

117TH CONGRESS
2D SESSION

H. R. 8449

To establish and maintain a coordinated program within the National Oceanic and Atmospheric Administration that improves wildfire, fire weather, fire risk, and smoke related forecasting, detection, modeling, observations, and service delivery, and to address growing needs in the wildland-urban interface, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2022

Ms. SCHRIER (for herself and Mr. BERNA) introduced the following bill; which was referred to the Committee on Science, Space, and Technology, and in addition to the Committees on Natural Resources, Agriculture, and Transportation and Infrastructure, 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 establish and maintain a coordinated program within the National Oceanic and Atmospheric Administration that improves wildfire, fire weather, fire risk, and smoke related forecasting, detection, modeling, observations, and service delivery, and to address growing needs in the wildland-urban interface, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Fire Ready Nation Act of 2022”.

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

- See. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Establishment of fire weather services program.
- Sec. 4. National Oceanic and Atmospheric Administration data management.
- Sec. 5. Digital fire weather services and data management.
- Sec. 6. High-performance computing.
- Sec. 7. Government Accountability Office report on fire weather services program.
- Sec. 8. Fire weather testbed.
- Sec. 9. Fire weather surveys and assessments.
- Sec. 10. Incident Meteorologist Service.
- Sec. 11. Automated surface observing system.
- Sec. 12. Emergency response activities.
- Sec. 13. Government Accountability Office report on interagency wildfire forecasting, prevention, planning, and management bodies.
- Sec. 14. Amendments to Infrastructure Investment and Jobs Act relating to wildfire mitigation.
- Sec. 15. Wildfire technology modernization amendments.
- Sec. 16. Cooperation; coordination; support to non-Federal entities.
- Sec. 17. International coordination.
- Sec. 18. Submissions to Congress regarding the fire weather services program, incident meteorologist workforce needs, and National Weather Service workforce support.
- Sec. 19. Authorization of appropriations.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) ADMINISTRATION.—The term “Administration” means the National Oceanic and Atmospheric Administration.

11 (2) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Commerce, Science,
and Transportation of the Senate; and

(B) the Committee on Science, Space, and Technology of the House of Representatives.

(3) DECADAL.—The term “decadal” means a time range from multiple years to multiple decades.

(4) EARTH SYSTEM MODEL.—The term “Earth system model” means a mathematical model containing all components of the Earth, namely the atmosphere, oceans, land, cryosphere, and biosphere. The Earth system model represents the critical physical, chemical, and biological processes and the interactions among those processes in hydrological and biogeochemical cycles that affect weather and climate.

18 (A) the environmental conditions, such as
19 soil moisture, vegetation, topography, snowpack,
20 atmospheric temperature, moisture, and wind,
21 that influence—

22 (i) fuel and fire behavior; and
23 (ii) smoke dispersion and transport;
24 and

(B) the associated environmental impacts occurring during and after fire events.

(6) FIRE WEATHER.—The term “fire weather” means any type of weather conditions that influence the start, spread, character, or behavior of wildfire or fires at the wildland-urban interface and all associated meteorological and chemical phenomena, including air quality, smoke, and meteorological parameters such as relative humidity, air temperature, wind speed and direction, and atmospheric composition and chemistry, including emissions and mixing heights.

(8) SEASONAL.—The term “seasonal” means a time range between 3 months and 2 years.

23 (9) SECRETARY.—The term “Secretary” means
24 the Secretary of Commerce.

1 (10) SMOKE.—The term “smoke” means emis-
2 sions, including the gases and particles released into
3 the air as a result of combustion.

4 (11) STATE.—The term “State” means a State,
5 the District of Columbia, the Commonwealth of
6 Puerto Rico, Guam, American Samoa, the Common-
7 wealth of the Northern Mariana Islands, the United
8 State Virgin Islands, the Federated States of Micro-
9 nesia, the Republic of the Marshall Islands, or the
10 Republic of Palau.

11 (12) SUBSEASONAL.—The term “subseasonal”
12 means a time range between 2 weeks and 3 months.

13 (13) TRIBAL GOVERNMENT.—The term “Tribal
14 government” means the recognized governing body
15 of any Indian or Alaska Native tribe, band, nation,
16 pueblo, village, community, component band, or com-
17 ponent reservation, individually identified (including
18 parenthetically) in the list published most recently as
19 of the date of enactment of this Act pursuant to sec-
20 tion 104 of the Federally Recognized Indian Tribe
21 List Act of 1994 (25 U.S.C. 5131).

22 (14) UNDER SECRETARY.—The term “Under
23 Secretary” means the Under Secretary of Commerce
24 for Oceans and Atmosphere.

(15) WEATHER ENTERPRISE.—The term
“weather enterprise” means—

(B) primary consumers of those weather forecast products.

10 (16) WILDFIRE.—The term “wildfire” means
11 any nonstructure fire that occurs in vegetation or
12 natural fuels, originating from an unplanned igni-
13 tion.

(17) WILDLAND-URBAN INTERFACE.—The term “wildland-urban interface” means the area, zone, or region of transition between unoccupied or undeveloped land and human development where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels.

22 (a) IN GENERAL.—The Under Secretary shall estab-
23 lish and maintain a coordinated fire weather services pro-
24 gram within the Administration.

1 (b) PROGRAM FUNCTIONS.—The functions of the
2 program established under subsection (a), consistent with
3 the priorities described in section 101 of the Weather Re-
4 search and Forecasting Innovation Act of 2017 (15 U.S.C.
5 8511), shall be—

6 (1) to support readiness, responsiveness, under-
7 standing, and overall resilience of the United States
8 to wildfires, fire weather, smoke, and other associ-
9 ated conditions, hazards, and impacts in built and
10 natural environments and at the wildland-urban
11 interface;

12 (2) to collaboratively disseminate accurate, pre-
13 cise, effective, and timely risk communications, fore-
14 casts, watches, and warnings relating to wildfires,
15 fire weather, air quality, smoke, and other associated
16 conditions, hazards, and impacts, as applicable, in
17 collaboration with Federal land management agen-
18 cies;

19 (3) to partner with and support the public,
20 Federal, State, and Tribal governments, and aca-
21 demic and local partners through the development of
22 capabilities, impact-based decision support services,
23 and overall service delivery and utility;

24 (4) to conduct and support research and devel-
25 opment of new and innovative models, technologies,

1 techniques, products, systems, processes, and proce-
2 dures to improve understanding of wildfires, fire
3 weather, air quality, the fire environment, including
4 impacts of climate variability and changing climate
5 conditions, smoke, and associated conditions, haz-
6 ards, and impacts, and to transition such research
7 into effective operations;

8 (5) to develop strong research-to-operations and
9 operations-to-research transitions, in order to facili-
10 tate delivery of products, services, and tools to oper-
11 ational users and platforms; and

12 (6) to develop, in coordination with Federal
13 land management agencies, impact-based decision
14 support services that operationalize and integrate
15 the functions described in paragraphs (1) through
16 (5) in order to provide comprehensive impact-based
17 decision support services that encompass the fire en-
18 vironment.

19 (c) PROGRAM PRIORITIES.—In developing and imple-
20 menting the program established under subsection (a), the
21 Under Secretary shall prioritize—

22 (1) development of a fire weather-enabled Earth
23 system model and data assimilation systems that—

24 (A) are capable of prediction and fore-
25 casting across all timescales;

(B) include variables associated with fire weather, air quality from smoke, and the fire environment, and other variables, as determined by the Under Secretary;

(C) improve understanding of the connections between fire weather and modes of climate variability; and

(D) incorporate emerging techniques such as artificial intelligence, machine learning, and cloud computing;

(2) advancement of observational capabilities, including satellite-, airborne-, air-, and ground-based systems and technologies that—

14 (A) identify—

(i) high-risk pre-ignition conditions;

(ii) conditions that influence fire behavior and spread including those conditions that suppress active fire events; and

(iii) fire risk values;

20 (B) support real-time notification of igni-
21 tions;

(C) support observations and data collection of fire weather and fire environment variables for development of the model and systems under paragraph (1); and

8 (A) ensure real-time and retrospective
9 data, products, and services are findable, acces-
0 sible, interoperable, usable, inform further re-
1 search, and are analysis- and decision-ready;

12 (B) provide targeted information throughout
13 the fire lifecycle including pre-ignition, de-
14 tction, forecasting, post-fire, and monitoring
15 phases; and

(C) support early assessment of post-fire hazards, such as air quality, debris flows, mudslides, and flooding.

19 (d) PROGRAM ACTIVITIES.—In developing and imple-
20 menting the program established under subsection (a), the
21 Under Secretary may—

22 (1) conduct relevant physical and social science
23 research activities in support of the functions de-
24 scribed in subsection (b) and the priorities described
25 in subsection (c);

1 (2) conduct relevant activities, in coordination
2 with Federal land management agencies, to assess
3 fuel characteristics, including moisture, loading, and
4 other parameters used to determine fire risk levels
5 and outlooks;

6 (3) support and conduct research that assesses
7 impacts to marine, riverine, and other relevant eco-
8 systems, which may include forest and rangeland
9 ecosystems, resulting from activities associated with
10 mitigation of and response to wildfires;

11 (4) support and conduct attribution science re-
12 search relating to wildfires, fire weather, fire risk,
13 smoke, and associated conditions, risks, and im-
14 pacts;

15 (5) develop smoke and air quality forecasts,
16 forecast guidance, and prescribed burn weather fore-
17 casts, and conduct research on the impact of such
18 forecasts on response behavior that minimizes
19 health-related impacts from smoke exposure;

20 (6) use, in coordination with Federal land man-
21 agement agencies, wildland fire resource intelligence
22 to inform fire environment impact-based decision
23 support products and services for safety;

24 (7) evaluate and provide data, tools, and serv-
25 ices to support determinations for the implementa-

1 tion of mitigation measures such as prescribed burns
2 and selective thinning;

3 (8) provide comprehensive training to ensure
4 staff of the program established under subsection
5 (a) is properly equipped to deliver the impact-based
6 decision support products and services described in
7 paragraphs (1) through (6); and

8 (9) acquire through contracted purchase private
9 sector-produced observational data to fill identified
10 gaps, as needed.

11 (e) COLLABORATION; AGREEMENTS.—

12 (1) COLLABORATION.—The Under Secretary
13 shall, as the Under Secretary considers appropriate,
14 collaborate and consult with partners in the weather
15 and climate enterprises, academic institutions,
16 States, Tribal governments, local partners, and Federal
17 agencies, including land and fire management
18 agencies, in the development and implementation of
19 the program established under subsection (a).

20 (2) AGREEMENTS.—The Under Secretary may
21 enter into agreements in support of the functions de-
22 scribed in subsection (b), the priorities described in
23 subsection (c), the activities described in subsection
24 (d), and activities carried out under section 8.

1 SEC. 4. NATIONAL OCEANIC AND ATMOSPHERIC ADMINIS-

2 TRATION DATA MANAGEMENT.

3 Section 301 of the Weather Research and Fore-
4 casting Innovation Act of 2017 (15 U.S.C. 8531) is
5 amended—

6 (1) by redesignating subsections (f) and (g) as
7 subsections (g) and (h), respectively; and

8 (2) by inserting after subsection (e) the fol-
9 lowing:

10 “(f) DATA AVAILABILITY AND MANAGEMENT.—

11 “(1) IN GENERAL.—The Under Secretary
12 shall—

13 “(A) make data and metadata generated
14 or collected by the National Oceanic and Ad-
15 ministration that the Under Secretary has the
16 legal right to redistribute fully and openly avail-
17 able, in accordance with chapter 35 of title 44,
18 United States Code and the Foundations for
19 Evidence-Based Policymaking Act of 2018
20 (Public Law 115–435; 132 Stat. 5529) and the
21 amendments made by that Act, and preserve
22 and curate such data and metadata, in accord-
23 ance with chapter 31 of title 44, United States
24 Code (commonly known as the ‘Federal Records
25 Act of 1950’), in order to maximize use of such
26 data and metadata; and

1 “(B) manage and steward the access, ar-
2 chival, and retrieval activities for the data and
3 metadata described in subparagraph (A) by—
4 “(i) using—
5 “(I) enterprise-wide infrastruc-
6 ture, emerging technologies, commer-
7 cial partnerships, and the skilled
8 workforce needed to provide appro-
9 priate data management from collec-
10 tion to broad access; and
11 “(II) associated information serv-
12 ices; and
13 “(ii) pursuing the maximum inter-
14 operability of data and information by—
15 “(I) leveraging data, information,
16 knowledge, and tools from across the
17 Federal Government to support equi-
18 table access, cross-sectoral collabora-
19 tion and innovation, and local plan-
20 ning and decision-making; and
21 “(II) developing standards and
22 practices for the adoption and citation
23 of digital object identifiers for
24 datasets, models, and analytical tools.

1 “(2) COLLABORATION.—In carrying out this
2 subsection, the Under Secretary shall collaborate
3 with such Federal partners and stakeholders as the
4 Under Secretary considers relevant—

5 “(A) to develop standards to pursue maximum
6 interoperability of data, information,
7 knowledge, and tools across the Federal Government,
8 convert historical records into common digital formats,
9 and improve access and usability of data by partners and stakeholders;

10 “(B) to identify and solicit relevant data from Federal and international partners and other relevant stakeholders, as the Under Secretary considers appropriate; and

11 “(C) to develop standards and practices for the adoption and citation of digital object identifiers for datasets, models, and analytical tools.”.

12 **19 SEC. 5. DIGITAL FIRE WEATHER SERVICES AND DATA MANAGEMENT.**

20 (a) IN GENERAL.—

21 (1) DIGITAL PRESENCE.—The Under Secretary shall develop and maintain a comprehensive, centralized, and publicly accessible digital presence designed to promote findability, accessibility, interoper-

1 ability, usability, and utility of the services, tools,
2 data, and information produced by the program es-
3 tablished under section 3(a).

4 (2) DIGITAL PLATFORM AND TOOLS.—In car-
5 rying out paragraph (1), the Under Secretary
6 shall—

7 (A) seek to ensure the digital platform and
8 tools of the Administration integrate geospatial
9 data, decision support tools, training, and best
10 practices to provide real-time fire weather fore-
11 casts and address fire-related issues and needs;
12 and

13 (B) strive to enhance community resilience,
14 ecosystem values, and economic growth and de-
15 velopment by helping communities and other
16 users of the digital platform and tools address
17 their issues, needs, and challenges through
18 maximum usability and utility.

19 (b) PUBLIC AVAILABILITY.—The Under Secretary
20 shall make all data, research, reports, findings, surveys,
21 and assessments relevant to the program established
22 under section 3(a), as determined by the Under Secretary,
23 available in a publicly accessible digital format.

24 (c) INTERNET-BASED TOOLS.—In carrying out sub-
25 sections (a) and (b), the Under Secretary shall develop

1 and implement internet-based tools, such as webpages and
2 smartphone and other mobile applications, to increase util-
3 ity and access to services and products for the benefit of
4 users.

5 (d) DATA MANAGEMENT.—The Under Secretary
6 shall develop and maintain services that provide public ac-
7 cess to digital fire weather data and information—

8 (1) to improve understanding and historical
9 analysis of wildfire and fire weather science, includ-
10 ing inventories of fire emissions required for multi-
11 decadal model runs;

12 (2) to support—

13 (A) the archiving, stewardship, utility, and
14 preservation of wildfire and fire weather data
15 including satellite-, ground-, airborne-, and air-
16 based observations; and

17 (B) real-time and retrospective model fore-
18 casts;

19 (3) to promote findability, interoperability,
20 analysis- and decision-readiness, and reusability of
21 historical and near real-time data across Federal,
22 State, Tribal, and local users, including ensuring
23 digital access and machine-readability of historical
24 fire weather records; and

1 (4) to support equitable access, cross-sectoral
2 collaboration and innovation, and local planning and
3 decision making.

4 **SEC. 6. HIGH-PERFORMANCE COMPUTING.**

5 (a) IN GENERAL.—The Under Secretary shall seek
6 to acquire sufficient high-performance computing re-
7 sources and capacity for research, operations, and data
8 storage in support of the program established under sec-
9 tion 3(a).

10 (b) CONSIDERATIONS.—In acquiring high-perform-
11 ance computing capacity under subsection (a), the Under
12 Secretary shall consider requirements needed for—

13 (1) the transition of research and testbed devel-
14 opments into operations; and
15 (2) skilled workforce development.

16 **SEC. 7. GOVERNMENT ACCOUNTABILITY OFFICE REPORT**

17 **ON FIRE WEATHER SERVICES PROGRAM.**

18 (a) IN GENERAL.—Not later than 5 years after the
19 date of the enactment of this Act, the Comptroller General
20 of the United States shall submit to Congress a report
21 on the program established under section 3(a).

22 (b) ELEMENTS.—The report required by subsection
23 (a) shall—

24 (1) evaluate the performance of the program by
25 establishing initial baseline capabilities and tracking

1 progress made toward fully operationalizing the
2 functions described in section 3(b);

3 (2) assess the efficacy of cross-agency collabora-
4 tion and stakeholder engagement in carrying out the
5 program and provide recommendations to improve
6 such activities;

7 (3) assess the program for inefficiencies, iden-
8 tify duplicative efforts across Federal efforts, and
9 provide relevant recommendations; and

10 (4) include such other recommendations as the
11 Comptroller General determines are appropriate to
12 improve the program.

13 **SEC. 8. FIRE WEATHER TESTBED.**

14 (a) ESTABLISHMENT OF FIRE WEATHER
15 TESTBED.—The Under Secretary shall establish a fire
16 weather testbed that enables engagement across the Fed-
17 eral Government, State and local governments, academia,
18 private and federally funded research laboratories, the pri-
19 vate sector, and end-users in order to evaluate the accu-
20 racy and usability of technology, models, fire weather
21 products and services, and other research to accelerate the
22 implementation, transition to operations, and use of new
23 capabilities by the Administration, Federal and land man-
24 agement agencies, and other relevant stakeholders.

25 (b) UNCREWED AIRCRAFT SYSTEMS.—

1 (1) IN GENERAL.—The Under Secretary shall—

2 (A) research and assess the role and potential
3 of uncrewed aircraft systems to improve
4 data collection in support of modeling, observations,
5 predictions, forecasts, and impact-based
6 decision support services; and

7 (B) transition uncrewed aircraft systems
8 technologies from research to operations as the
9 Under Secretary considers appropriate.

10 (2) PILOT REQUIRED.—In carrying out paragraph (1), not later than 1 year after the date of the enactment of this Act, the Under Secretary shall conduct at least 1 pilot of uncrewed aircraft systems for fire weather and fire environment observations.

11 (3) SAVINGS CLAUSE.—

12 (A) IN GENERAL.—In carrying out activities under this subsection, the Under Secretary shall ensure that any testing or deployment of uncrewed aircraft systems follow procedures, restrictions, and protocols established by the heads of the Federal agencies with statutory or regulatory jurisdiction over any airspace in which wildfire response activities are conducted during an active wildfire event.

(B) CONSULTATION AND COORDINATION.—The Under Secretary shall consult and coordinate with relevant Federal land management agencies and the Federal Aviation Administration to develop processes for the appropriate deployment of the systems described in subparagraph (A).

8 SEC. 9. FIRE WEATHER SURVEYS AND ASSESSMENTS.

9 (a) ANNUAL POST-FIRE-WEATHER SEASON SURVEY
10 AND ASSESSMENT.—

(A) investigate any gaps in data collected during the assessment:

(B) identify and implement strategies and procedures to improve program services and information dissemination:

(C) update systems, processes, strategies, and procedures to enhance the efficiency and reliability of data obtained from the assessment;

- 1 (D) evaluate the accuracy and efficacy of
2 physical fire weather forecasting information
3 for each incident included in the survey and as-
4 essment; and
5 (E) assess and refine performance meas-
6 ures, as needed.

7 (b) SURVEYS AND ASSESSMENTS FOLLOWING INDI-
8 VIDUAL WILDFIRE EVENTS.—The Under Secretary may
9 conduct surveys and assessments following individual wild-
10 fire events as the Under Secretary determines necessary.

11 (c) GOAL.—In carrying out activities under this sec-
12 tion, the Under Secretary shall seek to increase the num-
13 ber of post-wildfire community impact studies, including
14 by surveying individual and collective responses and incor-
15 porating other applicable topics of social science research.

16 (d) ANNUAL BRIEFING.—Not less frequently than
17 once each year, the Under Secretary shall provide a brief-
18 ing to the appropriate committees of Congress that pro-
19 vides—

20 (1) an overview of the fire season; and
21 (2) an outlook for the fire season for the com-
22 ing year.

23 (e) COORDINATION.—In conducting any survey or as-
24 essment under this section, the Under Secretary shall co-
25 ordinate with Federal, State, and local partners, Tribal

1 governments, private entities, and such institutions of
2 higher education as the Under Secretary considers rel-
3 evant in order to—

4 (1) improve operations and collaboration; and
5 (2) optimize data collection, sharing, integra-
6 tion, assimilation, and dissemination.

7 (f) DATA AVAILABILITY.—The Under Secretary shall
8 make the data and findings obtained from each assess-
9 ment conducted under this section available to the public
10 in an accessible digital format as soon as practicable after
11 conducting the assessment.

12 (g) SERVICE IMPROVEMENTS.—The Under Secretary
13 shall make best efforts to incorporate the results and rec-
14 ommendations of each assessment conducted under this
15 section into the research and development plan and oper-
16 ations of the Administration.

17 **SEC. 10. INCIDENT METEOROLOGIST SERVICE.**

18 (a) ESTABLISHMENT.—The Under Secretary shall es-
19 tablish and maintain an Incident Meteorologist Service
20 within the National Weather Service (in this section re-
21 ferred to as the “Service”).

22 (b) INCLUSION OF EXISTING INCIDENT METEOROLO-
23 GISTS.—The Service shall include—

(2) such incident meteorologists of the Administration as may be appointed after such date.

6 (c) FUNCTIONS.—The Service shall provide—

16 (d) DEPLOYMENT.—The Service shall be deployed—
17 (1) as determined by the Under Secretary; or
18 (2) at the request of the head of another Fed-
19 eral agency.

20 (e) STAFFING AND RESOURCES.—In establishing and
21 maintaining the Service, the Under Secretary shall iden-
22 tify, acquire, and maintain adequate levels of staffing and
23 resources to meet user needs.

24 (f) SYMBOL.—

25 (1) IN GENERAL.—The Under Secretary may—

12 (4) OFFENSE.—It shall be unlawful for any
13 person—

(C) to violate any regulation promulgated by the Secretary under this subsection.

24 (g) SUPPORT FOR INCIDENT METEOROLOGISTS.—
25 The Under Secretary shall provide resources, access to

1 real-time fire weather forecasts, training, administrative
2 and logistical support, and access to professional coun-
3 seling or other forms of support as the Under Secretary
4 considers appropriate for the betterment of the emotional
5 and mental health and well-being of incident meteorolo-
6 gists and other employees of the Administration involved
7 with response to high-impact and extreme fire weather
8 events.

9 **SEC. 11. AUTOMATED SURFACE OBSERVING SYSTEM.**

10 (a) JOINT ASSESSMENT AND PLAN.—

11 (1) IN GENERAL.—The Under Secretary, in col-
12 laboration with the Administrator of the Federal
13 Aviation Administration and the Secretary of De-
14 fense, shall—

15 (A) conduct an assessment of resources,
16 personnel, procedures, and activities necessary
17 to maximize the functionality and utility of the
18 automated surface observing system of the
19 United States that identifies—

20 (i) key system upgrades needed to im-
21 prove observation quality and utility for
22 weather forecasting, aviation safety, and
23 other users;

- (ii) improvements needed in observations within the planetary boundary layer, including mixing height;
 - (iii) improvements needed in public accessibility of observational data;
 - (iv) improvements needed to reduce latency in reporting of observational data;
 - (v) relevant data to be collected for the production of forecasts or forecast guidance relating to atmospheric composition, including particulate and air quality data, and aviation safety;
 - (vi) areas of concern regarding operational continuity and reliability of the system, which may include needs for on-night staff, particularly in remote and rural areas and areas where system failure would have the greatest negative impact to the community;
 - (vii) stewardship, data handling, data distribution, and product generation needs arising from upgrading and changing the automated surface observation systems;
 - (viii) possible solutions for areas of concern identified under clause (vi), includ-

9 (ix) research, development, and transi-
10 tion to operations needed to develop ad-
11 vanced data collection, quality control, and
12 distribution so that the data are provided
13 to models, users, and decision support sys-
14 tems in a timely manner; and

(2) STANDARDIZATION.—Any system standardization implemented under paragraph (1)(B) shall

1 not impede activities to upgrade or improve individual units of the system.

3 (3) REMOTE AUTOMATIC WEATHER STATION
4 COORDINATION.—The Under Secretary, in collabora-
5 tion with relevant Federal agencies and the National
6 Interagency Fire Center, shall assess and develop co-
7 operative agreements to improve coordination, inter-
8 operability standards, operations, and placement of
9 remote automatic weather stations for the purpose
10 of improving utility and coverage of remote auto-
11 matic weather stations, automated surface observa-
12 tion systems, and other similar stations and systems
13 for weather and climate operations.

14 (b) REPORT TO CONGRESS.—

15 (1) IN GENERAL.—Not later than 2 years after
16 the date of the enactment of this Act, the Under
17 Secretary, in collaboration with the Administrator of
18 the Federal Aviation Administration and the Sec-
19 retary of Defense, shall submit to the appropriate
20 committees of Congress a report that—

21 (A) details the findings of the assessment
22 required by subparagraph (A) of subsection
23 (a)(1); and

24 (B) the plan required by subparagraph (B)
25 of such subsection.

1 (2) ELEMENTS.—The report required by para-
2 graph (1) shall include a detailed assessment of ap-
3 propriations required—

4 (A) to address the findings of the assess-
5 ment required by subparagraph (A) of sub-
6 section (a)(1); and

7 (B) to implement the plan required by sub-
8 paragraph (B) of such subsection.

9 (c) GOVERNMENT ACCOUNTABILITY OFFICE RE-
10 PORT.—Not later than 4 years after the date of the enact-
11 ment of this Act, the Comptroller General of the United
12 States shall submit to Congress a report that—

13 (1) evaluates the functionality, utility, reli-
14 ability, and operational status of the automated sur-
15 face observing system across the Administration, the
16 Federal Aviation Administration, and the Depart-
17 ment of Defense;

18 (2) evaluates the progress, performance, and
19 implementation of the plan required by subsection
20 (a)(1)(B);

21 (3) assesses the efficacy of cross-agency collabora-
22 tion and stakeholder engagement in carrying out
23 the plan and provides recommendations to improve
24 such activities;

- 1 (4) evaluates the operational continuity and re-
2 liability of the system, particularly in remote and
3 rural areas and areas where system failure would
4 have the greatest negative impact to the community,
5 and provides recommendations to improve such con-
6 tinuity and reliability;
- 7 (5) assesses Federal coordination regarding the
8 remote automatic weather station network, air re-
9 source advisors, and other Federal observing assets
10 used for weather and climate modeling and response
11 activities, and provides recommendations for im-
12 provements; and
- 13 (6) includes such other recommendations as the
14 Comptroller General determines are appropriate to
15 improve the system.

16 **SEC. 12. EMERGENCY RESPONSE ACTIVITIES.**

17 (a) DEFINITIONS.—In this section:

18 (1) BASIC PAY.—The term “basic pay” includes
19 any applicable locality-based comparability payment
20 under section 5304 of title 5, United States Code,
21 any applicable special rate supplement under section
22 5305 of such title, or any equivalent payment under
23 a similar provision of law.

24 (2) COVERED EMPLOYEE.—The term “covered
25 employee” means an employee of—

- 1 (A) the Department of Commerce;
- 2 (B) the Department of the Interior; or
- 3 (C) the Department of Agriculture.
- 4 (3) COVERED SERVICES.—The term “covered
- 5 services” means services performed by a covered em-
- 6 ployee while—
 - 7 (A) serving—
 - 8 (i) as an incident meteorologist ac-
 - 9 companying a wildland firefighter crew; or
 - 10 (ii) in a role that is determined by the
 - 11 Secretary concerned to be primarily relat-
 - 12 ing to emergency wildland fire suppression
 - 13 activities;
 - 14 (B) serving—
 - 15 (i) on an incident management team;
 - 16 (ii) as an emergency response spe-
 - 17 cialist;
 - 18 (iii) at the National Interagency Fire
 - 19 Center;
 - 20 (iv) at a Geographic Area Coordina-
 - 21 tion Center; or
 - 22 (v) at an operations center; or
 - 23 (C) serving in a capacity determined by the
 - 24 Secretary, or the Under Secretary acting on be-

1 half of the Secretary, to be primarily relating to
2 emergency response activities.

3 (4) EMPLOYEE.—The term “employee” has the
4 meaning given that term in section 2105 of title 5,
5 United States Code.

6 (5) PREMIUM PAY.—The term “premium pay”
7 means premium pay for the purposes of section
8 5547(a) of title 5, United States Code.

9 (6) SECRETARY CONCERNED.—The term “Sec-
10 retary concerned” means—

11 (A) the Secretary of Commerce, with re-
12 spect to an employee of the Department of
13 Commerce;

14 (B) the Secretary of Agriculture, with re-
15 spect to an employee of the Department of Ag-
16 riculture; and

17 (C) the Secretary of the Interior, with re-
18 spect to an employee of the Department of the
19 Interior.

20 (b) WAIVER.—

21 (1) IN GENERAL.—Any premium pay received
22 by a covered employee for covered services shall be
23 disregarded in calculating the aggregate of the basic
24 pay and premium pay for the covered employee for

1 purposes of applying the limitation on premium pay
2 under section 5547(a) of title 5, United States Code.

3 (2) LIMITATION.—A covered employee may be
4 paid premium pay that is disregarded under para-
5 graph (1) only to the extent that the aggregate of
6 the basic pay and premium pay paid to that covered
7 employee in the applicable calendar year, including
8 premium pay that is disregarded under that para-
9 graph, does not exceed the rate of basic pay for a
10 position at level II of the Executive Schedule under
11 section 5313 of title 5, United States Code, as in ef-
12 fect at the end of that calendar year.

13 (c) APPLICATION.—If the application of subsection
14 (b) results in the payment of additional pay to a covered
15 employee of a type that is normally creditable as basic pay
16 for retirement or any other purpose, that additional pay
17 shall not—

18 (1) be considered to be basic pay of the covered
19 employee for any purpose; or

20 (2) be used in computing a lump-sum payment
21 to the covered employee for accumulated and ac-
22 crued annual leave under section 5551 or 5552 of
23 title 5, United States Code.

24 (d) AMENDMENT.—Section 5542(a)(5) of title 5,
25 United States Code, is amended—

1 (1) by inserting “, the Department of Com-
2 merce,” after “Interior”; and

3 (2) by striking “the United States Forest Serv-
4 ice in”.

5 (e) EFFECTIVE DATE.—This section and the amend-
6 ment made by this section shall take effect as if enacted
7 on January 1, 2020.

8 (f) DERIVATION OF FUNDS.—Any amounts used to
9 pay covered employees for covered services shall not be
10 derived from amounts made available to the Administra-
11 tion or amounts saved by reducing the number of full-
12 time-equivalent employees of the Administration.

13 (g) POLICIES AND PROCEDURES FOR HEALTH,
14 SAFETY, AND WELL-BEING.—The Under Secretary shall
15 maintain policies and procedures that ensure that the de-
16 ployment of a covered employee to perform a covered serv-
17 ice will not compromise the health, safety, and well-being
18 of the covered employee.

19 **SEC. 13. GOVERNMENT ACCOUNTABILITY OFFICE REPORT**
20 **ON INTERAGENCY WILDFIRE FORECASTING,**
21 **PREVENTION, PLANNING, AND MANAGEMENT**
22 **BODIES.**

23 Not later than 1 year after the date of the enactment
24 of this Act, the Comptroller General of the United States
25 shall submit to Congress a report that—

- 1 (1) identifies all Federal interagency bodies es-
2 tablished for the purpose of wildfire forecasting, pre-
3 vention, planning, and management (such as wildfire
4 councils, commissions, and workgroups), including—
5 (A) the Wildland Fire Leadership Council;
6 (B) the National Interagency Fire Center;
7 (C) the Wildland Fire Management Policy
8 Committee;
9 (D) the Wildland Fire Mitigation and
10 Management Commission;
11 (E) the National Interagency Fire Center;
12 (F) the National Interagency Coordination
13 Center;
14 (G) the National Predictive Services Over-
15 sight Group;
16 (H) the Interagency Council for Advancing
17 Meteorological Services;
18 (I) the National Wildfire Coordinating
19 Group;
20 (J) the National Multi-Agency Coordin-
21 ating Group; and
22 (K) the Mitigation Framework Leadership
23 Group;
- 24 (2) evaluates the roles, functionality, and utility
25 of such interagency bodies;

(3) evaluates the progress, performance, and implementation of such interagency bodies;

(5) includes such other recommendations as the Comptroller General determines are appropriate to streamline and improve wildfire forecasting, prevention, planning, and management, including recommendations regarding the interagency bodies for which the addition of the Administration is necessary to improve wildfire forecasting, prevention, planning, and management.

16 SEC. 14. AMENDMENTS TO INFRASTRUCTURE INVESTMENT
17 AND JOBS ACT RELATING TO WILDFIRE MITIGATION.
18

19 The Infrastructure Investment and Jobs Act (Public
20 Law 117-58; 135 Stat. 429) is amended—

21 (1) in section 70202—

22 (A) in paragraph (1)—

23 (i) in subparagraph (J), by striking “;
24 and” and inserting a semicolon;

4 (iii) by adding at the end the fol-
5 lowing:

6 “(L) the Committee on Commerce,
7 Science, and Transportation of the Senate;
8 and”;

9 “(M) the Committee on Science, Space,
10 and Technology of the House of Representa-
11 tives.”; and

12 (B) in paragraph (6)—

20 “(D) The Secretary of Commerce, acting
21 through the Under Secretary of Commerce for
22 Oceans and Atmosphere.”; and

23 (2) in section 70203(b)(1)(B)—

(A) in the matter preceding clause (i), by striking “9” and inserting “not fewer than 10”;

18 SEC. 15. WILDFIRE TECHNOLOGY MODERNIZATION AMEND-
19 MENTS.

20 Section 1114 of the John D. Dingell, Jr. Conserva-
21 tion, Management, and Recreation Act (43 U.S.C. 1748b–
22 1) is amended—
23 (1) in subsection (c)(3), by inserting “the Na-
24 tional Oceanic and Atmospheric Administration,”
25 after “Federal Aviation Administration.”;

1 (2) in subsection (e)(2)—

(A) by redesignating subparagraph (B) as subparagraph (C); and

(B) by inserting after subparagraph (A) the following:

6 **“(B) CONSULTATION.—**

7 “(i) IN GENERAL.—In carrying out
8 subparagraph (A), the Secretaries shall
9 consult with the Under Secretary of Com-
10 merce for Oceans and Atmosphere regard-
11 ing any development of impact-based deci-
12 sion support services that relate to wildlife-
13 related activities of the National Oceanic
14 and Atmospheric Administration.

1 livelihoods of the people of the United
2 States.”; and

3 (3) in subsection (f)—

4 (A) by redesignating paragraphs (1) and
5 (2) as subparagraphs (A) and (B), respectively,
6 and moving such subparagraphs, as so redesi-
7 gnated, 2 ems to the right;

8 (B) by striking “The Secretaries” and in-
9 serting the following:

10 “(1) IN GENERAL.—The Secretaries”; and

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

12 “(2) COLLABORATION.—In carrying out para-
13 graph (1), the Secretaries shall collaborate with the
14 Under Secretary of Commerce for Oceans and At-
15 mosphere to improve coordination, utility of systems
16 and assets, and interoperability of data for smoke
17 prediction, forecasting, and modeling.”.

18 **SEC. 16. COOPERATION; COORDINATION; SUPPORT TO NON-**
19 **FEDERAL ENTITIES.**

20 (a) COOPERATION.—Each Federal agency shall co-
21 operate and coordinate with the Under Secretary, as ap-
22 propriate, in carrying out this Act and the amendments
23 made by this Act.

24 (b) COORDINATION.—

1 (1) IN GENERAL.—In meeting the requirements
2 under this Act and the amendments made by this
3 Act, the Under Secretary shall coordinate, and as
4 appropriate, establish agreements with Federal and
5 external partners to fully use and leverage existing
6 assets, systems, networks, technologies, and sources
7 of data.

8 (2) INCLUSIONS.—Coordination carried out
9 under paragraph (1) shall include coordination
10 with—

11 (A) the National Interagency Fire Center,
12 including the Predictive Services Program that
13 provides impact-based decision support services
14 to the wildland fire community at the Geo-
15 graphic Area Coordination Center and the Na-
16 tional Interagency Coordination Center;

17 (B) the National Wildfire Coordinating
18 Group; and

19 (C) relevant interagency bodies identified
20 in the report required by section 13.

21 (3) CONSULTATION.—In carrying out this sub-
22 section, the Under Secretary shall consult with Fed-
23 eral partners including—

24 (A) the National Aeronautics and Space
25 Administration;

- (B) the Department of the Interior;
- (C) the Federal Emergency Management Agency;
- (D) the National Science Foundation;
- (E) the United States Geological Survey;
- (F) the Department of Agriculture;
- (G) the Environmental Protection Agency;
- (H) the Department of Energy;
- (I) the Department of Defense;
- (J) the National Institute of Standards and Technology; and
- (K) such other departments and agencies as the Under Secretary considers relevant.

14 (c) COORDINATION WITH NON-FEDERAL ENTI-
15 TIES.—Not later than 540 days after the date of the en-
16 actment of this Act, the Under Secretary shall develop and
17 submit to the appropriate committees of Congress a proc-
18 ess for annual coordination with Tribal, State, and local
19 governments to assist the development of improved fire
20 weather products and services.

21 (d) SUPPORT TO NON-FEDERAL ENTITIES.—In car-
22 rying out the activities under this Act and the amend-
23 ments made by this Act, the Under Secretary may provide
24 support to non-Federal entities by making funds and re-
25 sources available through—

11 SEC. 17. INTERNATIONAL COORDINATION.

(a) IN GENERAL.—The Under Secretary may develop collaborative relationships and agreements with foreign partners and counterparts to address transboundary issues pertaining to wildfires, fire weather, smoke, air quality, and associated conditions and hazards or other relevant meteorological phenomena, as appropriate, to facilitate full and open exchange of data and information.

19 (b) CONSULTATION.—In carrying out activities under
20 this section, the Under Secretary shall consult with the
21 Department of State and such other Federal partners as
22 the Under Secretary considers relevant.

1 **SEC. 18. SUBMISSIONS TO CONGRESS REGARDING THE**
2 **FIRE WEATHER SERVICES PROGRAM, INCI-**
3 **DENT METEOROLOGIST WORKFORCE NEEDS,**
4 **AND NATIONAL WEATHER SERVICE WORK-**
5 **FORCE SUPPORT.**

6 (a) REPORT TO CONGRESS.—Not later than 540 days
7 after the date of the enactment of this Act, the Under
8 Secretary shall submit to the appropriate committees of
9 Congress—

- 10 (1) the plan described in subsection (b);
11 (2) the assessment described in subsection (c);
12 and
13 (3) the assessment described in subsection (d).

14 (b) FIRE WEATHER SERVICES PROGRAM PLAN.—

15 (1) ELEMENTS.—The plan submitted under
16 subsection (a)(1) shall detail—
17 (A) the observational data, modeling re-
18 quirements, ongoing computational needs, re-
19 search, development, and technology transfer
20 activities, data management, skilled-personnel
21 requirements, engagement with relevant Federal
22 emergency and land management agencies and
23 partners, and corresponding resources and
24 timelines necessary to achieve the functions de-
25 scribed in subsection (b) of section 3 and the

1 priorities described in subsection (c) of such
2 section; and

3 (B) plans and needs for all other activities
4 and requirements under this Act and the
5 amendments made by this Act.

6 (2) SUBMITTAL OF ANNUAL BUDGET FOR
7 PLAN.—Following completion of the plan submitted
8 under subsection (a)(1), the Under Secretary shall,
9 not less frequently than once each year concurrent
10 with the submission of the budget by the President
11 to Congress under section 1105 of title 31, submit
12 to Congress a proposed budget corresponding with
13 the elements detailed in the plan.

14 (c) INCIDENT METEOROLOGIST WORKFORCE NEEDS
15 ASSESSMENT.—

16 (1) IN GENERAL.—The Under Secretary shall
17 conduct a workforce needs assessment on the cur-
18 rent and future demand for additional incident me-
19 teorologists for wildfires and other high-impact fire
20 weather events.

21 (2) ELEMENTS.—The assessment required by
22 paragraph (1) shall include the following:

23 (A) A description of staffing levels as of
24 the date on which the assessment is submitted

1 under subsection (a)(2) and projected future
2 staffing levels.

3 (B) An assessment of the state of the in-
4 frastructure of the National Weather Service as
5 of the date on which the assessment is sub-
6 mitted and future needs of such infrastructure
7 in order to meet current and future demands,
8 including with respect to information technology
9 support and logistical and administrative oper-
10 ations.

11 (3) CONSIDERATIONS.—In conducting the as-
12 sessment required by paragraph (1), the Under Sec-
13 retary shall consider factors including projected cli-
14 mate conditions, infrastructure, all hazard meteoro-
15 logical response system equipment, user needs, and
16 feedback from relevant stakeholders.

17 (d) SUPPORT SERVICES ASSESSMENT.—

18 (1) IN GENERAL.—The Under Secretary shall
19 conduct a workforce support services assessment
20 with respect to employees of the National Weather
21 Service engaged in emergency response.

22 (2) ELEMENTS.—The assessment required by
23 paragraph (1) shall include the following:

24 (A) An assessment of need for further sup-
25 port of employees of the National Weather

1 Service engaged in emergency response through
2 services provided by the Public Health Service.

3 (B) A detailed assessment of appropria-
4 tions required to secure the level of support
5 services needed as identified in the assessment
6 described in subparagraph (A).

7 (3) ADDITIONAL SUPPORT SERVICES.—Fol-
8 lowing the completion of the assessment required by
9 paragraph (1), the Under Secretary shall seek to ac-
10 quire additional support services to meet the needs
11 identified in the assessment.

12 **SEC. 19. AUTHORIZATION OF APPROPRIATIONS.**

13 There is authorized to be appropriated to the Admin-
14 istration to carry out this Act and the amendments made
15 by this Act—

- 16 (1) \$55,000,000 for fiscal year 2023;
17 (2) \$125,000,000 for fiscal year 2024;
18 (3) \$135,000,000 for fiscal year 2025;
19 (4) \$150,000,000 for fiscal year 2026; and
20 (5) \$200,000,000 for fiscal year 2027.

