

117TH CONGRESS  
1ST SESSION

# H. R. 3534

To direct the Secretary of Agriculture to select and implement landscape-scale forest restoration projects, to assist communities in increasing their resilience to wildfire, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2021

Mr. PANETTA (for himself, Mr. COSTA, Mr. HARDER of California, Mr. GARAMENDI, Mr. CARBAJAL, Mr. CORREA, and Mr. THOMPSON of California) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committees on Transportation and Infrastructure, Natural Resources, Energy and Commerce, and Education and Labor, 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

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## A BILL

To direct the Secretary of Agriculture to select and implement landscape-scale forest restoration projects, to assist communities in increasing their resilience to wildfire, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Wildfire Emergency Act of 2021”.

1 (b) TABLE OF CONTENTS.—The table of contents for  
2 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—LANDSCAPE-SCALE FOREST RESTORATION

Sec. 101. Definitions.

Sec. 102. Purpose.

Sec. 103. Selection and implementation of landscape-scale forest restoration projects.

Sec. 104. Conservation finance agreements.

Sec. 105. Administration.

Sec. 106. Report evaluating implementation.

Sec. 107. Funding.

TITLE II—INCREASING COMMUNITY RESILIENCE TO WILDFIRE

Sec. 201. Critical infrastructure and microgrid program.

Sec. 202. Retrofits for fire-resilient communities.

Sec. 203. Hazard mitigation using disaster assistance.

Sec. 204. Wildfire detection equipment.

TITLE III—RESEARCH, TRAINING, AND CAPACITY BUILDING

Sec. 301. Western prescribed fire centers.

Sec. 302. Innovative forest workforce development program.

Sec. 303. National community capacity and land stewardship grant program.

3 **TITLE I—LANDSCAPE-SCALE**  
4 **FOREST RESTORATION**

5 **SEC. 101. DEFINITIONS.**

6 In this title:

7 (1) CONSERVATION FINANCE AGREEMENT.—

8 The term “conservation finance agreement” means a  
9 mutual benefit agreement (excluding a procurement  
10 contract, grant, or cooperative agreement described  
11 in chapter 63 of title 31, United States Code)—

12 (A) the term of which is more than 1, but  
13 not more than 20, years;

1 (B) that may provide that performance  
2 under the agreement during the second and  
3 subsequent years of the agreement is contingent  
4 on the appropriation of funds; and

5 (C) if the agreement does so provide, that  
6 may provide for a cancellation payment to be  
7 made to the partner if those appropriations are  
8 not made.

9 (2) ECOLOGICAL CONDITIONS.—The term “eco-  
10 logical conditions” has the meaning given the term  
11 in section 219.19 of title 36, Code of Federal Regu-  
12 lations (as in effect on the date of enactment of this  
13 Act).

14 (3) ECOLOGICAL INTEGRITY.—The term “eco-  
15 logical integrity” has the meaning given the term in  
16 section 219.19 of title 36, Code of Federal Regula-  
17 tions (as in effect on the date of enactment of this  
18 Act).

19 (4) LANDSCAPE ASSESSMENT.—The term  
20 “landscape assessment” means an assessment of a  
21 landscape that—

22 (A) meets the requirements described in  
23 section 103(c)(1)(C);

24 (B) does not constitute a decision docu-  
25 ment or final agency action requiring a separate

1 analysis under the National Environmental Pol-  
2 icy Act of 1969 (42 U.S.C. 4321 et seq.); and

3 (C) may be presented—

4 (i) in a separate analysis;

5 (ii) within 1 or more broader analyses,  
6 including analyses under the National En-  
7 vironmental Policy Act of 1969 (42 U.S.C.  
8 4321 et seq.); or

9 (iii) through a combination of the  
10 analyses described in clauses (i) and (ii).

11 (5) RESTORE.—The term “restore” has the  
12 meaning given the term in section 219.19 of title 36,  
13 Code of Federal Regulations (as in effect on the  
14 date of enactment of this Act).

15 (6) SECRETARY.—The term “Secretary” means  
16 the Secretary of Agriculture.

17 (7) WILDLAND-URBAN INTERFACE.—The term  
18 “wildland-urban interface” has the meaning given  
19 the term in section 101 of the Healthy Forests Res-  
20 toration Act of 2003 (16 U.S.C. 6511).

21 **SEC. 102. PURPOSE.**

22 The purpose of this title is to increase the pace and  
23 scale of forest restoration and reduction in the risk of  
24 uncharacteristic wildfire through—

1           (1) authorizing a pilot program with conserva-  
2           tion finance agreement authority to leverage other  
3           Federal and non-Federal investment (excluding  
4           funds appropriated to the Forest Service) in land-  
5           scape-scale forest restoration and related natural  
6           and built infrastructure, equipment, and job train-  
7           ing;

8           (2) project planning and analysis practices that  
9           effectively scale up to the landscape level of 100,000  
10          acres or more;

11          (3) requiring ecological standards and collabora-  
12          tion for landscape-scale projects; and

13          (4) coordination with Federal, State, local, and  
14          Tribal agencies to expand personnel options to sup-  
15          port the pilot program described in paragraph (1) by  
16          taking advantage of interorganizational support.

17 **SEC. 103. SELECTION AND IMPLEMENTATION OF LAND-**  
18                   **SCAPE-SCALE FOREST RESTORATION**  
19                   **PROJECTS.**

20          (a) IN GENERAL.—The Secretary shall select, in ac-  
21          cordance with this section, landscape-scale forest restora-  
22          tion projects—

23           (1) to implement on National Forest System  
24          land; and

1           (2) if applicable, to implement on land adjoin-  
2           ing National Forest System land, in coordination  
3           with other Federal and non-Federal entities.

4           (b) INITIAL PHASE.—During the 5-year period begin-  
5           ning on the date of enactment of this Act, subject to the  
6           availability of appropriations pursuant to section 107(a),  
7           the Secretary shall select not more than 20 landscape-  
8           scale forest restoration projects under subsection (a).

9           (c) ELIGIBILITY REQUIREMENTS.—

10           (1) IN GENERAL.—Subject to paragraph (2), to  
11           be eligible for selection and implementation under  
12           subsection (a), a landscape-scale forest restoration  
13           project shall satisfy the following requirements:

14           (A) The purposes and needs for the project  
15           shall be—

16           (i) to restore the ecological integrity  
17           and ecological resilience of terrestrial and  
18           aquatic areas that have departed from ref-  
19           erence conditions within the forest land-  
20           scape;

21           (ii) to restore appropriate natural fire  
22           regimes, including by reducing fuel loads  
23           and modifying forest structure in areas  
24           that have departed from reference condi-

1 tions, taking into account the current and  
2 projected impacts of climate change; and

3 (iii) to conduct wildfire risk reduction  
4 activities within the wildland-urban inter-  
5 face to the extent that the project includes  
6 lands within the wildland-urban interface.

7 (B) The project shall be developed and  
8 supported by a collaborative group that—

9 (i) includes multiple interested per-  
10 sons representing diverse interests;

11 (ii) is transparent and inclusive; and

12 (iii) has sufficient expertise, capacity,  
13 and scientific support to effectively plan,  
14 implement, and monitor landscape-level,  
15 ecologically based forest restoration activi-  
16 ties.

17 (C) The project shall be based on a land-  
18 scape assessment that shall—

19 (i) cover a landscape of—

20 (I) except as provided in sub-  
21 clauses (II) and (III), not less than  
22 100,000 acres;

23 (II) in such limited cases as the  
24 Secretary determines to be appro-  
25 priate, not less than 80,000 acres if—

1 (aa) the assessment is com-  
2 pleted or substantially completed  
3 as of the date of enactment of  
4 this Act; and

5 (bb) in the determination of  
6 the Secretary, assessing a larger  
7 area is not necessary to restore  
8 the integrity, resilience, and fire  
9 regimes of the landscape; or

10 (III) not less than 50,000 acres  
11 in the case of a project that is carried  
12 out east of the 100th meridian;

13 (ii) evaluate ecological integrity and  
14 determine reference conditions for the  
15 landscape;

16 (iii) identify terrestrial and aquatic  
17 areas within the landscape that have de-  
18 parted from reference conditions;

19 (iv) identify criteria to determine ap-  
20 propriate restoration treatments within de-  
21 graded areas of the landscape to achieve  
22 reference conditions, including manage-  
23 ment prescriptions, mitigation measures,  
24 and constraints to be applied when car-  
25 rying out actions in those areas;



1 (v) be based on the best available sci-  
2 entific information and data, including,  
3 where applicable, high-resolution imagery,  
4 LiDAR, and similar technologies and infor-  
5 mation, and involve direct engagement by  
6 scientists; and

7 (vi) identify priority restoration strat-  
8 egies for terrestrial and aquatic areas, in-  
9 cluding prescribed fire and wildfires man-  
10 aged for multiple resource benefits, which  
11 shall focus on—

12 (I) areas that are the most de-  
13 parted from reference conditions; and

14 (II) areas that would benefit the  
15 most from reducing the risk of  
16 uncharacteristic wildfire, especially  
17 with respect to nearby communities,  
18 taking into account other completed,  
19 ongoing, and planned fuels-reduction  
20 projects.

21 (D) Restoration treatments under the  
22 project—

23 (i) shall emphasize the reintroduction  
24 of characteristic fire, based on forest ecol-  
25 ogy and reference conditions, through the

1 use of prescribed fire, wildfire managed for  
2 resource benefits, or both;

3 (ii) that involve any proposed mechan-  
4 ical treatments shall be designed to pro-  
5 mote—

6 (I) the restoration of reference  
7 conditions in areas that lack ecological  
8 integrity, especially the reduction of  
9 surface and ladder fuels; and

10 (II) the establishment of condi-  
11 tions that will facilitate prescribed fire  
12 or managed wildfire;

13 (iii) shall—

14 (I) fully maintain or contribute  
15 to the restoration of reference old for-  
16 est conditions, taking into account the  
17 current and projected impacts of cli-  
18 mate change; and

19 (II) protect or increase the num-  
20 ber and distribution of large old trees,  
21 consistent with reference conditions,  
22 excepting any de minimis losses of  
23 large old trees from prescribed fire or  
24 hazardous tree removal; and

1 (iv) that involve prescribed fire shall  
2 provide advance notification, in accordance  
3 with notification procedures developed by  
4 the Secretary, to the owner or operator of  
5 critical infrastructure, such as a power line  
6 right-of-way, of any prescribed fire treat-  
7 ments within close proximity to the infra-  
8 structure.

9 (E) The project shall be consistent with all  
10 applicable environmental laws, including—

11 (i) the National Environmental Policy  
12 Act of 1969 (42 U.S.C. 4321 et seq.);

13 (ii) the Endangered Species Act of  
14 1973 (16 U.S.C. 1531 et seq.); and

15 (iii) the Forest and Rangeland Renew-  
16 able Resources Planning Act of 1974 (16  
17 U.S.C. 1600 et seq.).

18 (F) The project shall be consistent with  
19 the Roadless Area Conservation Rule estab-  
20 lished under part 294 of title 36, Code of Fed-  
21 eral Regulations (or successor regulations), and  
22 the final rule and record of decision of the For-  
23 est Service entitled “Special Areas; Roadless  
24 Area Conservation” (66 Fed. Reg. 3244 (Janu-  
25 ary 12, 2001)) (or a successor rule).

1 (G) The project shall require multiparty  
2 monitoring, including opportunities for public  
3 engagement, and an adaptive management ap-  
4 proach that—

5 (i) conditions the future implementa-  
6 tion of the project on the satisfactory com-  
7 pletion of—

8 (I) priority restoration actions;

9 and

10 (II) required monitoring;

11 (ii) validates conditions projected to  
12 occur in the environmental analysis for the  
13 project; and

14 (iii) requires modifications to the  
15 project if monitoring reveals impacts be-  
16 yond the anticipated impacts of the  
17 project.

18 (H)(i) No new permanent road may be  
19 built as part of the project.

20 (ii) Any new temporary roads needed to  
21 implement the project shall be decommissioned  
22 not later than 3 years after completion of the  
23 project.

24 (I) The project shall use an efficient ap-  
25 proach to landscape-scale analysis and decision-

1 making that is consistent with the National En-  
2 vironmental Policy Act of 1969 (42 U.S.C.  
3 4321 et seq.), which may include—

4 (i) the preparation of a single environ-  
5 mental impact statement or environmental  
6 assessment, as applicable, for the entire  
7 project, incorporating the landscape assess-  
8 ment described in subparagraph (C);

9 (ii) the use of, as applicable—

10 (I) multiple records of decision to  
11 implement a single environmental im-  
12 pact statement; or

13 (II) multiple decision notices to  
14 implement a single environmental as-  
15 sessment;

16 (iii) the preparation of a pro-  
17 grammatic environmental impact state-  
18 ment or environmental assessment, as ap-  
19 plicable, for the entire project, incor-  
20 porating the landscape assessment de-  
21 scribed in subparagraph (C), followed by  
22 focused, concise, and site-specific—

23 (I) environmental assessments; or

24 (II) categorical exclusions con-  
25 sistent with the National Environ-

1                   mental Policy Act of 1969 (42 U.S.C.  
2                   4321 et seq.); or

3                   (iv) the use of the landscape assess-  
4                   ment described in subparagraph (C),  
5                   through incorporation by reference and  
6                   similar approaches, to support focused,  
7                   concise, and site-specific—

8                   (I) environmental assessments; or

9                   (II) categorical exclusions con-  
10                  sistent with the National Environ-  
11                  mental Policy Act of 1969 (42 U.S.C.  
12                  4321 et seq.).

13               (2) EXCEPTION.—If the Secretary determines  
14               that there are an insufficient number of projects  
15               that fully comply with the requirements described in  
16               paragraph (1) to implement based on all available  
17               funding, then the Secretary may, during the 2-year  
18               period beginning on the date of enactment of this  
19               Act, select under subsection (a) not more than a  
20               total of 5 landscape-scale forest restoration projects  
21               to implement that do not fully comply with those re-  
22               quirements if the projects—

23                   (A) fully comply with the requirements de-  
24                   scribed in subparagraphs (B), (D), (E), (F),  
25                   (G), (H), and (I) of that paragraph;

1           (B) in the determination of the Secretary,  
2           have purposes and needs that are consistent  
3           with the purposes and needs described in sub-  
4           paragraph (A) of that paragraph; and

5           (C) are supported by landscape assess-  
6           ments that are substantially (if not completely)  
7           consistent with the requirements described in  
8           subparagraph (C) of that paragraph, subject to  
9           the condition that the applicable landscape as-  
10          sessments fully comply with the requirements  
11          described in clauses (i) and (v) of that subpara-  
12          graph.

13          (d) EVALUATION OF ELIGIBLE PROJECTS.—

14           (1) IN GENERAL.—In determining which land-  
15           scape-scale forest restoration projects to select under  
16           subsection (a), the Secretary shall consider—

17                   (A) the criteria described in paragraph (2);

18                   (B) the extent to which the project utilizes  
19           the approaches to project implementation de-  
20           scribed in paragraph (3); and

21                   (C) the recommendations of the advisory  
22           panel established under subsection (e).

23           (2) CRITERIA.—The criteria referred to in  
24           paragraph (1)(A) are—

1 (A) the demonstrated need, based on the  
2 best available science, to restore ecological in-  
3 tegrity to degraded or departed areas within the  
4 landscape covered by the project, taking into  
5 account the current and projected impacts of  
6 climate change;

7 (B)(i) the importance of watersheds in the  
8 area covered by the project for downstream  
9 waters supply; and

10 (ii) the opportunity to improve the ecologi-  
11 cal integrity and ecological conditions of those  
12 watersheds and reduce risks to water resources  
13 through landscape-scale forest restoration;

14 (C)(i) the potential extent of cost sharing  
15 for the development and implementation of the  
16 project from diverse sources, such as State or  
17 local governments, water or electric utilities,  
18 carbon credits, or private entities; and

19 (ii) the proportion of the non-Federal cost  
20 share that is in the form of cash contributions;

21 (D) whether the area covered by the  
22 project has high-resolution, remote-sensing data  
23 and other information available that enables a  
24 landscape assessment and a robust analysis and



1 disclosure of the effects and outcomes of imple-  
2 menting restoration activities;

3 (E) whether the project is using, or will  
4 use, innovative approaches to completing re-  
5 source surveys that are less costly and less  
6 time-consuming than usual practices while pro-  
7 viding the information necessary for project de-  
8 sign and analysis;

9 (F) whether the project will reduce the  
10 number of miles of permanent roads on Na-  
11 tional Forest System land that are not nec-  
12 essary for resource management or recreational  
13 access;

14 (G) whether the project will assess or  
15 quantify the ecosystem service benefits of forest  
16 restoration within the landscape covered by the  
17 project, such as water, carbon, biodiversity, fire  
18 risk reduction, public health, and community  
19 safety;

20 (H) whether the project has the potential  
21 to support new or existing wood processing in-  
22 frastructure that can make economic use of the  
23 byproducts of forest restoration;

24 (I) whether the project has the potential to  
25 support local employment and investment op-

1           portunities, particularly in economically dis-  
2           advantaged communities;

3           (J) the scale of the landscape assessment  
4           for the project, with a preference for projects  
5           for which the landscape assessment covers a  
6           larger area; and

7           (K) whether the project—

8           (i) strives to restore ecological integ-  
9           rity and ecological conditions within areas  
10          across land ownerships, including State  
11          and private land; and

12          (ii) will reduce the risk of  
13          uncharacteristic wildfire, and, to the extent  
14          practicable, restore ecological integrity,  
15          within the wildland-urban interface.

16          (3)    APPROACHES    TO    LANDSCAPE-SCALE  
17          PROJECT IMPLEMENTATION.—A landscape-scale res-  
18          toration project carried out under this section may  
19          use 1 or both of the following approaches to project  
20          implementation:

21                (A)    CONSERVATION    FINANCE    AGREE-  
22                MENTS.—The Secretary may enter into a con-  
23                servation finance agreement under the pilot  
24                program established under section 104(a) to  
25                carry out the project for the purpose of facili-

1 tating private, other non-Federal, and other  
2 Federal investment (excluding the investment of  
3 any other amounts appropriated to the Forest  
4 Service)—

5 (i) to increase the pace and scale of  
6 forest restoration at the landscape level;

7 (ii) to support the use of prescribed  
8 fire at a greater scale; or

9 (iii) to make greater economic use of  
10 the byproducts of forest restoration to re-  
11 duce the net cost of forest restoration.

12 (B) INTERAGENCY PERSONNEL COLLABO-  
13 RATION.—The Secretary may coordinate with  
14 Federal, State, local, and Tribal agencies to ex-  
15 pand personnel options to support the project  
16 by using authorities such as—

17 (i) the good neighbor authority under  
18 section 8206 of the Agricultural Act of  
19 2014 (16 U.S.C. 2113a);

20 (ii) sections 3371 through 3376 of  
21 title 5, United States Code (commonly re-  
22 ferred to as the “Intergovernmental Per-  
23 sonnel Act”); and

24 (iii) part 334 of title 5, Code of Fed-  
25 eral Regulations (or successor regulations).

1 (e) ADVISORY PANEL.—

2 (1) IN GENERAL.—The Secretary shall establish  
3 and maintain an advisory panel composed of not  
4 more than 15 members to evaluate, and provide rec-  
5 ommendations on—

6 (A) each landscape-scale forest restoration  
7 project that the Secretary is reviewing for po-  
8 tential selection under subsection (a); and

9 (B) proposals for planning and developing  
10 landscape-scale forest restoration projects that  
11 the Secretary is reviewing for potential funding  
12 under section 107(a)(1).

13 (2) REPRESENTATION.—The Secretary shall en-  
14 sure that the membership of the advisory panel es-  
15 tablished under paragraph (1) is fairly balanced in  
16 terms of the points of view represented and the  
17 functions to be performed by the advisory panel.

18 (3) INCLUSION.—The advisory panel estab-  
19 lished under paragraph (1) shall include experts in  
20 ecological forest restoration, fire ecology, fire man-  
21 agement, rural economic and workforce development,  
22 strategies for ecological adaptation to climate  
23 change, fish and wildlife ecology, and woody biomass  
24 and small-diameter tree utilization.

1           (4) EXEMPTION.—The advisory panel estab-  
2           lished under paragraph (1) shall be exempt from the  
3           Federal Advisory Committee Act (5 U.S.C. App.).

4 **SEC. 104. CONSERVATION FINANCE AGREEMENTS.**

5           (a) PILOT PROGRAM AUTHORITY.—The Secretary  
6           shall establish a pilot program under which the Secretary  
7           may enter into a conservation finance agreement with a  
8           public or private person, including a for-profit or nonprofit  
9           organization, to plan, implement, and monitor a land-  
10          scape-scale forest restoration project selected by the Sec-  
11          retary under section 103(a) if the Secretary finds each of  
12          the following:

13           (1) There is a reasonable expectation that,  
14           throughout the contemplated agreement period, the  
15           Secretary will request funding for the agreement at  
16           the level required to avoid agreement cancellation.

17           (2) The environmental analysis for the project  
18           demonstrates that there is a sufficient supply of  
19           small-diameter material to support a long-term  
20           agreement consistent with the landscape assessment  
21           and all applicable environmental laws.

22           (3) The use of the conservation finance agree-  
23           ment will, in the area of the applicable landscape-  
24           scale forest restoration project, assist in achieving  
25           the purpose described in section 102.

1           (4) The project involves an entity that dem-  
2           onstrates experience in—

3                   (A) developing and implementing conserva-  
4                   tion finance public-private partnerships; and

5                   (B) raising capital commitments from  
6                   concessional and market rate investors or other  
7                   external financing.

8           (b) LIMITED DELEGATION.—The Secretary may not  
9           delegate the pilot program authority under subsection (a)  
10          to a Federal official that serves under the Chief of the  
11          Forest Service.

12          (c) LIMITATIONS.—The pilot program authority  
13          under subsection (a)—

14                   (1) may be used for the obligation under con-  
15                   servation finance agreements of not more than—

16                           (A) \$250,000,000 in the aggregate; and

17                           (B) \$50,000,000 for any 1 landscape-scale  
18                   forest restoration project; and

19                   (2) may not be used to pay interest to any  
20                   other entity providing funds for the applicable land-  
21                   scape-scale forest restoration project.

22          (d) CANCELLATION, TERMINATION, OR MODIFICA-  
23          TION FOR INSUFFICIENT FUNDING.—

24                   (1) IN GENERAL.—

1 (A) INSUFFICIENT FUNDING.—If funds are  
2 not made available for the continuation of a  
3 conservation finance agreement made under  
4 this section into a subsequent fiscal year, the  
5 agreement shall be canceled, terminated, or  
6 modified.

7 (B) PAYMENT OF COSTS.—If the Secretary  
8 determines that it is necessary to cancel or ter-  
9 minate a conservation finance agreement pursu-  
10 ant to subparagraph (A), and the conservation  
11 finance agreement includes a cancellation provi-  
12 sion described in paragraph (2)(A), the Sec-  
13 retary may pay the costs of that cancellation or  
14 termination using any of the following amounts:

15 (i) Appropriations originally available  
16 for the performance of the applicable con-  
17 servation finance agreement.

18 (ii) Appropriations currently available  
19 for the type of services concerned under  
20 the applicable conservation finance agree-  
21 ment, and not otherwise obligated.

22 (iii) Funds appropriated for payments  
23 for those costs of cancellation or termi-  
24 nation.

25 (2) PROVISIONS IN AGREEMENTS.—

1           (A) IN GENERAL.—The Secretary may  
2 provide for cancellation provisions in conserva-  
3 tion finance agreements under this section to  
4 the extent that those provisions are necessary  
5 and in the best interests of the United States.

6           (B) CONSIDERATIONS.—The cancellation  
7 provisions described in subparagraph (A) may  
8 include consideration of the recurring and non-  
9 recurring costs of the partner under the appli-  
10 cable conservation finance agreement.

11       (3) CANCELLATION CEILINGS.—

12           (A) IN GENERAL.—The Secretary may ob-  
13 ligate funds in stages that are economically or  
14 programmatically viable to cover any potential  
15 cancellation or termination costs for a conserva-  
16 tion finance agreement under paragraph (1)(B)  
17 and implement the agreement pursuant to this  
18 section.

19           (B) ADVANCE NOTICE TO CONGRESS OF  
20 CANCELLATION CEILING IN EXCESS OF  
21 \$25,000,000.—Not later than 30 days before en-  
22 tering into a conservation finance agreement  
23 under this section that includes a cancellation  
24 ceiling in excess of \$25,000,000, but does not  
25 include proposed funding for the costs of can-



1           celling the agreement up to that cancellation  
2           ceiling, the Secretary shall submit to the Com-  
3           mittee on Energy and Natural Resources and  
4           the Committee on Agriculture, Nutrition, and  
5           Forestry of the Senate and the Committee on  
6           Natural Resources and the Committee on Agri-  
7           culture of the House of Representatives a writ-  
8           ten notice that includes—

9                   (i) a description of the cancellation  
10                   ceiling amounts proposed for each program  
11                   year in the agreement;

12                   (ii) the reasons why the cancellation  
13                   ceiling amounts described under clause (i)  
14                   were selected;

15                   (iii) a description of the extent to  
16                   which the costs of agreement cancellation  
17                   are not included in the budget for the  
18                   agreement; and

19                   (iv) an assessment of the financial  
20                   risk of not including budgeting for the  
21                   costs of agreement cancellation.

22           (C) TRANSMITTAL OF NOTICE TO OMB.—

23           Not later than 14 days after the date on which  
24           written notice is provided under subparagraph  
25           (B), the Secretary shall transmit a copy of the

1 notice to the Director of the Office of Manage-  
2 ment and Budget.

3 (D) RELATIONSHIP OF CANCELLATION  
4 CEILING TO CONSERVATION FINANCE AGREE-  
5 MENT.—The Secretary may enter into a con-  
6 servation finance agreement pursuant to this  
7 section that includes partner services in return  
8 for payments by the Secretary in future years  
9 that are contingent on the appropriation of  
10 funds, subject to the requirement that the Sec-  
11 retary shall pay the partner cancellation costs  
12 pursuant to paragraph (1)(B) up to the can-  
13 cellation ceiling applicable to the agreement if  
14 funding for the completion of the agreement is  
15 not appropriated.

16 **SEC. 105. ADMINISTRATION.**

17 (a) GUIDANCE.—Not later than 1 year after the date  
18 of enactment of this Act, the Secretary shall issue guid-  
19 ance on the implementation of this title.

20 (b) IMPLEMENTATION.—A landscape-scale forest res-  
21 toration project under this title shall be implemented con-  
22 sistent with—

23 (1) the requirements for the project described  
24 in section 103(c); and

1           (2) all project commitments described in the 1  
2           or more decisions or decision notices relating to the  
3           project.

4 **SEC. 106. REPORT EVALUATING IMPLEMENTATION.**

5           (a) IN GENERAL.—Not later than 4 years after the  
6           date of enactment of this Act, the Secretary shall submit  
7           to the Committee on Natural Resources and the Com-  
8           mittee on Appropriations of the House of Representatives  
9           and the Committee on Energy and Natural Resources and  
10          the Committee on Appropriations of the Senate a report  
11          evaluating the implementation of this title, including—

12           (1) a list of the landscape-scale forest restora-  
13          tion projects selected under section 103(a) and the  
14          accomplishments under those projects;

15           (2) an evaluation of the approaches to project  
16          planning and implementation described in section  
17          103(d)(3) based on the experience of the implemen-  
18          tation of those approaches in the projects described  
19          in paragraph (1); and

20           (3) an evaluation of the pilot authority for con-  
21          servation finance agreements described in section  
22          104, including whether that authority has—

23           (A) increased the availability of non-Fed-  
24          eral funding sources to assist in landscape-scale  
25          forest restoration projects; and

1 (B) promoted private or other non-Federal  
2 investment in—

3 (i) new or existing infrastructure and  
4 related equipment that can make use of  
5 the byproducts of forest restoration;

6 (ii) the use of prescribed fire at a  
7 greater scale;

8 (iii) related economic development and  
9 workforce training and development;

10 (iv) land management activities en-  
11 hancing natural infrastructure with bene-  
12 fits for downstream water users; or

13 (v) mitigating the risk of  
14 uncharacteristic wildfire.

15 (b) CONSULTATION.—In preparing the report under  
16 subsection (a), the Secretary shall consult with the advi-  
17 sory panel established under section 103(e).

18 **SEC. 107. FUNDING.**

19 (a) AUTHORIZATION OF APPROPRIATIONS.—There is  
20 authorized to be appropriated to the Secretary  
21 \$250,000,000 for the period of fiscal years 2022 through  
22 2026, to remain available until expended—

23 (1) to plan and develop potential landscape-  
24 scale forest restoration projects under this title that

1 the Secretary and a collaborative group described in  
2 section 103(c)(1)(B) shall design—

3 (A) to meet the requirements of section  
4 103(c); and

5 (B) to satisfy the criteria described in sec-  
6 tion 103(d)(2), to the maximum extent prac-  
7 ticable; and

8 (2) to implement landscape-scale forest restora-  
9 tion projects selected under section 103.

10 (b) SOURCES OF FUNDING.—Landscape-scale forest  
11 restoration projects under this Act may be carried out  
12 using—

13 (1) amounts appropriated under subsection (a);

14 (2) other sources of Forest Service funding;

15 (3) other sources of Federal funding;

16 (4) non-Federal funding sources; or

17 (5) any combination of the amounts described  
18 in paragraphs (1) through (4).

19 (c) COST-SHARE.—

20 (1) FEDERAL SHARE.—

21 (A) PLANNING AND DEVELOPMENT.—The  
22 Federal share of the cost of planning and devel-  
23 oping a potential landscape-scale forest restora-  
24 tion project under this title shall not exceed 75  
25 percent.

1 (B) IMPLEMENTATION AND MONI-  
2 TORING.—The Federal share of the cost of car-  
3 rying out and monitoring each landscape-scale  
4 forest restoration project on National Forest  
5 System land under this title shall not exceed 60  
6 percent.

7 (2) FORM OF NON-FEDERAL SHARE.—The non-  
8 Federal share of the cost of a project carried out  
9 using funds made available pursuant to this title  
10 may include in-kind contributions.

11 (d) ADAPTIVE MANAGEMENT.—Not less than 5 per-  
12 cent of the amount made available for each landscape-  
13 scale forest restoration project under this title shall be  
14 used for monitoring and adaptive management in the ap-  
15 plicable landscape.

16 (e) STEWARDSHIP CONTRACTING.—In the case of a  
17 landscape-scale forest restoration project under this title  
18 that is covered by an agreement or a contract under sec-  
19 tion 604 of the Healthy Forests Restoration Act of 2003  
20 (16 U.S.C. 6591c), the Secretary may use monies retained  
21 by the Secretary under subsection (e)(2)(A) of that section  
22 to plan, analyze, and implement landscape-scale forest res-  
23 toration projects within the area covered by that agree-  
24 ment or contract consistent with this title.

1 (f) ADMINISTRATIVE COSTS.—Not more than 5 per-  
2 cent of any amounts appropriated to carry out this title  
3 may be used for administrative management and program  
4 oversight.

5 **TITLE II—INCREASING COMMU-**  
6 **NITY RESILIENCE TO WILD-**  
7 **FIRE**

8 **SEC. 201. CRITICAL INFRASTRUCTURE AND MICROGRID**  
9 **PROGRAM.**

10 (a) DEFINITIONS.—In this section:

11 (1) CRITICAL FACILITY.—

12 (A) IN GENERAL.—The term “critical fa-  
13 cility” means a facility that provides services or  
14 may be used—

15 (i) to save lives;

16 (ii) to protect property, public health,  
17 and public safety; or

18 (iii) to lessen or avert the threat of a  
19 catastrophe.

20 (B) INCLUSIONS.—The term “critical facil-  
21 ity” includes—

22 (i) a hospital;

23 (ii) an outpatient clinic;

24 (iii) a nursing home;

25 (iv) a police station;

- 1 (v) an emergency operation center;
- 2 (vi) a jail or prison;
- 3 (vii) a fire station;
- 4 (viii) a facility in the communications  
5 sector, as determined by the Secretary;
- 6 (ix) a facility in the chemical sector,  
7 as determined by the Secretary;
- 8 (x) a school or other large building  
9 that may serve as a temporary gathering  
10 space;
- 11 (xi) a utility station, such as a water  
12 and wastewater station;
- 13 (xii) a facility described in subpara-  
14 graph (A) that is owned or operated by, or  
15 provides services to, an Indian Tribe (as  
16 defined in section 4 of the Indian Self-De-  
17 termination and Education Assistance Act  
18 (25 U.S.C. 5304));
- 19 (xiii) a Federal facility, including a  
20 military base or installation; and
- 21 (xiv) any other facility described in  
22 subparagraph (A), as determined by the  
23 Secretary.

24 (2) SECRETARY.—The term “Secretary” means  
25 the Secretary of Energy.



1 (b) CRITICAL INFRASTRUCTURE AND MICROGRID  
2 PROGRAM.—

3 (1) IN GENERAL.—The Secretary shall establish  
4 a program—

5 (A) to improve the energy resilience and  
6 power needs of critical facilities through the use  
7 of microgrids, renewable energy, energy effi-  
8 ciency, reduced electricity demand, and on-site  
9 storage;

10 (B) to improve the energy efficiency of  
11 critical facilities by decreasing the size and cost  
12 of generators;

13 (C) to provide technical assistance and fa-  
14 cilitate the distribution and sharing of informa-  
15 tion to develop more resilient electricity systems  
16 (including bulk systems and localized systems);  
17 and

18 (D) to promulgate consumer-facing infor-  
19 mation and resources to inform the public on  
20 best practices and resources related to increas-  
21 ing resilience of electricity systems and reducing  
22 the impacts of extreme weather events on elec-  
23 tricity systems.

1           (2) REQUIREMENTS.—In carrying out the pro-  
2           gram established under paragraph (1), the Secretary  
3           shall ensure, with respect to critical facilities—

4                   (A) provision of on-site back-up power with  
5                   renewable resources, low-carbon liquid fuels,  
6                   and on-site energy storage technologies; and

7                   (B) installation, at the transmission and  
8                   distribution level, of interoperable technologies,  
9                   advanced power flow control, dynamic line rat-  
10                  ing, topology optimization, and communications  
11                  systems.

12          (3) INTERESTED PARTY INPUT.—In estab-  
13          lishing the program under paragraph (1), the Sec-  
14          retary shall seek the input of State energy regu-  
15          lators, electric utilities (as defined in section 3 of the  
16          Federal Power Act (16 U.S.C. 796)), regional trans-  
17          mission organizations and independent system oper-  
18          ators, electric utility customers and ratepayer orga-  
19          nizations, local governments, community choice  
20          aggregators or regional energy collaboratives, and  
21          other interested parties.

22          (c) AUTHORIZATION OF APPROPRIATIONS.—

23                  (1) IN GENERAL.—There is authorized to be  
24                  appropriated to the Secretary \$100,000,000 to carry  
25                  out this section, to remain available until expended.

1           (2) ADMINISTRATIVE COSTS.—Of the amount  
2           used to carry out this section, not more than 10 per-  
3           cent shall be used for salaries and expenses, admin-  
4           istrative management, and oversight of the program  
5           established under subsection (b)(1).

6 **SEC. 202. RETROFITS FOR FIRE-RESILIENT COMMUNITIES.**

7           (a) DEFINITION OF WEATHERIZATION MATE-  
8           RIALS.—Section 412(9) of the Energy Conservation and  
9           Production Act (42 U.S.C. 6862(9)) is amended—

10           (1) in subparagraph (I), by striking “and” at  
11           the end;

12           (2) by redesignating subparagraph (J) as sub-  
13           paragraph (K); and

14           (3) by inserting after subparagraph (I) the fol-  
15           lowing:

16                   “(J) materials that are resistant to high  
17                   heat and fire; and”.

18           (b) WEATHERIZATION PROGRAM.—

19           (1) IN GENERAL.—Section 413(b)(6) of the En-  
20           ergy Conservation and Production Act (42 U.S.C.  
21           6863(b)(6)) is amended—

22                   (A) in subparagraph (C), by striking  
23                   “and” at the end;

24                   (B) in subparagraph (D), by striking the  
25                   period at the end and inserting “; and”; and

1 (C) by adding at the end the following:

2 “(E) owners of such dwelling units shall  
3 use fire- and drought-resistant building mate-  
4 rials and incorporate wildfire and drought pre-  
5 vention and mitigation planning, as directed by  
6 the State.”.

7 (2) LIMITATIONS.—Section 415(c) of the En-  
8 ergy Conservation and Production Act (42 U.S.C.  
9 6865(c)) is amended—

10 (A) in paragraph (1)—

11 (i) by redesignating subparagraphs  
12 (A) through (E) as clauses (i) through (v),  
13 respectively, and indenting appropriately;

14 (ii) in the matter preceding clause (i)  
15 (as so redesignated), in the second sen-  
16 tence, by striking “Labor” and all that fol-  
17 lows through “to—” and inserting the fol-  
18 lowing:

19 “(B) LABOR AND WEATHERIZATION MATE-  
20 RIALS.—Labor, weatherization materials, and  
21 related matter described in subparagraph (A)  
22 includes—”;

23 (iii) by striking “(c)(1) Except” and  
24 inserting the following:

25 “(c) FINANCIAL ASSISTANCE.—

1                   “(1) AVERAGE COST.—  
2                    “(A) IN GENERAL.—Except”;  
3                    (iv) in subparagraph (A) (as so des-  
4                    ignated)—  
5                    (I) by striking “exceed an aver-  
6                    age of \$6,500” and inserting the fol-  
7                    lowing: “exceed—  
8                    “(i) an average of \$13,000 (adjusted  
9                    annually for inflation)”;  
10                   (II) in clause (i) (as so des-  
11                    ignated), by striking the period at the  
12                    end and inserting “; or”; and  
13                    (III) by adding at the end the  
14                    following:  
15                    “(ii) another average amount that is  
16                    greater than the amount described in  
17                    clause (i), if the Secretary determines it  
18                    necessary to waive or adjust the average  
19                    amount established under that clause.”;  
20                    and  
21                    (v) in subparagraph (B) (as so des-  
22                    ignated)—  
23                    (I) in clause (iv) (as so redesign-  
24                    ated), by striking “, and” and insert-  
25                    ing “; and”; and

1 (II) in clause (v) (as so redesignig-  
2 nated), by adding a period at the end;  
3 and

4 (B) in paragraph (4), by striking “\$3,000”  
5 and inserting “\$6,000 (adjusted annually for  
6 inflation)”.

7 **SEC. 203. HAZARD MITIGATION USING DISASTER ASSIST-**  
8 **ANCE.**

9 Section 404(f)(12) of the Robert T. Stafford Disaster  
10 Relief and Emergency Assistance Act (42 U.S.C.  
11 5170c(f)(12)) is amended—

12 (1) by inserting “and wildfire” after “wind-  
13 storm”;

14 (2) by striking “including replacing” and in-  
15 serting the following: “including—

16 “(A) replacing”;

17 (3) in subparagraph (A) (as so designated)—

18 (A) by inserting “, wildfire,” after “ex-  
19 treme wind”; and

20 (B) by adding “and” after the semicolon  
21 at the end; and

22 (4) by adding at the end the following:

23 “(B) the installation of fire-resistant wires  
24 and infrastructure and the undergrounding of  
25 wires;”.

1 **SEC. 204. WILDFIRE DETECTION EQUIPMENT.**

2 (a) IN GENERAL.—Title VI of the Healthy Forests  
3 Restoration Act of 2003 (16 U.S.C. 6591 et seq.) is  
4 amended by adding at the end the following:

5 **“SEC. 607. WILDFIRE DETECTION EQUIPMENT.**

6 “To the extent practicable, the Secretary of Agri-  
7 culture and the Secretary of the Interior shall—

8 “(1) expedite the placement of wildfire detec-  
9 tion equipment, such as sensors, cameras, and other  
10 relevant equipment, in areas at risk of wildfire;

11 “(2) expand the use of satellite data to assist  
12 wildfire response; and

13 “(3) expedite any permitting required by the  
14 Secretary of Agriculture or the Secretary of the In-  
15 terior for the installation, maintenance, or removal  
16 of wildfire detection equipment.”.

17 (b) TECHNICAL AMENDMENT.—The table of contents  
18 for the Healthy Forests Restoration Act of 2003 (16  
19 U.S.C. 6501 note; Public Law 108–148) is amended by  
20 adding at the end of the items relating to title VI the fol-  
21 lowing:

“Sec. 607. Wildfire detection equipment.”.

1 **TITLE III—RESEARCH, TRAIN-**  
2 **ING, AND CAPACITY BUILD-**  
3 **ING**

4 **SEC. 301. WESTERN PRESCRIBED FIRE CENTERS.**

5 (a) IN GENERAL.—The Secretary of Agriculture and  
6 the Secretary of the Interior (referred to in this section  
7 as the “Secretaries”) shall establish 1 or more centers to  
8 train individuals in prescribed fire methods and other  
9 methods relevant to the mitigation of wildfire risk (re-  
10 ferred to in this section as a “center”).

11 (b) HOST INSTITUTIONS.—The 1 or more centers  
12 shall be—

13 (1) located at 1 or more institutions of higher  
14 education; or

15 (2) developed in collaboration with 1 or more  
16 institutions of higher education.

17 (c) GOALS.—The 1 or more centers shall advance the  
18 following goals:

19 (1) Training individuals and conducting re-  
20 search on prescribed fire methods and other restora-  
21 tion methods relevant to the mitigation of wildfire  
22 risk.

23 (2) Developing and advancing interdisciplinary  
24 science relating to wildfire, including social science



1 and human dimensions of wildfire, in consultation  
2 with stakeholders who—

3 (A) need that science;

4 (B) will benefit from the outcomes of that  
5 science; and

6 (C) will coordinate with 1 or more other  
7 centers in developing and advancing that  
8 science.

9 (3) Conducting ongoing and forward-looking  
10 needs assessments among stakeholders, including  
11 Federal and State agencies and Indian Tribes, to de-  
12 termine common need requirements and emerging  
13 challenges to reduce wildfire risk and adapt commu-  
14 nities to increased risk from wildfire, including the  
15 following hazard-related focus areas:

16 (A) Increasing disaster resilience.

17 (B) Mitigation and management methods.

18 (C) Air quality.

19 (D) Firestorm weather forecasting and  
20 burn-area debris flow forecasting, including em-  
21 pirical and modeling research.

22 (4) Collaborating with Federal wildfire sci-  
23 entists at the Forest Service, the Department of the  
24 Interior, and other related agencies.

1           (5) Identifying, through a detailed engagement  
2 process targeting defined end-users, the require-  
3 ments and delivery mechanisms for products and  
4 services that are practical and will have an impact  
5 on mitigating wildfire risk.

6           (6) Promoting technology transfer with path-  
7 ways for dissemination, implementation, and applica-  
8 tion of research results on the ground, using and en-  
9 hancing previous research.

10          (7) Ensuring the connectivity and interoper-  
11 ability of distributed services to maximize synergies  
12 and benefits across services.

13          (8) Developing open digital infrastructure to  
14 make research data, science, and models open for all  
15 sectors to use.

16 (d) LOCATION.—

17          (1) IN GENERAL.—The 1 or more centers shall  
18 be located in any State the entirety of which is lo-  
19 cated west of the 100th meridian.

20          (2) CONSULTATION.—The Secretaries shall con-  
21 sult with the Joint Fire Science Program to solicit  
22 and evaluate proposals for the location of the 1 or  
23 more centers.

24          (3) SELECTION.—Not later than 1 year after  
25 the date of enactment of this Act, based on the con-

1 sultation under paragraph (2), the Secretaries shall  
2 select a location for the 1 or more centers.

3 **SEC. 302. INNOVATIVE FOREST WORKFORCE DEVELOP-**  
4 **MENT PROGRAM.**

5 (a) DEFINITIONS.—In this section:

6 (1) CAREER IN FORESTRY AND FIRE MANAGE-  
7 MENT.—The term “career in forestry and fire man-  
8 agement” means a career in a field relating to for-  
9 ests and the restoration to the natural fire regimes  
10 of forests, including—

11 (A) in timber operations;

12 (B) as a registered professional forester;

13 (C) in vegetation treatment, including as a  
14 member of a hand crew, a machine operator,  
15 and in conducting prescribed fires as part of a  
16 fire restoration workforce that is capable of  
17 conducting large landscape restorative and  
18 maintenance prescribed fires;

19 (D) in ecological restoration, including res-  
20 toration of watersheds;

21 (E) in wildland fire fighting; and

22 (F) in community fire resilience, including  
23 workforce development projects.

24 (2) FORESTRY AND FIRE MANAGEMENT.—The  
25 term “forestry and fire management” includes the

1 areas of fields relating to forests described in sub-  
2 paragraphs (A) through (F) of paragraph (1).

3 (3) SECRETARY.—The term “Secretary” means  
4 the Secretary of Agriculture.

5 (b) GRANTS AUTHORIZED.—The Secretary shall es-  
6 tablish a competitive grant program—

7 (1) to assist in the development and utilization  
8 of innovative activities relating to workforce develop-  
9 ment in forestry and fire management and opportu-  
10 nities for careers in forestry and fire management;  
11 and

12 (2) to expand public awareness about forestry  
13 and fire management and connect individuals to ca-  
14 reers in forestry and fire management.

15 (c) SELECTION OF GRANT RECIPIENTS.—In award-  
16 ing grants under subsection (b), the Secretary shall, to  
17 the extent practicable, select nonprofit professional or  
18 service organizations, labor organizations, State agencies,  
19 community colleges, institutions of higher education, or  
20 other training and educational institutions—

21 (1) that have qualifications and experience—

22 (A) in the development of training pro-  
23 grams and curricula relevant to the workforce  
24 needs of forestry and fire management;

1 (B) working in cooperation with forestry  
2 and fire management; or

3 (C) developing public education materials  
4 appropriate for communicating with groups of  
5 various ages and educational backgrounds; and

6 (2) that will address the human resources and  
7 workforce needs of forestry and fire management.

8 (d) USE OF FUNDS.—Grants awarded under sub-  
9 section (b) may be used for activities such as—

10 (1) targeted internship, apprenticeship, pre-ap-  
11 prenticeship, and post-secondary bridge programs  
12 for skilled forestry and fire management trades that  
13 provide—

14 (A) on-the-job training;

15 (B) skills development;

16 (C) test preparation for skilled trade ap-  
17 prenticeships;

18 (D) advance training in forestry and fire  
19 management relating to jobs as forest  
20 restorationists, members of hand crews,  
21 wildland fire fighters, machine operators, li-  
22 censed timber operators, registered professional  
23 foresters, ecologists, biologists, or workers in  
24 construction in support of resilient infrastruc-  
25 ture, including residential buildings; or

1           (E) other support services to facilitate  
2           post-secondary success;

3           (2) education programs designed for elemen-  
4           tary, secondary, and higher education students  
5           that—

6           (A) inform people about the role of for-  
7           estry, vegetation management, and ecological  
8           restoration in the communities of those people;

9           (B) increase the awareness of opportunities  
10          for careers in forestry and fire management  
11          and exposure of students to those careers  
12          through various work-based learning opportuni-  
13          ties inside and outside the classroom; and

14          (C) connect students to pathways to ca-  
15          reers in forestry and fire management;

16          (3) the development of a model curriculum and  
17          related vocational programs to be adopted by com-  
18          munity colleges, which, to the extent practicable and  
19          feasible, shall—

20          (A) provide professional training in imple-  
21          menting prescribed fire projects, including the  
22          knowledge and skills necessary to plan and im-  
23          plement broad-scale surface and ladder fuel  
24          treatments within the wildland-urban interface,  
25          wildlands, and urbanized areas, as appropriate;

1 (B) include a focus on the ecological con-  
2 cerns, economics, and practices necessary to im-  
3 prove community safety and forest resilience;  
4 and

5 (C) train students in—

6 (i) the retrofitting of houses, including  
7 the use of fire-resistant materials and the  
8 maintenance of defensible space;

9 (ii) urban forestry; and

10 (iii) policies or guidance relating to  
11 the management of vegetation near utility  
12 infrastructure and relevant portions of  
13 electric utility wildfire mitigation plans;

14 (4) regional industry and workforce develop-  
15 ment collaborations, including the coordination of  
16 candidate development, particularly in areas of high  
17 unemployment;

18 (5) integrated learning laboratories in sec-  
19 ondary educational institutions that provide students  
20 with—

21 (A) hands-on, contextualized learning op-  
22 portunities;

23 (B) dual enrollment credit for post-sec-  
24 ondary education and training programs; and

1 (C) direct connection to industry or gov-  
2 ernment employers; and

3 (6) leadership development, occupational train-  
4 ing, mentoring, or cross-training programs that en-  
5 sure that workers are prepared for high-level super-  
6 visory or management-level positions.

7 (e) AUTHORIZATION OF APPROPRIATIONS.—There  
8 are authorized to be appropriated to the Secretary to carry  
9 out this section such sums as are necessary.

10 **SEC. 303. NATIONAL COMMUNITY CAPACITY AND LAND**  
11 **STEWARDSHIP GRANT PROGRAM.**

12 (a) DEFINITIONS.—In this section:

13 (1) COMMUNITY CAPACITY.—The term “com-  
14 munity capacity” means the ability of an eligible en-  
15 tity to carry out or assist in a land stewardship ac-  
16 tivity.

17 (2) DISADVANTAGED COMMUNITY.—The term  
18 “disadvantaged community” means—

19 (A) a low-income community (as defined in  
20 section 45D(e) of the Internal Revenue Code of  
21 1986); and

22 (B) a community that includes a signifi-  
23 cant population that has been systematically de-  
24 nied a full opportunity to participate in aspects  
25 of economic, social, and civic life based on a



1 particular characteristic, such as Black, Latino,  
2 Indigenous, and Native American persons,  
3 Asian Americans, Pacific Islanders, and other  
4 persons of color.

5 (3) ELIGIBLE ENTITY.—The term “eligible enti-  
6 ty” means any the following entities that is located  
7 in or represents a disadvantaged community:

8 (A) An organization described in section  
9 501(c) of the Internal Revenue Code of 1986  
10 and exempt from taxation under section 501(a)  
11 of that Code.

12 (B) A collaborative group fiscally spon-  
13 sored by an organization described in subpara-  
14 graph (A).

15 (C) A unit of local government.

16 (D) An Indian Tribe.

17 (E) A special district government, as de-  
18 fined by the Director of the Bureau of the Cen-  
19 sus.

20 (4) ECOLOGICAL INTEGRITY.—The term “eco-  
21 logical integrity” has the meaning given the term in  
22 section 219.19 of title 36, Code of Federal Regula-  
23 tions (as in effect on the date of enactment of this  
24 Act).

1           (5) INDIAN TRIBE.—The term “Indian Tribe”  
2           has the meaning given the term in section 4 of the  
3           Indian Self-Determination and Education Assistance  
4           Act (25 U.S.C. 5304).

5           (6) LAND STEWARDSHIP ACTIVITY.—The term  
6           “land stewardship activity” means any of the fol-  
7           lowing activities, as applied to a qualifying project:

8                   (A) Planning.

9                   (B) Collaboration and building community  
10                  support.

11                  (C) Implementation on land other than  
12                  National Forest System land.

13                  (D) Monitoring, including multiparty moni-  
14                  toring, and adaptive management.

15           (7) QUALIFYING PROJECT.—The term “quali-  
16           fying project” means any of the following activities  
17           that takes place at least in substantial part on Na-  
18           tional Forest System land or national grasslands:

19                   (A) Restoration of the ecological integrity  
20                   of a forest, meadow, grassland, prairie, or other  
21                   habitat.

22                   (B) Tribal management for aligned cul-  
23                   tural and ecological values.

24                   (C) Enhancing community wildfire resil-  
25                   ience in the wildland-urban interface.

1           (D) Increasing equitable access to environ-  
2           mental education and volunteerism opportuni-  
3           ties.

4           (8) RESTORATION.—The term “restoration”  
5           has the meaning given the term in section 219.19 of  
6           title 36, Code of Federal Regulations (as in effect on  
7           the date of enactment of this Act).

8           (9) SECRETARY.—The term “Secretary” means  
9           the Secretary of Agriculture, acting through—

10           (A) the regional offices of the State and  
11           Private Forestry Deputy Area of the Forest  
12           Service; and

13           (B) as appropriate, regional offices of  
14           other Deputy Areas of the Forest Service.

15           (b) PURPOSE.—The purpose of this section is to sup-  
16           port increasing community capacity, partnerships, and col-  
17           laborations within and involving disadvantaged commu-  
18           nities for land stewardship activities and restoration of ec-  
19           ological integrity on—

20           (1) National Forest System land;

21           (2) national grasslands; and

22           (3) adjacent private, State, and trust land asso-  
23           ciated with the health and resilience of land de-  
24           scribed in paragraphs (1) and (2).

25           (c) ADMINISTRATION.—

1           (1) IN GENERAL.—The Secretary may issue  
2 grants to eligible entities for increasing community  
3 capacity for land stewardship activities and related  
4 activities based on the criteria described in sub-  
5 section (d).

6           (2) FEDERAL COST-SHARE.—

7           (A) IN GENERAL.—The Secretary may  
8 fund up to 100 percent of the cost of land stew-  
9 ardship activities and related activities carried  
10 out using a grant issued under paragraph (1).

11           (B) MATCHING ELIGIBILITY.—A grant  
12 issued under this section may be considered a  
13 non-Federal matching contribution from the eli-  
14 gible entity that received the grant towards  
15 other sources of Federal funding.

16           (3) DURATION.—The Secretary may issue a  
17 grant under paragraph (1) for a period of 1 or more  
18 years.

19           (4) MAXIMUM GRANT AMOUNT.—The amount of  
20 a grant issued under paragraph (1) shall be not  
21 more than \$50,000 per year.

22           (5) APPLICABLE LAWS.—The Secretary shall  
23 administer grants under paragraph (1) in accord-  
24 ance with all applicable Federal and State laws.

25           (d) CRITERIA FOR AWARDED GRANTS.—

1           (1) IN GENERAL.—Subject to paragraph (2),  
2           the Secretary shall award grants to eligible entities  
3           under subsection (c)(1) on a competitive basis in ac-  
4           cordance with the following criteria:

5                   (A) The extent to which the proposed land  
6                   stewardship activities benefit units of the Na-  
7                   tional Forest System and national grasslands  
8                   over the short and long term.

9                   (B) The extent to which valuable ecologi-  
10                  cal, economic, and social benefits to disadvan-  
11                  taged communities, including job creation and  
12                  business development or retention, are likely to  
13                  result from the scope of the land stewardship  
14                  activities.

15                  (C) The extent to which the grant would  
16                  benefit disadvantaged communities that have  
17                  historically received less investment in collabo-  
18                  rative capacity.

19                  (D) The extent to which the proposal  
20                  brings together diverse interests through plan-  
21                  ning, collaboration, implementation, or moni-  
22                  toring of land stewardship activities to benefit  
23                  units of the National Forest System or national  
24                  grasslands.

1           (E) The extent to which the grant funds  
2           appear to be critical for the success of the eligi-  
3           ble entity and the identified land stewardship  
4           activities.

5           (F) The extent to which the budget for the  
6           land stewardship activities is reasonable given  
7           the anticipated outcomes.

8           (2) SET-ASIDE FOR INDIAN TRIBES.—The Sec-  
9           retary shall allocate not less than 10 percent of the  
10          funding awarded under this section to Indian Tribes  
11          or eligible entities representing Indian Tribes.

12          (e) ANNUAL REVIEWS.—

13           (1) IN GENERAL.—The Secretary shall establish  
14           and maintain an advisory panel composed of not  
15           more than 15 members to provide feedback each  
16           year to each regional office of the State and Private  
17           Forestry Deputy Area of the Forest Service on the  
18           extent to which the implementation of this section by  
19           the regional office is fulfilling the purpose described  
20           in subsection (b).

21           (2) INCLUSIONS.—The advisory panel estab-  
22           lished under paragraph (1) shall include representa-  
23           tion from a diversity of public land stakeholders  
24           from across interest groups, including—

1 (A) not fewer than 8 members rep-  
2 resenting the interests of a diversity of dis-  
3 advantaged communities; and

4 (B) not fewer than 2 members rep-  
5 resenting not fewer than 2 Indian Tribes.

6 (3) EXEMPTION.—The advisory panel estab-  
7 lished under paragraph (1) shall be exempt from the  
8 Federal Advisory Committee Act (5 U.S.C. App.).

9 (f) REPORT EVALUATING PROGRAM IMPLEMENTA-  
10 TION.—

11 (1) IN GENERAL.—Not later than 4 years after  
12 the date of enactment of this Act, the Secretary  
13 shall submit to the Committee on Natural Resources  
14 and the Committee on Appropriations of the House  
15 of Representatives and the Committee on Energy  
16 and Natural Resources and the Committee on Ap-  
17 propriations of the Senate a report evaluating the  
18 implementation of this section, including—

19 (A) a list of the eligible entities and land  
20 stewardship activities selected for funding under  
21 this section and the accomplishments of those  
22 activities; and

23 (B) an evaluation of the extent to which  
24 the implementation of this section is fulfilling  
25 the purpose described in subsection (b).

1           (2) CONSULTATION; CONTRACTING.—In pre-  
2       paring the report under paragraph (1), the Sec-  
3       retary—

4           (A) shall consult with the advisory panel  
5       established under subsection (e)(1); and

6           (B) may contract with a third party to  
7       complete an evaluation of the implementation of  
8       this section to inform the report.

9       (g) AUTHORIZATION OF APPROPRIATIONS.—

10          (1) IN GENERAL.—There is authorized to be  
11       appropriated to the Secretary to carry out this sec-  
12       tion \$50,000,000 for the period of fiscal years 2022  
13       through 2026.

14          (2) DISTRIBUTION.—The Secretary shall dis-  
15       tribute amounts made available under paragraph (1)  
16       to the regional offices of the State and Private For-  
17       estry Deputy Area and, as appropriate, regional of-  
18       fices of other Deputy Areas, of the Forest Service to  
19       administer the grants under this section.

20          (3) ADMINISTRATIVE COSTS.—Not more than  
21       10 percent of any amounts made available to carry  
22       out this section may be used for administrative man-  
23       agement and program oversight.

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