



The Forest Emergency Recovery & Research Act

SECURES THE PUBLIC'S RIGHT TO APPEAL AND LITIGATE FEDERAL FOREST RECOVERY PROJECTS

- **Under the Forest Emergency Recovery and Research Act the public will be able to appeal federal forest recovery projects.**
 - The Forest Emergency Recovery and Research Act appeals process is identical to that of the Healthy Forests Restoration Act (HFRA), which was approved with overwhelming bipartisan support in Congress. (HFRA was passed in the Senate by a vote of 80-14 and in the House by a vote of 286 – 140)
 - The Forest Emergency Recovery and Research Act appeals process would implement an appeals process for forest recovery projects which has been used for years by the Bureau of Land Management.
- **Under the Forest Emergency Recovery and Research Act the public will be able to litigate federal forest recovery projects.**
 - The process for litigation is identical to HFRA, requiring those who wish to litigate projects to provide substantive comments at the beginning of the project planning period.
 - The Forest Emergency Recovery and Research Act would require preliminary injunctions granted by a federal court against a project implemented under this legislation to be reevaluated every 45 days. The court may extend the injunction an unlimited number of times
 - Every time a federal court extends an injunction, the Forest Service or the Department of the Interior must provide an update to the court on the status of the conditions of the forest, ensuring an evaluation of the balance of harms.
 - The Forest Emergency Recovery and Research Act encourages, in a non-binding manner, a federal court to decide on the merits of a legal challenge to a restoration project within 100 days.