

117TH CONGRESS
1ST SESSION

H. R. 4842

To require the Secretary of Agriculture, acting through the Chief of the Forest Service, and the Secretary of the Interior, acting through the Director of the Bureau of Land Management, to take actions to mitigate tree spiking devices on certain Federal land, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2021

Mr. NEWHOUSE (for himself, Mr. BENTZ, Ms. CHENEY, Mr. JOYCE of Pennsylvania, Mr. WESTERMAN, Mr. MCCLINTOCK, Mr. YOUNG, Mr. NEHLS, Mrs. RODGERS of Washington, Mr. LAMALFA, Mrs. MCCLAIN, Ms. HERRELL, Mr. VALADAO, Mr. STAUBER, Ms. HERRERA BEUTLER, Mr. BUCK, Mr. BERGMAN, Mr. STEIL, Mr. MULLIN, Mr. PALMER, Mrs. BOEBERT, and Mr. GONZALEZ of Ohio) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, 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

A BILL

To require the Secretary of Agriculture, acting through the Chief of the Forest Service, and the Secretary of the Interior, acting through the Director of the Bureau of Land Management, to take actions to mitigate tree spiking devices on certain Federal land, 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.**

2 This Act may be cited as the “Tree Spiking Mitiga-
3 tion Act of 2021”.

4 **SEC. 2. DETECTION, IDENTIFICATION, AND MITIGATION OF**
5 **TREE SPIKING DEVICES ON FEDERAL LAND.**

6 (a) **IN GENERAL.**—The Secretaries, acting in coordi-
7 nation, shall take necessary actions to ensure the detec-
8 tion, identification, and, as the Secretaries determine to
9 be appropriate, mitigation of tree spiking devices located
10 on Federal land.

11 (b) **PRIORITIZATION.**—For purposes of carrying out
12 activities under subsection (a), the Secretaries shall
13 prioritize areas in which—

14 (1) incidences of tree spiking devices have oc-
15 curred; or

16 (2) the Secretaries suspect that there are tree
17 spike devices.

18 (c) **MEMORANDA OF UNDERSTANDING.**—The Secre-
19 taries may enter into memoranda of understanding for
20 carrying out activities on Federal land under this section.

21 (d) **AUTHORIZATION OF APPROPRIATIONS.**—There is
22 authorized to be appropriated to the Secretaries to carry
23 out this section \$10,000,000 for fiscal year 2022, to re-
24 main available until September 30, 2026.

1 **SEC. 3. UPDATES TO SAFETY GUIDELINES AND TRAINING**
2 **PROTOCOLS.**

3 Not later than 90 days after the date of enactment
4 of this Act, the Secretaries shall, where appropriate, up-
5 date safety guidelines and training protocols to include the
6 awareness, detection, identification, and mitigation of tree
7 spiking devices.

8 **SEC. 4. DEFINITIONS.**

9 In this Act:

10 (1) **FEDERAL LAND.**—The term “Federal land”
11 means—

12 (A) land of the National Forest System (as
13 defined in section 11(a) of the Forest and
14 Rangeland Renewable Resources Planning Act
15 of 1974 (16 U.S.C. 1609(a))), except—

16 (i) the national grasslands and land
17 utilization projects administered under title
18 III of the Bankhead-Jones Farm Tenant
19 Act (7 U.S.C. 1010 et seq.); or

20 (ii) National Forest System land east
21 of the 100th meridian; and

22 (B) land under the jurisdiction of the Sec-
23 retary of the Interior, acting through the Direc-
24 tor of the Bureau of Land Management.

25 (2) **SECRETARIES.**—The term “Secretaries”
26 means each of—

1 (A) the Secretary of Agriculture, acting
2 through the Chief of the Forest Service; and

3 (B) the Secretary of the Interior, acting
4 through the Director of the Bureau of Land
5 Management.

6 (3) TREE SPIKING DEVICE.—The term “tree
7 spiking device” means any tree spiking device de-
8 scribed in section 1864(d)(3) of title 18, United
9 States Code.

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