

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5248

To provide legal exemptions for certain activities of the National Park Service, United States Forest Service, United States Fish and Wildlife Service, or the Bureau of Land Management undertaken in federally declared disaster areas.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2002

Mr. HAYWORTH (for himself, Mr. STUMP, and Mr. SHADEGG) introduced the following bill; which was referred to the Committee on 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 provide legal exemptions for certain activities of the National Park Service, United States Forest Service, United States Fish and Wildlife Service, or the Bureau of Land Management undertaken in federally declared disaster areas.

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. EXEMPTION FROM CERTAIN LAWS FOR LAND**  
2 **MANAGEMENT ACTIVITIES UNDERTAKEN IN**  
3 **FEDERALLY DECLARED DISASTER AREAS.**

4 Due to the extraordinary circumstances present in a  
5 federally declared disaster area, land management activi-  
6 ties of the National Park Service, United States Forest  
7 Service, United States Fish and Wildlife Service, or the  
8 Bureau of Land Management undertaken in an area cov-  
9 ered by a Presidential declaration of major disaster issued  
10 under section 401 of the Robert T. Stafford Disaster Re-  
11 lief and Emergency Assistance Act (42 U.S.C. 5170) in  
12 response to the conditions that necessitated the Presi-  
13 dential declaration shall proceed immediately and to com-  
14 pletion notwithstanding any other provision of law includ-  
15 ing, but not limited to, the National Environmental Policy  
16 Act of 1969 (42 U.S.C. 4321 et seq.) and the National  
17 Forest Management Act (16 U.S.C. 1601 et seq.). In addi-  
18 tion, such activities shall not be subject to the notice, com-  
19 ment, and appeal requirements of section 322 of Public  
20 Law 102–381 (commonly known as the Appeals Reform  
21 Act; 16 U.S.C. 1612 note) or to judicial review by any  
22 court of the United States.

○