

104TH CONGRESS
2D SESSION

S. 1647

To amend the Federal Land Policy and Management Act of 1976 to provide that forest management activities shall be subject to initial judicial review only in the United States district court for the district in which the affected land is located, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 27 (legislative day, MARCH 26), 1996

Mr. PRESSLER (for himself, Mr. CRAIG, Mr. LOTT, Mr. BENNETT, Mr. SIMPSON, Mr. STEVENS, Mr. MURKOWSKI, Mr. INHOFE, Mr. KYL, and Mr. THOMAS), introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Federal Land Policy and Management Act of 1976 to provide that forest management activities shall be subject to initial judicial review only in the United States district court for the district in which the affected land is located, 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,*

1 **SECTION 1. JUDICIAL REVIEW OF FOREST MANAGEMENT**
 2 **ACTIVITIES.**

3 (a) IN GENERAL.—Title VII of the Federal Land
 4 Policy and Management Act of 1976 (Public Law 94–579;
 5 43 U.S.C. 1701 et seq.) is amended—

6 (1) in the title heading, by adding: “; JUDI-
 7 CIAL REVIEW” at the end; and

8 (2) by adding at the end the following:

9 **“SEC. 708. JUDICIAL REVIEW OF FOREST MANAGEMENT AC-**
 10 **TIVITIES.**

11 “(a) DEFINITION OF FOREST MANAGEMENT ACTIV-
 12 ITY.—In this section, the term ‘forest management activ-
 13 ity’ means a sale of timber, the issuance of a grazing per-
 14 mit or grazing lease, or any other activity authorized
 15 under a land use plan under this Act or a land or resource
 16 management plan under section 6 of the Forest and
 17 Rangeland Renewable Resources Planning Act of 1974
 18 (16 U.S.C. 1604) to be carried out on Federal land.

19 “(b) JUDICIAL REVIEW.—A forest management ac-
 20 tivity and land use plan under this Act or a land or re-
 21 source management plan under section 6 of the Forest
 22 and Rangeland Renewable Resources Planning Act of
 23 1974 (16 U.S.C. 1604) (including an amendment to or
 24 revision of a plan) shall be subject to initial judicial review
 25 only in the United States district court for the district in
 26 which the affected land is located.”.

1 (b) CONFORMING AMENDMENT.—The table of con-
2 tents of the Federal Land Policy and Management Act
3 of 1976 (43 U.S.C. prec. 1701) is amended—

4 (1) in the heading relating to title VII, by add-
5 ing “; JUDICIAL REVIEW” at the end; and

6 (2) by adding at the end the following:

“Sec. 708. Judicial review of forest management activities.”.

