

105TH CONGRESS  
1ST SESSION

# H. R. 2515

To address the declining health of forests on Federal lands in the United States through a program of recovery and protection consistent with the requirements of existing public land management and environmental laws, to establish a program to inventory, monitor, and analyze public and private forests and their resources, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 1997

Mr. SMITH of Oregon (for himself, Mr. STENHOLM, Mr. COMBEST, Mr. BISHOP, Mr. CALLAHAN, Mrs. EMERSON, and Mr. PETERSON of Pennsylvania) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To address the declining health of forests on Federal lands in the United States through a program of recovery and protection consistent with the requirements of existing public land management and environmental laws, to establish a program to inventory, monitor, and analyze public and private forests and their resources, 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. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Forest Recovery and Protection Act of 1997”.

4 (b) TABLE OF CONTENTS.—The table of contents of  
5 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.
- Sec. 4. National Program of Forest Recovery and Protection.
- Sec. 5. Scientific Advisory Panel.
- Sec. 6. Advance recovery projects.
- Sec. 7. Forest Recovery and Protection Fund.
- Sec. 8. Authorization of appropriations.
- Sec. 9. Audit requirements.
- Sec. 10. Forest inventorying, monitoring, and analysis.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) There are tradeoffs in values associated  
9 with proactive, passive, or delayed forest manage-  
10 ment, but the values which will be lost without  
11 proactive management outweigh the values gained by  
12 delayed or passive management of certain Federal  
13 forest lands.

14 (2) Increases in both the number and severity  
15 of wildfire, insect infestation, and disease outbreaks  
16 on Federal forest lands are occurring as a result of  
17 high tree densities, species composition, and struc-  
18 ture that are outside the historic range of variability.  
19 These disturbances cause or contribute to significant  
20 soil erosion, degradation of air and water quality,

1 loss of watershed values, habitat loss, and damage to  
2 other forest resources.

3 (3) Serious forest health problems occur in all  
4 regions of the United States. Management activities  
5 to restore and protect forest health are needed in  
6 each region and should be designed to address re-  
7 gion-specific needs.

8 (4) Between 35 and 40 million of the 191 mil-  
9 lion acres of Federal forest lands managed by the  
10 Forest Service are at an unacceptable risk of de-  
11 struction by catastrophic wildfire. The condition of  
12 these forests can pose a significant threat of de-  
13 struction to human life and property.

14 (5) Restoration of forest health requires active  
15 forest management involving a range of management  
16 activities, including thinning, salvage, prescribed fire  
17 (after appropriate thinning), insect and disease con-  
18 trol, riparian and other habitat improvement, soil  
19 stabilization and other water quality improvement,  
20 and seedling planting and protection.

21 (6) A comprehensive, nationwide effort is need-  
22 ed to address forest health decline in an organized,  
23 timely, and scientific manner. There should be im-  
24 mediate action to improve the areas of Federal for-  
25 est lands where forest health decline has been thor-

1 oughly inventoried and assessed or where serious re-  
2 source destruction or degradation by natural dis-  
3 turbance is imminent.

4 (7) Frequent forest inventory and analysis of  
5 the status and trends in the conditions of forests  
6 and their resources are needed to identify and re-  
7 verse declining forest health in a timely and effective  
8 manner. The present average twelve to fifteen-year  
9 cycle of forest inventory and analysis to comply with  
10 existing statutory requirements is too prolonged to  
11 provide forest managers with the data necessary to  
12 make timely and effective management decisions,  
13 particularly decisions responsive to changing forest  
14 health conditions.

15 **SEC. 3. DEFINITIONS.**

16 For purposes of this Act:

17 (1) **FEDERAL FOREST LANDS.**—The term  
18 “Federal forest lands” means lands within the Na-  
19 tional Forest System.

20 (2) **SECRETARY.**—The term “Secretary” means  
21 the Secretary of Agriculture, acting through the  
22 Chief of the Forest Service.

23 (3) **LAND MANAGEMENT PLAN.**—The term  
24 “land management plan” means a land and resource  
25 management plan prepared by the Forest Service

1       pursuant to section 6 of the Forest and Rangeland  
2       Renewable Resources Planning Act of 1974 (16  
3       U.S.C. 1604) for Federal forest lands under the ju-  
4       risdiction of the Secretary of Agriculture or, if a  
5       final plan is not in effect, the draft final plan for  
6       such lands.

7               (4) NATIONAL PROGRAM.—The term “national  
8       program” means the National Program of Forest  
9       Recovery and Protection required by section 4.

10              (5) SCIENTIFIC ADVISORY PANEL.—The term  
11       “Scientific Advisory Panel” means the advisory com-  
12       mittee appointed under section 5.

13              (6) RECOVERY AREA.—The term “recovery  
14       area” means an area of Federal forest lands, des-  
15       ignated by the Secretary under section 4(c)—

16                   (A) that has experienced disturbances from  
17       wildfires, insect infestations, disease, or other  
18       causes, which have caused or contributed to sig-  
19       nificant soil erosion, degradation of water qual-  
20       ity, loss of watershed values, habitat loss, or  
21       damage to other resources of the area; or

22                   (B) in which the forest structure, function,  
23       or composition has been altered so as to in-  
24       crease substantially the likelihood of wildfire,  
25       insect infestation, or disease in the area and the

1           consequent risks of damage to forest resources  
2           from wildfire, insect infestation, or disease.

3           (7) RECOVERY PROJECT.—The term “recovery  
4           project” means a project designed by the Secretary  
5           to improve, restore, or protect the health of a forest  
6           within a designated recovery area, including stand  
7           thinning, salvage, and other harvesting activities, as  
8           well as activities in which the cutting of trees is not  
9           primarily featured, such as prescribed burning (after  
10          appropriate thinning), insect and disease control, ri-  
11          parian and other habitat improvement, soil stabiliza-  
12          tion and other water quality improvement, and seed-  
13          ling planting and protection.

14          (8) IMPLEMENTATION DATE.—The term “im-  
15          plementation date” means the first day of the first  
16          month beginning after the end of the 18-month pe-  
17          riod beginning on the date of the enactment of this  
18          Act. However, if the implementation date would  
19          occur within six months before August 31 of the  
20          same fiscal year in which the implementation date  
21          would occur, the Secretary may deem that August  
22          31 to be the implementation date.

23          (9) FUND.—The terms “Forest Recovery and  
24          Protection Fund” and “Fund” mean the revolving  
25          fund established under section 7.

1 **SEC. 4. NATIONAL PROGRAM OF FOREST RECOVERY AND**  
2 **PROTECTION.**

3 (a) NATIONAL PROGRAM REQUIRED.—Not later than  
4 the implementation date, the Secretary shall commence a  
5 national program to restore and protect the health of for-  
6 ests located on Federal forest lands in the United States  
7 through the performance of recovery projects in des-  
8 ignated recovery areas.

9 (b) STANDARDS AND CRITERIA.—

10 (1) INITIAL PUBLICATION.—Not later than one  
11 year after the date of the enactment of this Act, the  
12 Secretary shall publish in the Federal Register the  
13 standards and criteria to be used for the designation  
14 of, and the assignment of management priority  
15 rankings to, recovery areas. In establishing the  
16 standards and criteria, the Secretary shall consider  
17 the standards and criteria recommended by the Sci-  
18 entific Advisory Panel under section 5. The Sec-  
19 retary shall include in the Federal Register entry re-  
20 quired by this paragraph an explanation of any sig-  
21 nificant differences between the recommendations of  
22 the Scientific Advisory Panel and the standards and  
23 criteria actually established by the Secretary.

24 (2) MODIFICATION.—The Secretary may modify  
25 the standards and criteria established pursuant to

1 paragraph (1). Any such modification shall also be  
2 published in the Federal Register.

3 (c) ANNUAL NATIONAL PROGRAM DECISION.—

4 (1) DECISION REQUIRED.—To carry out the na-  
5 tional program, the Secretary shall render a decision  
6 for each fiscal year during the period of the national  
7 program regarding the designation and ranking of  
8 recovery areas and the selection of recovery projects  
9 for inclusion in the national program. In rendering  
10 the decision, the Secretary shall comply with the re-  
11 quirements of subsections (d) and (e).

12 (2) PROPOSED DECISION.—For each fiscal year  
13 during the period of the national program, the Sec-  
14 retary shall publish in the Federal Register a pro-  
15 posed decision regarding the designation and rank-  
16 ing of recovery areas and the selection of recovery  
17 projects. The proposed decision shall be published  
18 not later than the following:

19 (A) In the case of the initial proposal, the  
20 implementation date.

21 (B) In the case of each subsequent pro-  
22 posed decision, August 31 of each fiscal year  
23 after the fiscal year in which the implementa-  
24 tion date occurs.

1           (3) FINAL DECISION.—Not later than 120 days  
2           after the date on which the proposed decision is pub-  
3           lished for a fiscal year under paragraph (2), the Sec-  
4           retary shall publish in the Federal Register the final  
5           decision of the Secretary for that fiscal year regard-  
6           ing the designation and ranking of recovery areas  
7           and the selection of recovery projects (including the  
8           determinations required under subsection (e)(3)).

9           (d) REQUIREMENTS FOR AREA DESIGNATION AND  
10          RANKING.—In making the annual decision required by  
11          subsection (c), the Secretary shall, in accordance with the  
12          standards and criteria established and in effect under sub-  
13          section (b)—

14                 (1) determine the total acreage requiring treat-  
15                 ment under the national program during the fiscal  
16                 year;

17                 (2) identify recovery areas within which recov-  
18                 ery projects would be appropriate; and

19                 (3) rank the recovery areas for the purpose of  
20                 determining the order in which the recovery areas  
21                 will receive recovery projects.

22          (e) REQUIREMENTS FOR RECOVERY PROJECT SE-  
23          LECTION.—

24                 (1) COMPLIANCE WITH LAND MANAGEMENT  
25          PLANS.—In making the annual decision required by

1 subsection (c), the Secretary shall ensure that each  
2 recovery project selected is consistent with the land  
3 management plan applicable to the recovery area  
4 within which the project will occur.

5 (2) CONSIDERATION OF ECONOMIC BENE-  
6 FITS.—To the extent practicable, the Secretary shall  
7 select recovery projects that improve forest health  
8 while also providing economic benefits to local com-  
9 munities.

10 (3) TREATMENT ACREAGE AND COSTS.—As  
11 part of the selection of each forest project, the Sec-  
12 retary shall determine the total acreage requiring  
13 treatment and the estimated costs for preparation  
14 and implementation of the project.

15 (4) TOTAL ACREAGE.—The total acreage in-  
16 cluded in recovery projects selected for a fiscal year  
17 under the national program shall not be less than  
18 the total acreage determined by the Secretary under  
19 paragraphs (2) and (3) of subsection (c).

20 (5) PROHIBITED PROJECT LOCATIONS.—The  
21 Secretary may not select or implement a recovery  
22 project under the authority of this Act in any unit  
23 of the National Wilderness Preservation System, any  
24 roadless area on Federal forest lands designated by  
25 Congress for study for possible inclusion in such

1 System, or any other area in which the implementa-  
2 tion of recovery projects is prohibited by law, a court  
3 order, or the applicable land management plan.

4 (f) PETITION PROCESS.—

5 (1) REQUEST FOR DESIGNATION.—Not later  
6 than May 31 of each fiscal year after the fiscal year  
7 in which the implementation date occurs, any inter-  
8 ested person may petition the Secretary to designate  
9 a specific area of the Federal forest lands of at least  
10 one thousand acres in size as a recovery area.

11 (2) CONTENT.—The petition shall contain a  
12 reasonably precise description of the boundaries of  
13 the area included in the petition and the reasons  
14 why the petitioner believes the area meets the stand-  
15 ards and criteria, established pursuant to subsection  
16 (b), required for designation as a recovery area.

17 (3) DETERMINATION.—If the Secretary deter-  
18 mines that an area described in a petition under this  
19 subsection warrants designation as a recovery area,  
20 the Secretary shall include the area in the proposed  
21 and final decisions issued under paragraphs (2) and  
22 (3) of subsection (c). If the Secretary determines  
23 that the area does not warrant designation as a re-  
24 covery area, the Secretary shall provide the reasons  
25 therefor in the same Federal Register entry contain-

1       ing the proposed or final decision under such sub-  
2       section.

3       (g) ANNUAL REPORT TO CONGRESS.—

4           (1) REPORT REQUIRED.—Not later than the  
5       implementation date, and each August 31 thereafter,  
6       the Secretary shall submit to Congress a report on  
7       the proposed decision regarding the designation and  
8       ranking of recovery areas and the selection of recov-  
9       ery projects to be published pursuant to subsection  
10      (c)(2).

11          (2) REPORT CONTENTS.—Each report required  
12      by paragraph (1) shall include the following:

13           (A) The reasons for each proposed des-  
14      ignation of a recovery area and each proposed  
15      selection of a recovery project.

16           (B) The total acreage requiring treatment  
17      during the fiscal year and the acreage proposed  
18      to be treated by each proposed recovery project.

19           (C) The estimated preparation and imple-  
20      mentation costs of each proposed recovery  
21      project.

22          (3) ADDITIONAL REQUIREMENTS.—After the  
23      initial report required by paragraph (1), each subse-  
24      quent report shall also include the following:

1 (A) A description of the improvements to  
2 forest health achieved by each recovery project  
3 covered by the previous report.

4 (B) An explanation of why any proposed  
5 recovery projects covered by the previous report  
6 were not undertaken or completed.

7 (C) A comparison of projected and actual  
8 preparation and implementation costs for each  
9 completed recovery project.

10 (D) A description of the economic benefits  
11 to local communities achieved by each com-  
12 pleted recovery project.

13 (4) NOTICE OF AVAILABILITY.—The Federal  
14 Register entry required for each fiscal year under  
15 subsection (c)(2) shall contain a notice of availability  
16 of the most-recent report to Congress required by  
17 this subsection.

18 (h) AGENCY ACTION.—The proposed decision of the  
19 Secretary to designate and rank recovery areas and to se-  
20 lect recovery projects under subsection (c), the publication  
21 of such proposed decision in the Federal Register, and the  
22 preparation and submission of the annual report to Con-  
23 gress under subsection (g) do not constitute agency ac-  
24 tions.

1 (i) RULEMAKING.—To ensure commencement of the  
2 national program by the implementation date, the Sec-  
3 retary shall promulgate rules governing operation of the  
4 national program by that date. The rules shall address the  
5 development of procedures that, within the discretion pro-  
6 vided by other laws, would permit the Secretary to make  
7 the final decision on the designation and ranking of recov-  
8 ery areas and the selection of recovery projects within the  
9 120-day period required by subsection (c)(3).

10 (j) ADMINISTRATIVE APPEALS.—Section 322 of the  
11 Department of the Interior and Related Agencies Appro-  
12 priations Act, 1993 (Public Law 102–381; 16 U.S.C.  
13 1612 note) shall apply with respect to actions undertaken  
14 to implement this Act, including the final decision des-  
15 ignating and ranking recovery areas and selecting recovery  
16 projects, except that the administrative stay required by  
17 subsection (e) of that section shall apply only to the spe-  
18 cific recovery area or areas or recovery project or projects  
19 that are the subject of the administrative appeal.

20 **SEC. 5. SCIENTIFIC ADVISORY PANEL.**

21 (a) ESTABLISHMENT.—There is established a panel  
22 of scientific advisers to the Secretary to be known as the  
23 “Scientific Advisory Panel”.

24 (b) MEMBERSHIP.—The Scientific Advisory Panel  
25 shall consist of the following members:

1           (1) Two members, consisting of one forest sci-  
2           entist and one State forester (or an individual with  
3           similar management or supervisory experience), ap-  
4           pointed jointly by the Chairman of the Committee  
5           on Agriculture and the Chairman of the Committee  
6           on Resources of the House of Representatives, in  
7           consultation with their respective ranking minority  
8           members.

9           (2) Two members, consisting of one forest sci-  
10          entist and one State forester (or an individual with  
11          similar management or supervisory experience), ap-  
12          pointed jointly by the Chairman of the Committee  
13          on Agriculture, Nutrition, and Forestry and the  
14          Chairman of the Committee on Energy and Natural  
15          Resources of the Senate, in consultation with their  
16          respective ranking minority members.

17          (3) Two members, consisting of one forest sci-  
18          entist and one State forester (or an individual with  
19          similar management or supervisory experience), ap-  
20          pointed by the Secretary of Agriculture.

21          (4) One member, consisting of a forest scientist,  
22          appointed by the National Academy of Sciences.

23          (c) APPOINTMENT.—

24                 (1) TIME FOR APPOINTMENT.—Appointments  
25                 shall be made within 90 days after the date of the

1 enactment of this Act. Appointments shall be pub-  
2 lished in the Federal Register.

3 (2) TERM.—A member of the Scientific Advi-  
4 sory Panel shall be appointed for a term beginning  
5 on the date of the appointment and ending on the  
6 implementation date. A vacancy on the Scientific  
7 Advisory Panel shall be filled within 90 days in the  
8 manner in which the original appointment was  
9 made.

10 (d) QUALIFICATIONS.—

11 (1) FOREST SCIENTISTS.—Forest scientists who  
12 are appointed as members of the Scientific Advisory  
13 Panel shall be required to have expertise in, and ex-  
14 perience with, matters related to forest health, tak-  
15 ing into account their breadth of knowledge in forest  
16 and management science and their familiarity with  
17 specific issues regarding Federal forest lands likely  
18 to be designated as recovery areas.

19 (2) OTHER MEMBERS.—State foresters (or indi-  
20 viduals with similar management or supervisory ex-  
21 perience) who are appointed as members of the Sci-  
22 entific Advisory Panel shall be required to have ex-  
23 pertise with, and experience in, matters relating to  
24 forest management, taking into account their  
25 breadth of knowledge in management science and

1 their familiarity with specific issues regarding Fed-  
2 eral forest lands likely to be designated as recovery  
3 areas.

4 (e) CHAIRPERSON; INITIAL MEETING.—The Sci-  
5 entific Advisory Panel shall conduct its initial meeting as  
6 soon as possible after the first four members of the Panel  
7 are appointed. At the initial meeting, the members of the  
8 Scientific Advisory Panel shall select one member to serve  
9 as chairperson.

10 (f) DUTIES IN CONNECTION WITH IMPLEMENTA-  
11 TION.—During the period beginning on the initial meeting  
12 of the Scientific Advisory Panel and ending on the imple-  
13 mentation date, the Scientific Advisory Panel shall be re-  
14 sponsible for the following:

15 (1) The preparation and submission to the Sec-  
16 retary and the Congress of recommendations regard-  
17 ing the standards and criteria that should be used  
18 to designate recovery areas.

19 (2) The preparation and submission to the Sec-  
20 retary and the Congress of recommendations regard-  
21 ing the ranking of recovery areas in the order in  
22 which the areas should host recovery projects.

23 (3) The preparation of and submission to the  
24 Secretary and the Congress of a monitoring plan for  
25 the national program.

1 (g) CONSIDERATIONS.—In the development of its rec-  
2 ommendations under subsection (f), the Scientific Advi-  
3 sory Panel shall consider—

4 (1) the most current scientific literature regard-  
5 ing the duties undertaken by the Panel, including  
6 the Report on Forest Health of the United States by  
7 the Forest Health Science Panel (April 4 1997); and

8 (2) information gathered during the implemen-  
9 tation of the advance recovery projects required  
10 under section 6.

11 (h) ALLOCATION OF FOREST SERVICE PERSON-  
12 NEL.—The Forest Service shall allocate administrative  
13 support staff to the Scientific Advisory Panel to assist the  
14 Panel in the performance of its duties as outlined in this  
15 section.

16 **SEC. 6. ADVANCE RECOVERY PROJECTS.**

17 (a) SELECTION OF ADVANCE PROJECTS.—During  
18 the 18-month period beginning on the date of the enact-  
19 ment of this Act, the Secretary shall conduct a limited  
20 number (as determined by the Secretary) of advance re-  
21 covery projects on Federal forest lands. Advance recovery  
22 projects shall be selected by regional foresters of the For-  
23 est Service, in consultation with State foresters of the  
24 States included in such areas, and subject to the approval  
25 of the Secretary. The Secretary shall publish a list of se-

1 lected advance recovery projects (including the determina-  
2 tions required under subsection (e)(3) of section 4) in the  
3 Federal Register within the time period specified in sub-  
4 section (c).

5 (b) SELECTION CRITERIA.—To be eligible for selec-  
6 tion as an advance recovery project, a proposed project  
7 shall be required to satisfy the requirements of section  
8 4(e) for recovery projects conducted under the national  
9 program. Priority shall be given to those Federal forest  
10 lands—

11 (1) that pose a significant risk of loss to human  
12 life and property or serious resource degradation or  
13 destruction due to wildfire, disease epidemic, or se-  
14 vere insect infestation; or

15 (2) for which thorough forest health assess-  
16 ments and inventories have been completed, includ-  
17 ing Federal forest lands in the Pacific Northwest,  
18 the Interior Columbia Basin, the Sierra Nevada, the  
19 Southern Appalachian Region, and the Northern  
20 Forests of Maine, Vermont, New Hampshire, and  
21 New York.

22 (c) TIME PERIODS FOR SELECTION, IMPLEMENTA-  
23 TION, AND COMPLETION.—Final selection of advance re-  
24 covery projects shall be completed within the 90-day pe-  
25 riod beginning on the date of the enactment of this Act,

1 and the Secretary shall publish the list of selected advance  
2 recovery projects in the Federal Register by the end of  
3 that period. An advance recovery project shall be initiated  
4 (if the project is to be conducted by Federal employees)  
5 or awarded (if the project is to be conducted by an outside  
6 party) within 180 days after the date of the enactment  
7 of this Act and shall be completed within one year of that  
8 date.

9 (d) REPORTING REQUIREMENTS.—

10 (1) DESIGN, IMPLEMENTATION, AND RE-  
11 SULTS.—The Federal official in charge of each ad-  
12 vance recovery project shall submit to the Secretary  
13 a report on the design, implementation, and results  
14 of the project. The report shall include any rec-  
15 ommendations for future recovery projects under the  
16 national program that may arise from the experience  
17 gained from the advance project.

18 (2) FINAL REPORT.—Not later than the imple-  
19 mentation date, the Secretary shall submit to Con-  
20 gress a report on the implementation of advance re-  
21 covery projects consisting of the following:

22 (A) a description of the accomplishments  
23 of the advance recovery projects incorporating  
24 the requirements under section 4(g)(3); and

1 (B) a compilation of the reports submitted  
2 by Federal officials to the Secretary under  
3 paragraph (1).

4 (e) RULEMAKING.—No new rulemaking is required in  
5 order for the Secretary to carry out this section.

6 **SEC. 7. FOREST RECOVERY AND PROTECTION FUND.**

7 (a) ESTABLISHMENT.—There is established on the  
8 books of the Treasury a revolving fund to be known as  
9 the “Forest Recovery and Protection Fund”. The Chief  
10 of the Forest Service shall be responsible for administering  
11 the Fund.

12 (b) CREDITS TO FUND.—There shall be credited to  
13 the Fund the following:

14 (1) Amounts authorized for and appropriated to  
15 the Fund.

16 (2) Unobligated amounts in the roads and trails  
17 fund provided for in the fourteenth paragraph under  
18 the heading “FOREST SERVICE” of the Act of  
19 March 4, 1913 (37 Stat. 843; 16 U.S.C. 501) as of  
20 the date of the enactment of this Act, and all  
21 amounts which would otherwise be deposited in such  
22 fund after such date.

23 (3) A one-time transfer of \$50,000,000 from  
24 amounts appropriated for fire operations under the  
25 heading “WILDLAND FIRE MANAGEMENT” in the De-

1       partment of the Interior and Related Agencies Ap-  
2       propriations Act, 1998.

3           (4) Subject to subsection (f), revenues gen-  
4       erated by recovery projects undertaken pursuant to  
5       sections 4 and 6.

6           (5) Amounts required to be deposited in the  
7       Fund under subsection (d).

8       (c) USE OF FUND.—During the time period specified  
9       under section 8(a), amounts in the Fund shall be available  
10      to the Secretary, without further appropriation, to carry  
11      out the national program, to plan, carry out, and admin-  
12      ister recovery projects under sections 4 and 6, and to ad-  
13      minister the Scientific Advisory Panel.

14      (d) EFFECT OF FAILURE TO COMPLY WITH TIME  
15      LIMITATIONS.—If the final selection of a recovery project  
16      under the national program is not made within the time  
17      period specified in section 4(c)(3), the Secretary may not  
18      use amounts in the Fund to carry out the project and shall  
19      promptly reimburse the Fund for any expenditures pre-  
20      viously made from the Fund in connection with the  
21      project. In the case of an advance recovery project under  
22      section 6, if the project is not selected, implemented, and  
23      completed within the time periods specified in subsection  
24      (c) of such section, the Secretary may not use amounts  
25      in the Fund to carry out the project and shall promptly

1 reimburse the Fund for any expenditures previously made  
2 from the Fund in connection with the project.

3 (e) LIMITATION ON OVERHEAD EXPENSES.—Over-  
4 head expenses for a fiscal year for administration of the  
5 national program, including the preparation of reports re-  
6 quired by this Act and administration of the Fund, shall  
7 not exceed 12 percent of the amounts made available from  
8 the Fund for that fiscal year. In addition, not more than  
9 \$1,000,000 may be expended from the Fund to finance  
10 the operation of the Scientific Advisory Panel.

11 (f) TREATMENT OF REVENUES AS MONEYS RE-  
12 CEIVED.—Revenues generated by recovery projects under-  
13 taken pursuant to sections 4 and 6 shall be considered  
14 to be money received for purposes of the sixth paragraph  
15 under the heading “FOREST SERVICE” in the Act of  
16 May 23, 1908 (35 Stat. 260; 16 U.S.C. 500) and section  
17 13 of the Act of March 1, 1911 (36 Stat. 963; commonly  
18 known as the Weeks Act; 16 U.S.C. 500).

19 (g) CONFORMING AMENDMENT.—The fourteenth  
20 paragraph under the heading “FOREST SERVICE” of  
21 the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501)  
22 is amended by adding at the end the following new sen-  
23 tence: “During the term of the Forest Recovery and Pro-  
24 tection Fund, as established by section 7 of the Forest  
25 Recovery and Protection Act of 1997, amounts reserved

1 under the authority of this paragraph shall be deposited  
2 into that Fund.”.

3 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) AUTHORIZATION OF APPROPRIATIONS.—There  
5 are authorized to be appropriated such sums as may be  
6 necessary to carry out the provisions of this Act for fiscal  
7 year 1998 and each fiscal year thereafter through the fifth  
8 full fiscal year following the implementation date.

9 (b) DEPOSIT IN FUND.—All sums appropriated pur-  
10 suant to this section shall be deposited in the Forest Re-  
11 covery and Protection Fund.

12 (c) EFFECT ON EXISTING PROJECTS.—Any contract  
13 regarding a recovery project entered into before the end  
14 of the final fiscal year specified in subsection (a), and still  
15 in effect at the end of such fiscal year, shall remain in  
16 effect until completed pursuant to the terms of the con-  
17 tract.

18 **SEC. 9. AUDIT REQUIREMENTS.**

19 (a) AUDIT REQUIRED.—The Comptroller General  
20 and the Inspector General of the Department of Agri-  
21 culture shall jointly conduct an audit of the national pro-  
22 gram at the end of the fourth-full fiscal year of the na-  
23 tional program and submit such audit to the Congress by  
24 June 1 of the next fiscal year.

1 (b) ELEMENTS.—The audit shall include an analysis  
2 of—

3 (1) whether the program was carried out in a  
4 manner consistent with the provisions of this Act;

5 (2) the impact on the development and imple-  
6 mentation of the national program of the advance  
7 recovery projects conducted under section 6 and the  
8 reports submitted to the Secretary by Federal offi-  
9 cials under such section;

10 (3) the extent to which the recommendations of  
11 the Scientific Advisory Panel were used to develop  
12 and implement the national program;

13 (4) the current and projected future financial  
14 status of the Forest Recovery and Protection Fund;  
15 and

16 (5) the cost savings and efficiencies achieved  
17 under the national program.

18 **SEC. 10. FOREST INVENTORYING, MONITORING, AND ANAL-**  
19 **YSIS.**

20 (a) PROGRAM REQUIRED.—The Secretary shall es-  
21 tablish a program to inventory, monitor, and analyze pub-  
22 lic and private forests and their resources in the United  
23 States for the purpose of—

24 (1) updating annually inventories of forests and  
25 their resources in each State;

1           (2) preparing periodic reports on each State's  
2 inventory and on forests and their resources from a  
3 nationwide perspective; and

4           (3) ensuring that the updates and reports are  
5 made available to managers of public and private  
6 forests and to the public.

7 (b) ANNUAL INVENTORY UPDATES.—

8           (1) PREPARATION.—By the end of each full fis-  
9 cal year after the date of the enactment of this Act,  
10 the Secretary shall prepare an inventory of forests  
11 and their resources for each State. The Secretary  
12 shall prepare the inventory for a State in coopera-  
13 tion with the State forester for that State. For pur-  
14 poses of preparing an inventory for a State, the Sec-  
15 retary shall measure annually 20 percent of all sam-  
16 ple plots that are included in the inventory program  
17 for that State.

18           (2) AVAILABILITY.—Upon completion of each  
19 annual inventory, the Secretary shall make available  
20 to the public a compilation of all data collected from  
21 the year's measurements of sample plots and any  
22 analysis of such samples.

23 (c) FIVE-YEAR REPORTS.—

24           (1) PREPARATION AND PUBLICATION.—At in-  
25 tervals no greater than every five full fiscal years

1 after the date of the enactment of this Act, the Sec-  
2 retary shall prepare and publish—

3 (A) in cooperation with each State for-  
4 ester, a report on each State inventory of for-  
5 ests and their resources, incorporating all sam-  
6 ple plot measurements conducted during the  
7 previous five fiscal years; and

8 (B) a report which displays and analyzes  
9 the results of the State reports required by sub-  
10 paragraph (A) on a nationwide basis.

11 (2) AVAILABILITY.—The reports required by  
12 this subsection shall be made available to the public.

13 (3) FOREST HEALTH ANALYSES.—Each report  
14 under this subsection shall contain an analysis of  
15 forest health conditions and trends over the previous  
16 two decades, with an emphasis on such conditions  
17 and trends during the period subsequent to the im-  
18 mediately preceding report.

19 (d) UNIFORM STANDARDS.—To ensure uniform and  
20 consistent data collection for all public and private forest  
21 ownerships and each State, the Secretary shall develop  
22 and publish national standards and definitions to be ap-  
23 plied in inventorying, monitoring, and analyzing forests  
24 and their resources under this section, including a core  
25 set of variables to be measured on all sample plots under

1 subsection (b) and a standard set of tables to be included  
2 in the reports under subsection (c). The Secretary shall  
3 develop the national standards and definitions in consulta-  
4 tion with State foresters and Federal land management  
5 agencies not within the jurisdiction of the Secretary.

6 (e) STRATEGIC PLAN.—

7 (1) REQUIRED.—Within 180 days after the  
8 date of the enactment of this Act, the Secretary  
9 shall prepare and submit to the Congress a strategic  
10 plan to implement and carry out this section, includ-  
11 ing the annual updates required by subsection (b)  
12 and the reports required by subsection (c).

13 (2) CONTENT.—The strategic plan shall de-  
14 scribe in detail—

15 (A) the financial resources required to im-  
16 plement and carry out this section, including  
17 the identification of any resources required in  
18 excess of the amounts provided for forest  
19 inventorying and analysis in recent appropria-  
20 tions Acts;

21 (B) the personnel necessary to implement  
22 and carry out this section, including any per-  
23 sonnel in addition to personnel currently per-  
24 forming inventorying and analysis functions;

1           (C) the organization and procedures nec-  
2           essary to implement and carry out this section,  
3           including proposed coordination with Federal  
4           land management agencies and State foresters;

5           (D) the schedules for annual sample plot  
6           measurements in each State inventory required  
7           by subsection (b) within the first five-year in-  
8           terval after the date of the enactment of this  
9           Act;

10          (E) the core set of variables to be meas-  
11          ured in each sample plot under subsection (b)  
12          and the standard set of tables to be used in  
13          each State and national report pursuant to sub-  
14          section (c); and

15          (F) the process for employing, in coordina-  
16          tion with the Department of Energy and the  
17          National Aeronautics and Space Administra-  
18          tion, remote sensing, global positioning systems,  
19          and other advanced technologies to carry out  
20          this section, and the subsequent use of such  
21          technologies.

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