



Legislative & Policy Update – January 2019

Published January 23, 2019

The [Council of Western State Foresters \(CWSF\) Legislative & Policy Update](#) provides information on issues of importance to the CWSF. Policy and Legislative Updates are found on the CWSF webpage [here](#). Please note that the items highlighted in these updates are only a selection of the issues the CWSF and Western Forestry Leadership Coalition (WFLC) are monitoring. Keep an eye out for our monthly newsletter that will provide summaries on other key legislative and programmatic issues. If you have not yet subscribed, you can do so [here](#). For more information, please contact Danielle Okst, Associate Policy and Grants Director, dokst@westernforesters.org.

The 2018 calendar year ended with Congress' passage of the 2018 Farm Bill, as well as the President's Executive Order on forest management. A partial federal government shutdown began on December 22, 2018 and continued into the new year when the 116th Congress convened on January 3, 2019. For this month's update, we detail the Farm Bill, Executive Order, fiscal year (FY) 2019 Appropriations, and House and Senate disaster supplementals.

2018 Farm Bill

Negotiations between the House and Senate 2018 Farm Bill versions came to a close in December with Congress' passage of [H.R. 2, Agriculture Improvement Act of 2018](#). Later that month, the President signed the bill into law. The final Farm Bill contains multiple [provisions that impact State Foresters'](#) priorities.

Among the relevant impacts was the codification of the USDA Forest Service's [Landscape Scale Restoration \(LSR\)](#) program. Most notable is the absence of a reference to Statewide Forest Assessment Resource Strategies (Forest Action Plans) from the purpose and eligibility sections of the program. Additionally, funds are now capped at \$20 million, State Foresters' preference for "funding flexibility" is not included, a secretarial waiver for the matching funds requirement is no longer permitted, and the program is now open to a larger pool of candidates outside of State Foresters and other entities as approved by State Foresters.

The [Good Neighbor Authority \(GNA\)](#) was also amended through this Farm Bill. Counties and Indian Tribes may now enter into GNA agreements with the Forest Service and the Bureau of Land Management. Revenues from the sale of timber under a GNA agreement shall be retained by a governor and used to carry out authorized restoration services on federal land under the GNA agreement, with any remaining funds able to be used within the state under other GNA agreements. This authority expires October 2023.

Executive Order on Promoting Active Management of America's Forests, Rangelands, and other Federal Lands to Improve Conditions and Reduce Wildfire Risks

The President's [Executive Order on Promoting Active Management of America's Forests, Rangelands, and other Federal Lands to Improve Conditions and Reduce Wildfire Risk](#) was issued in response to the growing

severity of wildfires, particularly in the West. Chief of the USDA Forest Service Vicki Christiansen issued a [statement](#) about the order, saying “The USDA Forest Service applauds today’s executive order and the President’s commitment to focusing more robust efforts toward active management of American forests and grasslands.... The natural resource challenges before us require collective action by everyone involved, and we look forward to working with federal partners, states, tribes, key stakeholders and members of the public... We will use all the tools available to us, including mechanical treatments, prescribed fire, and unplanned fire to mitigate the risk of catastrophic wildfire.”

FY 2019 Appropriations

An earlier Continuing Resolution (CR) providing continued funding for the those parts of the government not yet covered by enacted FY 2019 appropriations bills expired on December 21, 2018. No additional CRs or appropriations bills were passed by that date, which led to a partial federal government shutdown that has thus far lasted over 30 days. The House has [introduced eight pieces of legislation](#) aimed at reopening the federal government since the 116th Congress convened on January 3 (seven have passed and a revote is pending on the eighth). The latest legislation, [H.R. 648](#), allocates \$35.6 billion in discretionary funding for the [Interior, Environment, and Related Agencies](#) (Interior bill), which is \$7.3 billion above the President’s FY 2019 budget request and \$300 million above enacted FY 2018 funding. This week the Senate [introduced a proposal](#) for the seven remaining [FY 2019 appropriations bills](#) as well, including increased investment in border security and \$12.7 billion for disaster recovery efforts (emergency supplemental explored below). The [Interior bill](#) in the Senate proposal also allocates \$35.6 billion in total discretionary funds. There is a procedural vote on this matter in the Senate this week, however it is unclear if it will pass.

Emergency Supplemental Appropriations

In early January, the House Appropriations Committee Chairwoman Nita Lowey (D-NY) released an emergency supplemental appropriations bill entitled [The Supplemental Appropriations Act, 2019 \(H.R. 268\)](#). Last week, the House [voted to approve the bill](#) and included a short-term CR to reopen the government. The emergency supplemental would provide funding assistance to states hit with recent disasters events such as hurricanes, typhoons, volcanic activity, and 2018 wildfires. The Senate is scheduled to hold a procedural vote on the House bill this week. The Senate has also introduced an alternative legislative package entitled [End the Shutdown and Secure the Border Act](#). It includes a [disaster supplemental](#). Forestry-related allocations for both proposals include funding directed towards the USDA Forest Service State and Private Forestry, the USDA Farm Service Agency Emergency Forest Restoration Program (EFRP), the Forest Inventory and Analysis, \$720.27 million for “Wildland Fire Management,” and funding for the Natural Resources Conservation Service.