

115TH CONGRESS
2D SESSION

H. R. 5519

To amend the Plant Protection Act for purposes of mitigating the threat of invasive species, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 13, 2018

Mr. WELCH introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Plant Protection Act for purposes of mitigating the threat of invasive species, 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 “Invasive Species Pre-
5 vention and Forest Restoration Act”.

6 **SEC. 2. EXPANDING EMERGENCY AUTHORITY WITH RE-**
7 **SPECT TO INVASIVE SPECIES.**

8 (a) IN GENERAL.—Subsection (a) of section 442 of
9 the Plant Protection Act (7 U.S.C. 7772) is amended by

1 striking “noxious weed threatens” and inserting “noxious
2 weed directly or indirectly threatens”.

3 (b) EMERGENCY DEFINED.—Section 442 of the
4 Plant Protection Act (7 U.S.C. 7772) is amended by add-
5 ing at the end the following new subsection:

6 “(d) EMERGENCY DEFINED.—In this section, the
7 term ‘emergency’ means an outbreak of a plant pest or
8 noxious weed that the Secretary determines is occurring
9 at a time during which insufficient Federal funds are
10 available to timely achieve the arrest, control, eradication,
11 or prevention of the spread of such plant pest or noxious
12 weed.”.

13 (c) DISBURSEMENT OF FUNDS.—Subsection (b) of
14 section 442 of the Plant Protection Act (7 U.S.C. 7772)
15 is amended by adding at the end the following: “Any funds
16 so transferred with respect to a designation of an emer-
17 gency under subsection (a) shall be transferred not later
18 than 60 days after the date on which such designation
19 is made.”.

20 **SEC. 3. FOREST RECLAMATION GRANTS.**

21 Subtitle K of the National Agricultural Research, Ex-
22 tension, and Teaching Policy Act of 1977 (7 U.S.C. 3310
23 et seq.) is amended by adding at the end the following
24 new section:

1 **“SEC. 1473H. FOREST RECLAMATION GRANTS.**

2 “(a) ESTABLISHMENT OF PROGRAM.—The Sec-
3 retary, for purposes of addressing the critical threat to
4 numerous tree species posed by non-native plant pests and
5 noxious weeds, shall award competitive grants for studies
6 of a two- to five-year duration to eligible institutions under
7 which such eligible institutions—

8 “(1) conduct research to promote the restora-
9 tion of affected tree species, including research on—

10 “(A) biological control of plant pests or
11 noxious weeds threatening native tree species
12 heavily damaged by non-native pests;

13 “(B) exploration of genetic manipulation of
14 plant pests or noxious weeds;

15 “(C) enhancement of host-resistance mech-
16 anisms; and

17 “(D) development of other strategies for
18 restoring individual tree species; and

19 “(2) develop and disseminate to the public tools
20 and information based on the research conducted
21 under this section.

22 “(b) ELIGIBLE INSTITUTIONS.—An entity eligible to
23 receive a grant under this section is any of the following:

24 “(1) An agency of the Federal Government.

25 “(2) A State cooperative institution.

1 “(3) A college or university offering a bacca-
2 laureate or higher degree in the study of food, for-
3 estry, and agricultural sciences.

4 “(4) A nonprofit entity described in section
5 501(c)(3) of the Internal Revenue Code (and exempt
6 from tax under section 501(a) of such Code).

7 “(c) APPLICATION.—Each eligible institution seeking
8 to receive a grant under this section shall submit a com-
9 prehensive forest restoration research program to the Sec-
10 retary at such time, in such manner, and containing such
11 information as the Secretary may require.

12 “(d) USE OF FUNDS.—

13 “(1) IN GENERAL.—An eligible institution re-
14 ceiving a grant under this section may use funds re-
15 ceived through such grant only to conduct research
16 intended to address specific questions related to the
17 recovery of tree species native to the United States
18 suffering severe levels of mortality caused by non-na-
19 tive plant pests or noxious weeds.

20 “(2) MATCHING REQUIREMENT.—Notwith-
21 standing section 1492, an eligible institution receiv-
22 ing a grant under this section shall provide matching
23 funds from non-Federal sources in an amount equal
24 to not less than 20 percent of the grant. Indirect
25 costs charged against a grant awarded under this

1 section shall not exceed 30 percent of the total Fed-
2 eral funds provided under the grant award.

3 “(3) MAXIMUM AMOUNT OF GRANTS.—The
4 total amount of grant funding a grant recipient is
5 eligible to receive under this section shall not exceed
6 \$100,000 per year.

7 “(e) COOPERATION AMONG ELIGIBLE INSTITU-
8 TIONS.—The Secretary, to the maximum extent prac-
9 ticable, shall encourage eligible institutions to cooperate
10 in setting research priorities under this section.

11 “(f) ADMINISTRATION.—In carrying out this sub-
12 section, the Secretary shall—

13 “(1) establish a committee of experts composed
14 of representatives of the United States Forest Serv-
15 ice, Animal and Plant Health Inspection Service,
16 Agricultural Research Service, and State forestry
17 agencies to advise the Secretary on criteria appro-
18 priate for—

19 “(A) defining research topics eligible for
20 funding under this section;

21 “(B) reviewing grant proposals’ adherence
22 to the purposes specified in subsection (a)(1);
23 and

24 “(C) membership in scientific peer review
25 panels to review grant applications;

1 “(2) establish an advisory committee composed
2 of representatives of land-grant colleges and univer-
3 sities and affiliated State agricultural experiment
4 stations, the forest products industry, recreationists,
5 and conservation organizations to assist the com-
6 mittee of experts established under paragraph (1)
7 with respect to the responsibilities of such committee
8 specified in subparagraphs (A), (B), and (C) of such
9 paragraph; and

10 “(3) submit, beginning one year after the date
11 on which the first grant is awarded under this sec-
12 tion, and annually thereafter to the Committee on
13 Agriculture of the House of Representatives and the
14 Committee on Agriculture, Nutrition, and Forestry
15 of the Senate a report on the use of funds under
16 this section in the previous year.

17 “(g) FUNDING.—Of the funds available to the Com-
18 modity Credit Corporation, the Secretary shall make avail-
19 able to carry out this section—

20 “(1) \$3,000,000 for fiscal year 2019;

21 “(2) \$5,000,000 for fiscal year 2020;

22 “(3) \$8,000,000 for fiscal year 2021; and

23 “(4) \$10,000,000 for fiscal year 2022.

24 “(h) DEFINITIONS.—In this section, the terms ‘plant
25 pest’ and ‘noxious weed’ have the meanings given such

1 terms in section 403 of the Plant Protection Act (7 U.S.C.
2 7702).”.

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