST**

A formal cost estimate from the Congressional Budget Office (CBO) is not available.

**VI. ADMINISTRATION POSITION**

The Trump administration’s position is unknown at this time.

**VII. EFFECT ON CURRENT LAW (RAMSEYER)**

[Discussion Draft of H.R. \\_\\_\\_\\_\\_ \(Rep. Hurd\), “Fostering Opportunities to Restore Ecosystems through Sound Tribal Stewardship Act” or “FORESTS Act”](#)