

117TH CONGRESS
1ST SESSION

S. _____

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 SENATE OF THE UNITED STATES

Mr. BARRASSO (for himself and Mr. RISCH) introduced the following bill; which was read twice and referred to the Committee on

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Tree Spiking Mitiga-
5 tion Act of 2021".

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

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

8 (b) PRIORITIZATION.—For purposes of carrying out
9 activities under subsection (a), the Secretaries shall
10 prioritize areas in which—

11 (1) incidences of tree spiking devices have oc-
12 curred; or

13 (2) the Secretaries suspect that there are tree
14 spike devices.

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

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

22 **SEC. 3. UPDATES TO SAFETY GUIDELINES AND TRAINING**
23 **PROTOCOLS.**

24 Not later than 90 days after the date of enactment
25 of this Act, the Secretaries shall, where appropriate, up-
26 date safety guidelines and training protocols to include the

1 awareness, detection, identification, and mitigation of tree
2 spiking devices.

3 **SEC. 4. DEFINITIONS.**

4 In this Act:

5 (1) **FEDERAL LAND.**—The term “Federal land”
6 means—

7 (A) land of the National Forest System (as
8 defined in section 11(a) of the Forest and
9 Rangeland Renewable Resources Planning Act
10 of 1974 (16 U.S.C. 1609(a))), except—

11 (i) the national grasslands and land
12 utilization projects administered under title
13 III of the Bankhead-Jones Farm Tenant
14 Act (7 U.S.C. 1010 et seq.); or

15 (ii) National Forest System land east
16 of the 100th meridian; and

17 (B) land under the jurisdiction of the Sec-
18 retary of the Interior, acting through the Direc-
19 tor of the Bureau of Land Management.

20 (2) **SECRETARIES.**—The term “Secretaries”
21 means each of—

22 (A) the Secretary of Agriculture, acting
23 through the Chief of the Forest Service; and

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

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