

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—119th Cong., 1st Sess.**

**S. 1462**

To improve forest management activities on National Forest System land, public land under the jurisdiction of the Bureau of Land Management, and Tribal land to return resilience to overgrown, fire-prone forested land, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended  
to be proposed by \_\_\_\_\_

Viz:

1 Strike all after the enacting clause and insert the fol-  
2 lowing:

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

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Fix Our Forests Act”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

**TITLE I—LANDSCAPE-SCALE RESTORATION**

Subtitle A—Addressing Emergency Wildfire Risks in High-priority Firesheds

## 2

- Sec. 101. Designation of fireshed management areas.
- Sec. 102. Wildland Fire Intelligence Center.
- Sec. 103. Fireshed Registry.
- Sec. 104. Shared stewardship.
- Sec. 105. Fireshed assessments.
- Sec. 106. Emergency fireshed management.
- Sec. 107. Sunset.

Subtitle B—Expanding Collaborative Tools to Reduce Wildfire Risk and  
Improve Forest Health

- Sec. 111. Modification of treatment of certain revenue and payments under  
good neighbor agreements.
- Sec. 112. Fixing stewardship end result contracting.
- Sec. 113. Fireshed management project strike teams.
- Sec. 114. Locally led restoration.
- Sec. 115. Joint Chiefs Landscape Restoration Partnership Program.
- Sec. 116. Collaborative forest landscape restoration program.
- Sec. 117. Utilizing grazing for wildfire risk reduction.
- Sec. 118. Water Source Protection Program.
- Sec. 119. Watershed Condition Framework technical corrections.
- Sec. 120. Tribal forest protection management activities and projects.

Subtitle C—Litigation Reform

- Sec. 121. Litigation reform.
- Sec. 122. Consultation on forest plans.

Subtitle D—Prescribed Fire

- Sec. 131. Prescribed fire eligible activities, policies, and practices.
- Sec. 132. Human resources.
- Sec. 133. Liability of prescribed fire managers.
- Sec. 134. Environmental review.
- Sec. 135. Cooperative agreements and contracts for prescribed fire.
- Sec. 136. Facilitating responsible use of prescribed fire.

TITLE II—PROTECTING COMMUNITIES AT RISK

Subtitle A—Community Wildfire Risk Reduction

- Sec. 201. Community Wildfire Risk Reduction Program.
- Sec. 202. Community Wildfire Defense Research Program.
- Sec. 203. Community wildfire defense grant program improvements.
- Sec. 204. Updated definition of at-risk community.

Subtitle B—Vegetation Management, Reforestation, and Local Fire Risk  
Mitigation

- Sec. 211. Vegetation management, facility inspection, and operation and main-  
tenance relating to electric transmission and distribution facil-  
ity rights-of-way.
- Sec. 212. Fire-safe electrical corridors.
- Sec. 213. Categorical exclusion for high-priority hazard trees.
- Sec. 214. Seeds of Success strategy.
- Sec. 215. Program to support priority reforestation and restoration projects.
- Sec. 216. Reforestation, nurseries, and genetic resources support.
- Sec. 217. Fire department repayment.

## 3

## TITLE III—TRANSPARENCY, TECHNOLOGY, AND PARTNERSHIPS

## Subtitle A—Transparency and Technology

- Sec. 301. Biochar innovations and opportunities for conservation, health, and advancements in research.
- Sec. 302. Accurate hazardous fuels reduction reports.
- Sec. 303. Public-private wildfire technology deployment and demonstration partnership.
- Sec. 304. GAO study on Forest Service policies.
- Sec. 305. Keeping forest plans current and monitored.
- Sec. 306. Container Aerial Firefighting System.
- Sec. 307. Study on pine beetle infestation.

## Subtitle B—White Oak Resilience

- Sec. 311. White Oak Restoration Initiative Coalition.
- Sec. 312. Forest Service pilot program.
- Sec. 313. Department of the Interior white oak review and restoration.
- Sec. 314. White oak regeneration and upland oak habitat.
- Sec. 315. Tree nursery shortages.
- Sec. 316. White oak research.
- Sec. 317. USDA formal initiative.
- Sec. 318. Use of authorities.

TITLE IV—ENSURING CASUALTY ASSISTANCE FOR  
FIREFIGHTERS

- Sec. 401. Wildland Fire Management Casualty Assistance Program.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **END WATER USER.**—The term “end water  
4 user” has the meaning given the term in section  
5 303(a) of the Healthy Forests Restoration Act of  
6 2003 (16 U.S.C. 6542(a)).

7 (2) **EXECUTIVE DIRECTOR.**—The term “Execu-  
8 tive Director” means the Executive Director of the  
9 Wildland Fire Intelligence Center appointed under  
10 section 102(g).

11 (3) **FIRESHED.**—The term “fireshed” means a  
12 landscape-scale area, as delineated using methods

1 developed through research conducted by the Forest  
2 Service, that represents similar source levels of com-  
3 munity exposure to wildfire.

4 (4) FIRESHED MANAGEMENT AREA.—The term  
5 “fireshed management area” means a fireshed man-  
6 agement area designated under section 101(a).

7 (5) FIRESHED MANAGEMENT PROJECT.—The  
8 term “fireshed management project” means any of  
9 the following forest or vegetation management activi-  
10 ties:

11 (A) A hazardous fuels management activ-  
12 ity.

13 (B) Creating a fuel break or fire break.

14 (C) Removing hazard trees, dead trees, or  
15 dying trees, as determined by a certified or li-  
16 censed arborist or forester under the super-  
17 vision of the Secretary concerned.

18 (D) Developing, approving, or conducting  
19 routine maintenance under—

20 (i) a vegetation management, facility  
21 inspection, and operation and maintenance  
22 plan under subsection (c) of section 512 of  
23 the Federal Land Policy and Management  
24 Act of 1976 (43 U.S.C. 1772); or

1 (ii) an agreement under subsection  
2 (d)(1) of that section (43 U.S.C. 1772).

3 (E) Removing trees to address over-  
4 stocking or crowding in a forest stand, con-  
5 sistent with achieving the appropriate basal  
6 area of the forest stand, as determined by a re-  
7 sponsible official.

8 (F) Using treatments to address insects or  
9 disease or to control vegetation competition or  
10 invasive species.

11 (G) A wet-meadow, floodplain, or riparian  
12 restoration activity that increases wildfire re-  
13 sistance.

14 (H) A forest stand improvement activity  
15 necessary to protect life and property from cat-  
16 astrophic wildfire, as determined by a respon-  
17 sible official.

18 (I) Any combination of activities described  
19 in this paragraph.

20 (6) FIRESHED REGISTRY.—The term “Fireshed  
21 Registry” means the registry established under sec-  
22 tion 103(a).

23 (7) FOREST PLAN.—The term “forest plan”  
24 means—

1 (A) a land use plan prepared by the Bu-  
2 reau of Land Management for public land pur-  
3 suant to section 202 of the Federal Land Policy  
4 and Management Act of 1976 (43 U.S.C.  
5 1712);

6 (B) a land management plan prepared by  
7 the Forest Service for a unit of the National  
8 Forest System pursuant to section 6 of the  
9 Forest and Rangeland Renewable Resources  
10 Planning Act of 1974 (16 U.S.C. 1604); and

11 (C) a forest management plan (as defined  
12 in section 304 of the National Indian Forest  
13 Resources Management Act (25 U.S.C. 3103))  
14 with respect to Indian forest land or rangeland.

15 (8) GOVERNOR.—The term “Governor” means  
16 the Governor or other appropriate executive official  
17 of—

18 (A) a State; or

19 (B) an Indian Tribe.

20 (9) HAZARDOUS FUELS MANAGEMENT ACTIV-  
21 ITY.—The term “hazardous fuels management activ-  
22 ity” means a vegetation management activity, or any  
23 combination of such activities, that reduces the risk  
24 of wildfire, including mechanical thinning, mastica-  
25 tion, prescribed burning, cultural burning (as deter-

1       mined by an Indian Tribe), timber harvest, and  
2       grazing.

3           (10) HFRA TERMS.—The terms “at-risk com-  
4       munity”, “community wildfire protection plan”, and  
5       “wildland-urban interface” have the meanings given  
6       those terms in section 101 of the Healthy Forests  
7       Restoration Act of 2003 (16 U.S.C. 6511).

8           (11) INDIAN FOREST LAND OR RANGELAND.—  
9       The term “Indian forest land or rangeland” means  
10      land that—

11           (A) is held in trust, or subject to a restric-  
12          tion against alienation, by the United States for  
13          an Indian Tribe or a member of an Indian  
14          Tribe; and

15           (B)(i) is Indian forest land (as defined in  
16          section 304 of the National Indian Forest Re-  
17          sources Management Act (25 U.S.C. 3103)); or

18           (ii)(I) has a cover of grasses, brush, or any  
19          similar vegetation; or

20           (II) formerly had a forest cover or vegeta-  
21          tive cover that is capable of restoration.

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

1           (13) NATIONAL FOREST SYSTEM.—The term  
2           “National Forest System” has the meaning given  
3           the term in section 11(a) of the Forest and Range-  
4           land Renewable Resources Planning Act of 1974 (16  
5           U.S.C. 1609(a)).

6           (14) PUBLIC LAND.—The term “public land”  
7           means—

8                   (A) public lands (as defined in section 103  
9                   of the Federal Land Policy and Management  
10                  Act of 1976 (43 U.S.C. 1702));

11                  (B) the land reconveyed to the United  
12                  States pursuant to the first section of the Act  
13                  of February 26, 1919 (40 Stat. 1179, chapter  
14                  47) (commonly known as “Coos Bay Wagon  
15                  Road Grant lands”) under the jurisdiction of  
16                  the Secretary of the Interior; and

17                  (C) the land revested in the United States  
18                  by the Act of June 9, 1916 (39 Stat. 218,  
19                  chapter 137) (commonly known as “Oregon and  
20                  California Railroad Grant lands”) under the ju-  
21                  risdiction of the Secretary of the Interior.

22           (15) RELEVANT COMMITTEES OF CONGRESS.—  
23           The term “relevant committees of Congress”  
24           means—

25                   (A) in the Senate—



1 (i) the Committee on Agriculture, Nu-  
2 trition, and Forestry;

3 (ii) the Committee on Energy and  
4 Natural Resources;

5 (iii) the Committee on Indian Affairs;  
6 and

7 (iv) the Committee on Homeland Se-  
8 curity and Governmental Affairs; and

9 (B) in the House of Representatives—

10 (i) the Committee on Agriculture; and

11 (ii) the Committee on Natural Re-  
12 sources.

13 (16) SECRETARIES.—The term “Secretaries”  
14 means—

15 (A) the Secretary; and

16 (B) the Secretary of the Interior.

17 (17) SECRETARY.—The term “Secretary”  
18 means the Secretary of Agriculture.

19 (18) SECRETARY CONCERNED.—The term  
20 “Secretary concerned” means—

21 (A) the Secretary, with respect to National  
22 Forest System land; and

23 (B) the Secretary of the Interior, with re-  
24 spect to public land.

1 (19) SPECIAL DISTRICT.—The term “special  
2 district” means a political subdivision of a State  
3 that—

4 (A) has significant budgetary autonomy or  
5 control;

6 (B) was established by, or pursuant to, the  
7 laws of the State for the purpose of performing  
8 a limited and specific governmental or propri-  
9 etary function primarily relating to forest, wa-  
10 tershed, or rangeland management or water  
11 supply; and

12 (C) is distinct from any other unit of local  
13 government within the State.

14 (20) STATE.—The term “State” means—

15 (A) each of the several States;

16 (B) the District of Columbia; and

17 (C) each territory of the United States.

18 **TITLE I—LANDSCAPE-SCALE**

19 **RESTORATION**

20 **Subtitle A—Addressing Emergency**

21 **Wildfire Risks in High-priority**

22 **Firesheds**

23 **SEC. 101. DESIGNATION OF FIRESHED MANAGEMENT**

24 **AREAS.**

25 (a) DESIGNATIONS.—

1           (1) INITIAL FIRESHED DESIGNATIONS.—For  
2           the 5-year period beginning on the date of enact-  
3           ment of this Act, the firesheds of the United States  
4           shall comprise—

5                   (A) the 7,688 firesheds described in the re-  
6                   port published by the Rocky Mountain Research  
7                   Station of the Forest Service in 2021; and

8                   (B) the additional 1,262 firesheds in the  
9                   States of Alaska and Hawaii and the territories  
10                  of the United States designated by the Sec-  
11                  retary in the same manner as the firesheds des-  
12                  ignated in the report described in subparagraph  
13                  (A).

14           (2) INITIAL FIRESHED MANAGEMENT AREA  
15           DESIGNATIONS.—Subject to paragraph (5), for the  
16           period beginning not later than 30 days after the  
17           date of enactment of this Act and ending on the  
18           date that is 5 years after the date of enactment of  
19           this Act, each Secretary concerned shall designate  
20           and make publicly available on the website of the  
21           Secretary concerned a map of the following fireshed  
22           management areas:

23                   (A) Each landscape-scale fireshed identi-  
24                   fied as a “high-risk fireshed” in the document  
25                   published by the Forest Service entitled “Wild-

1 fire Crisis Strategy”, dated January 2022, and  
2 expanded in 2023.

3 (B) The top 20 percent of firesheds in the  
4 continental United States identified by the Sec-  
5 retary for wildfire exposure based on the fol-  
6 lowing criteria:

7 (i) Wildfire exposure and cor-  
8 responding risk to communities, including  
9 risk to life, critical infrastructure, and  
10 other structures.

11 (ii) Wildfire exposure and cor-  
12 responding risk to municipal watersheds,  
13 including Tribal water supplies and sys-  
14 tems.

15 (3) INITIAL DESIGNATIONS IN ALASKA, HAWAII,  
16 AND TERRITORIES.—Not later than 30 days after  
17 the date of enactment of this Act, the Secretary  
18 shall designate in the States of Alaska and Hawaii  
19 and the territories of the United States such addi-  
20 tional fireshed management areas as the Secretary  
21 determines to be appropriate, based on the criteria  
22 described in clauses (i) and (ii) of paragraph (2)(B).

23 (4) MAP-BASED UPDATED DESIGNATIONS.—

24 (A) MAP OF FIRESHEDS.—Not later than  
25 5 years after the date of enactment of this Act,

1 and not less frequently than once every 5 years  
2 thereafter, the Secretary, in consultation with  
3 the Secretary of the Interior, shall submit to  
4 the relevant committees of Congress an updated  
5 map of the firesheds of the United States,  
6 which shall—

7 (i) be based on the Fireshed Registry;

8 and

9 (ii) include firesheds in the States of  
10 Alaska and Hawaii and the territories of  
11 the United States.

12 (B) FIRESHED MANAGEMENT AREAS.—Not  
13 later than 60 days after submitting an updated  
14 fireshed map under subparagraph (A), the Sec-  
15 retary shall update the designations of fireshed  
16 management areas to reflect firesheds depicted  
17 on that map that the Secretary, in consultation  
18 with the Secretary of the Interior, identifies as  
19 being in the top 20 percent of firesheds at risk  
20 of wildfire exposure based on the criteria de-  
21 scribed in subparagraphs (A) through (C) of  
22 section 103(a)(3) and in accordance with this  
23 section.

24 (C) PUBLICATION.—The Secretary shall  
25 make each updated map prepared under this

1 paragraph publicly available on the Fireshed  
2 Registry.

3 (5) LAND LOCATION AND CONTENT.—A  
4 fireshed management area designated under this  
5 subsection—

6 (A) shall not overlap with any other  
7 fireshed management area; and

8 (B) may contain Federal and non-Federal  
9 land, including Indian forest land or rangeland.

10 (6) COMBINING MULTIPLE FIRESHEDS.—The  
11 Secretary, in consultation with the Secretary of the  
12 Interior, if applicable, may expand a fireshed man-  
13 agement area designated under this subsection to in-  
14 clude more than 1 fireshed that is designated as a  
15 fireshed management area under the applicable cri-  
16 teria described in this section.

17 (b) USE.—The Secretary concerned may carry out  
18 fireshed management projects on the fireshed manage-  
19 ment areas designated under this section.

20 (c) APPLICABILITY OF NEPA.—The designation of  
21 a fireshed management area under this section shall not  
22 be subject to the requirements of the National Environ-  
23 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

24 **SEC. 102. WILDLAND FIRE INTELLIGENCE CENTER.**

25 (a) DEFINITIONS.—In this section:

1           (1) BOARD.—The term “Board” means the  
2       Board of Directors governing the Center appointed  
3       under subsection (f).

4           (2) CENTER.—The term “Center” means the  
5       Wildland Fire Intelligence Center established under  
6       subsection (b).

7       (b) ESTABLISHMENT.—Not later than 1 year after  
8       the date of enactment of this Act, the Secretary and the  
9       Secretary of the Interior shall establish a joint office, to  
10      be known as the “Wildland Fire Intelligence Center”, to  
11      serve Federal and non-Federal entities through the func-  
12      tions described in subsection (d).

13       (c) HEADQUARTERS.—Not later than 1 year after the  
14      date of enactment of this Act, the Board shall select from  
15      within the United States a permanent location for the  
16      physical headquarters of the Center.

17       (d) FUNCTIONS.—The functions of the Center shall  
18      include the following:

19           (1) Providing real-time, science-based, and  
20      data-rich scientific and technical analytical services,  
21      modeling, monitoring, mapping, decision support,  
22      and predictive services across all phases of fire to in-  
23      form land and fuels management (including pre-  
24      scribed fire), pre-fire community and built environ-  
25      ment risk reduction, active fire management and

1 emergency response, and post-fire recovery in the  
2 built and natural environments.

3 (2) Providing, disseminating, procuring, if com-  
4 mercially available, and combining existing data,  
5 mapping, technological, and consultation services to  
6 support pre-, active, and post-fire activities at the  
7 local, State, and national levels, including—

8 (A) creating and maintaining a real-time  
9 nationwide risk catalog, including the Fireshed  
10 Registry;

11 (B) assisting with the creation of evacu-  
12 ation plans, public safety power shutoff plans,  
13 and wildfire mitigation and response strategies  
14 or plans (including built environment mitigation  
15 plans and community wildfire protection plans)  
16 for at-risk communities;

17 (C) providing decision support and gridded  
18 and point data forecast and assessment prod-  
19 ucts in support of operational and planning ac-  
20 tivities, including the pre-positioning of wildfire  
21 suppression personnel and assets based on real-  
22 time-risk;

23 (D) assisting with the safe and effective  
24 use of prescribed fire; and



1                   (E) developing a real-time data interface to  
2                   assist and inform, in real time, firefighters, first  
3                   responders, and approved contractors in re-  
4                   sponding to wildfires.

5                   (3) Consolidating air quality monitoring and  
6                   forecasting data, including utilizing existing Federal  
7                   programs, as appropriate, to help inform risks to  
8                   public health and protect the public from smoke im-  
9                   pacts associated with wildfires, including providing  
10                  planning guidance for safe and effective beneficial  
11                  fire opportunities to prevent the risk of wildfires.

12                  (4) Establishing information technology and  
13                  data interoperability through—

14                       (A) the development of common data  
15                       standards to protect confidential information;

16                       (B) comprehensive searchable data inven-  
17                       tories;

18                       (C) working with Tribal governments in  
19                       nation-to-nation partnership;

20                       (D) the integration and sharing of infor-  
21                       mation and resources of the Federal Govern-  
22                       ment, States, local governments, and partici-  
23                       pating Indian Tribes, as determined by Tribal  
24                       governments, to support the essential functions  
25                       of the Center; and

1                   (E) regular updates and maintenance of  
2                   research and technology essential to achieving  
3                   the core functions of the Center, including the  
4                   evaluation of new and competing models as  
5                   those models become available.

6                   (5) Coordinating with the National Wildfire Co-  
7                   ordinating Group, as requested, to develop and im-  
8                   prove wildfire preparedness curricula and training  
9                   modules for States, Indian Tribes, and local officials,  
10                  including emergency managers and responders.

11                  (6) Administering the pilot program established  
12                  under section 303 and streamlining procurement  
13                  processes for technologies identified under that pilot  
14                  program and technology systems related to address-  
15                  ing wildfire and smoke for purposes of scaling such  
16                  technologies and systems across Federal agencies.

17                  (7) Engaging with relevant Federal agencies,  
18                  State agencies, and entities in the private sector to  
19                  improve fire environment monitoring, forecasting,  
20                  communication, and response that may be essential  
21                  to the core functions of the Center, if the Executive  
22                  Director determines that the engagement is appro-  
23                  priate, beneficial, and cost-effective.

24                  (e) CENTER FUNDING.—

1           (1) IN GENERAL.—To carry out the functions  
2           of the Center, the Secretaries may transfer funds  
3           provided to establish, and carry out the duties of,  
4           the Center among—

5                   (A) the Forest Service, from amounts  
6                   made available for Wildland Fire Management;

7                   (B) the Department of the Interior, from  
8                   amounts made available for Wildland Fire Man-  
9                   agement; and

10                   (C) the United States Geological Survey.

11           (2) INTERAGENCY FINANCING.—Notwith-  
12           standing section 708 of the Financial Services and  
13           General Government Appropriations Act, 2023  
14           (Public Law 117–328; 136 Stat. 4706), or any  
15           other, similar provision of law, interagency financing  
16           may be used to fund the Center.

17           (3) NOTICE REQUIRED.—Not later than 15  
18           days before transferring funds under paragraph (1)  
19           or (2), the Secretary or the Secretary of the Inte-  
20           rior, as applicable, shall submit to the Committee on  
21           Appropriations of the Senate and the Committee on  
22           Appropriations of the House of Representatives a  
23           notice of the proposed transfer.

24           (f) BOARD.—

1           (1) MEMBERSHIP.—The Center shall be gov-  
2           erned by a Board of Directors, to be composed of 16  
3           members, as follows:

4                   (A) 1 member who is a career employee of  
5           the Department of Agriculture, to be appointed  
6           by the Secretary.

7                   (B) 1 member who is a career employee of  
8           the research and development areas of the For-  
9           est Service, to be appointed by the Chief of the  
10          Forest Service.

11                  (C) 1 member who is a career employee in  
12          fire and aviation management of the Forest  
13          Service, to be appointed by the Chief of the  
14          Forest Service.

15                  (D) 1 member who is a career employee of  
16          the Department of the Interior, to be appointed  
17          by the Secretary of the Interior.

18                  (E) 1 member who is a career employee of  
19          the Bureau of Land Management, to be ap-  
20          pointed by the Director of the Bureau of Land  
21          Management.

22                  (F) 1 member who is a career employee of  
23          the Bureau of Indian Affairs, to be appointed  
24          by the Assistant Secretary for Indian Affairs.

## 21

1 (G) 1 member who is a career employee of  
2 the National Park Service, to be appointed by  
3 the Director of the National Park Service.

4 (H) 1 member who is a career employee of  
5 the United States Fish and Wildlife Service, to  
6 be appointed by the Director of the United  
7 States Fish and Wildlife Service.

8 (I) 1 member who is a career employee of  
9 the United States Geological Survey, to be ap-  
10 pointed by the Director of the United States  
11 Geological Survey.

12 (J) 1 member who is a career employee of  
13 the National Oceanic and Atmospheric Admin-  
14 istration, to be appointed by the Administrator  
15 of the National Oceanic and Atmospheric Ad-  
16 ministration.

17 (K) 1 member who is a career employee of  
18 the National Weather Service, to be appointed  
19 by the Director of the National Weather Serv-  
20 ice.

21 (L) 1 member who is a career employee of  
22 the Federal Emergency Management Agency, to  
23 be appointed by the Administrator of the Fed-  
24 eral Emergency Management Agency.

1 (M) 1 member who is a career employee of  
2 the United States Fire Administration, to be  
3 appointed by the Administrator of the United  
4 States Fire Administration.

5 (N) 1 member who is a career employee of  
6 the Department of Defense, to be appointed by  
7 the Secretary of Defense.

8 (O) 1 member who is a career employee of  
9 the National Science Foundation, to be ap-  
10 pointed by the Director of the National Science  
11 Foundation.

12 (P) 1 member who is a career employee of  
13 the National Aeronautics and Space Adminis-  
14 tration, to be appointed by the Administrator of  
15 the National Aeronautics and Space Adminis-  
16 tration.

17 (2) TERMS.—

18 (A) IN GENERAL.—The term of a member  
19 of the Board shall be 3 years, except that, of  
20 the members first appointed—

21 (i)  $\frac{1}{3}$  shall serve for a term of 4  
22 years;

23 (ii)  $\frac{1}{3}$  shall serve for a term of 3  
24 years; and

1 (iii)  $\frac{1}{3}$  shall serve for a term of 2  
2 years.

3 (B) ADDITIONAL TERMS.—After the initial  
4 term of a member of the Board, including the  
5 members first appointed, the member may serve  
6 not more than 3 additional 3-year terms, except  
7 that a member initially appointed to a serve a  
8 term of 4 years may serve not more than 2 ad-  
9 ditional 3-year terms.

10 (3) CHAIRPERSON.—The Chairperson of the  
11 Board—

12 (A) shall be selected by the members of the  
13 Board from among the members appointed  
14 under subparagraphs (B), (I), and (J) of para-  
15 graph (1);

16 (B) shall serve for a term of 1 year; and

17 (C) may be reselected as Chairperson not  
18 more than twice.

19 (4) MAJORITY VOTE.—A voting consensus by  
20 the Board shall be not less than a  $\frac{2}{3}$  majority vote  
21 of the members present.

22 (5) NONVOTING STATUS.—At the discretion of  
23 the Board, the Board may include nonvoting observ-  
24 ers to the Board.

25 (g) EXECUTIVE DIRECTOR.—

1           (1) IN GENERAL.—The Center shall have an  
2       Executive Director, who shall—

3                   (A) be appointed by, and serve at the di-  
4       rection of, the Board; and

5                   (B) be responsible for the management  
6       and operation of the Center.

7           (2) CONTRACTING AUTHORITY.—The Executive  
8       Director may enter into and perform contracts,  
9       agreements, memoranda of understanding, or other,  
10      similar transactions, as the Executive Director de-  
11      termines to be appropriate to carry out the functions  
12      of the Center described in subsection (d).

13      (h) DETAILEES.—The Secretary and the Secretary of  
14      the Interior may detail or assign to the Center such em-  
15      ployees of the Department of Agriculture and the Depart-  
16      ment of the Interior, respectively, as the Secretaries deter-  
17      mine to be necessary to carry out the duties of the Center.

18      (i) COORDINATION WITH OTHER AGENCIES AND EN-  
19      TITIES.—To carry out the functions of the Center de-  
20      scribed in subsection (d), the Board shall coordinate with  
21      agencies represented on the Board and other relevant enti-  
22      ties, including—

23                   (1) the National Wildfire Coordinating Group;  
24      and



1           (2) any relevant Federal agency, State, Indian  
2       Tribe, local government, or nongovernmental entity  
3       that is representative of an element of the wildland  
4       fire community.

5       (j) OPERATIONAL PLAN.—

6           (1) IN GENERAL.—Not later than 180 days  
7       after the appointment of the Executive Director, the  
8       Executive Director shall submit to the relevant com-  
9       mittees of Congress an initial operational plan de-  
10      scribing—

11                (A) the structure of the Center;

12                (B) staffing and funding needs of the Cen-  
13      ter;

14                (C) technological capabilities within the  
15      Department of Agriculture, the Department of  
16      the Interior, and the other Federal departments  
17      and agencies comprising the Board that are  
18      available to the Center;

19                (D) an assessment of the potential of com-  
20      mercially available technologies to perform the  
21      functions of the Center, together with the costs  
22      and timelines of procuring those technologies or  
23      developing relevant capabilities;

24                (E) an assessment of—

1 (i) existing contracting authorities of  
2 the Executive Director to be used for pur-  
3 poses of subsection (g)(2); and

4 (ii) new contracting authorities need-  
5 ed; and

6 (F) a timeline for full operational func-  
7 tioning of the Center.

8 (2) INCLUSIONS.—The plan under paragraph  
9 (1) shall include estimated costs, key milestones, co-  
10 ordination strategies with Federal, State, and pri-  
11 vate entities, and recommendations for ensuring the  
12 effective operation of the Center.

13 (3) UPDATES.—The Executive Director shall  
14 update the plan not less frequently than annually to  
15 reflect progress, adjustments in funding, and the  
16 adoption of new technologies.

17 (k) RULE OF CONSTRUCTION.—Nothing in this sec-  
18 tion affects the ownership of any data source.

19 **SEC. 103. FIRESHED REGISTRY.**

20 (a) ESTABLISHMENT.—The Secretaries, acting  
21 through the Executive Director, shall establish and main-  
22 tain, on a publicly accessible website, a registry, to be  
23 known as the “Fireshed Registry”, that provides inter-  
24 active geospatial data relating to individual firesheds, in-  
25 cluding information relating to—

1           (1) wildland fire exposure, delineated by owner-  
2           ship, including rights-of-way for utilities and other  
3           public or private purposes;

4           (2) any hazardous fuels management activities  
5           that have occurred within an individual fireshed dur-  
6           ing the preceding 10 years;

7           (3) wildland fire exposure with respect to a  
8           fireshed, delineated by—

9                   (A) wildfire exposure and corresponding  
10                  risk to communities, including risk to life, crit-  
11                  ical infrastructure, and other structures;

12                  (B) wildfire exposure and corresponding  
13                  risk to municipal watersheds, including Tribal  
14                  water supplies and systems; and

15                  (C) risk of vegetation type conversion due  
16                  to wildfire;

17           (4) the percentage of a fireshed burned in wild-  
18           fire during the preceding 10 years, including, to the  
19           extent practicable, delineations of acres that have  
20           burned at a high severity;

21           (5) spatial patterns of wildfire exposure, includ-  
22           ing plausible extreme fire events; and

23           (6) any hazardous fuels management activities  
24           scheduled for a fireshed, including fireshed manage-  
25           ment projects.

1 (b) COMMUNITY WILDFIRE PROTECTION PLANS.—

2 The Executive Director shall make data from the Fireshed  
3 Registry available to local communities developing or up-  
4 dating community wildfire protection plans.

5 (c) MAINTENANCE.—As part of the website con-  
6 taining the Fireshed Registry, the Executive Director  
7 shall—

8 (1) publish fireshed assessments conducted  
9 under section 105; and

10 (2) maintain a searchable database to track—

11 (A) the status of Federal environmental re-  
12 views, permits, and authorizations for fireshed  
13 management projects, including—

14 (i) a comprehensive permitting time-  
15 table;

16 (ii) the status of the compliance of  
17 each lead agency, cooperating agency, and  
18 participating agency with the permitting  
19 timetable with respect to fireshed manage-  
20 ment projects;

21 (iii) any required modifications of the  
22 permitting timetable under clause (i), in-  
23 cluding an explanation regarding why the  
24 permitting timetable was modified; and

1 (iv) information regarding any public  
2 meetings, public hearings, and public com-  
3 ment periods relating to a fireshed man-  
4 agement project, as that information be-  
5 comes available, which shall be presented  
6 in—

7 (I) English; and

8 (II) the predominant language of  
9 each community that is most affected  
10 by the fireshed management project,  
11 as that information becomes available;

12 (B) the projected cost of fireshed manage-  
13 ment projects; and

14 (C) in the case of a completed fireshed  
15 management project, the estimated effectiveness  
16 of the fireshed management project in—

17 (i) reducing the wildfire exposure  
18 within the applicable fireshed, including  
19 wildfire exposure described in subpara-  
20 graphs (A) through (C) of subsection  
21 (a)(3); and

22 (ii) increasing the resilience of wildlife  
23 habitats, including habitat for species list-  
24 ed as threatened or endangered under the

1                   Endangered Species Act of 1973 (16  
2                   U.S.C. 1531 et seq.).

3           (d) INCORPORATION OF EXISTING ASSESSMENTS  
4 AND DATA.—In carrying out this section, the Executive  
5 Director shall incorporate any assessments completed or  
6 data gathered through existing partnerships, to the extent  
7 practicable.

8           (e) APPLICABILITY OF NEPA.—The establishment  
9 and maintenance of the Fireshed Registry under this sec-  
10 tion shall not be subject to the requirements of the Na-  
11 tional Environmental Policy Act of 1969 (42 U.S.C. 4321  
12 et seq.).

13 **SEC. 104. SHARED STEWARDSHIP.**

14           (a) JOINT AGREEMENTS.—The Secretary concerned  
15 shall seek to use an existing shared stewardship agree-  
16 ment, modify an existing shared stewardship agreement,  
17 or enter into a similar agreement with the Governor of  
18 each State and Indian Tribe that contains a fireshed man-  
19 agement area designated under section 101(a)—

20                   (1) to promote the reduction of wildfire expo-  
21                   sure, based on the criteria described in section  
22                   103(a)(3), in fireshed management areas across ju-  
23                   risdictional boundaries; and

24                   (2) to conduct fireshed assessments under sec-  
25                   tion 105.

1 (b) ADJUSTMENT OF BOUNDARIES AND UPDATES TO  
2 AGREEMENTS.—With respect to an agreement under sub-  
3 section (a), the Secretary concerned, on request of the ap-  
4 plicable Governor, may—

5 (1) adjust the boundaries of any applicable  
6 fireshed management area to include additional  
7 areas from within a separate fireshed management  
8 area designated under section 101; and

9 (2) update the agreement to address any new  
10 wildfire threats.

11 (c) COOPERATIVE AGREEMENTS.—The Secretaries  
12 may enter into cooperative agreements with units of local  
13 government, special districts, end water users, nongovern-  
14 mental organizations, institutions of higher education, Na-  
15 tive Hawaiian organizations (as defined in section 6207  
16 of the Elementary and Secondary Education Act of 1965  
17 (20 U.S.C. 7517)), and other entities, at the discretion  
18 of the applicable Secretary to carry out the activities de-  
19 scribed in paragraphs (1) and (2) of subsection (a).

20 **SEC. 105. FIRESHED ASSESSMENTS.**

21 (a) IN GENERAL.—Not later than 120 days after the  
22 date of enactment of this Act, the Secretary concerned,  
23 in cooperation with the Governor with whom the Secretary  
24 concerned enters into an agreement under section 104(a),  
25 if applicable, shall conduct a fireshed assessment in ac-

1 cordance with this section with respect to each fireshed  
2 management area designated in the applicable State or  
3 area of Tribal land.

4 (b) REQUIREMENTS.—

5 (1) IN GENERAL.—Each fireshed assessment  
6 under subsection (a) shall—

7 (A) identify—

8 (i) using the best available science,  
9 wildfire exposure risks within the applica-  
10 ble fireshed management area, including  
11 scenario planning and wildfire hazard map-  
12 ping and models; and

13 (ii) each at-risk community within the  
14 fireshed management area;

15 (B) identify the types of fireshed manage-  
16 ment projects that could benefit the fireshed  
17 management area, with an emphasis on reduc-  
18 ing—

19 (i) wildfire exposure and cor-  
20 responding risk to communities, including  
21 risk to life, critical infrastructure, and  
22 other structures;

23 (ii) wildfire exposure and cor-  
24 responding risk to municipal watersheds,



1 including Tribal water supplies and sys-  
2 tems;

3 (iii) risk of vegetation type conversion  
4 due to wildfire;

5 (iv) wildfire risk for wildlife habitats,  
6 including habitat for species listed as  
7 threatened or endangered under the En-  
8 dangered Species Act of 1973 (16 U.S.C.  
9 1531 et seq.);

10 (v) wildfire risk to resources of an In-  
11 dian Tribe, as defined by the Indian Tribe;  
12 or

13 (vi) any combination of purposes de-  
14 scribed in clauses (i) through (v); and

15 (C) include, with respect to the applicable  
16 fireshed management area—

17 (i) a strategy for reducing the threat  
18 of wildfire—

19 (I) to protect at-risk communities  
20 in the wildland-urban interface on  
21 Federal and non-Federal land;

22 (II) to improve the effectiveness  
23 of wildfire firefighting, particularly  
24 the effectiveness of fuels treatments

1 that would improve wildfire firefighter  
2 safety during wildfires; and

3 (III) to reduce risk to wildlife  
4 habitats, including habitat for species  
5 listed as threatened or endangered  
6 under the Endangered Species Act of  
7 1973 (16 U.S.C. 1531 et seq.);

8 (ii) a timeline for the implementation  
9 of fireshed management projects;

10 (iii) long-term benchmark goals for  
11 the completion of fireshed management  
12 projects in the highest wildfire exposure  
13 areas to ensure that those fireshed man-  
14 agement projects contribute to the develop-  
15 ment and maintenance of healthy and re-  
16 silient landscapes;

17 (iv) a strategy to ensure that fireshed  
18 management projects comply with applica-  
19 ble forest plans and incorporate the best  
20 available science; and

21 (v) a strategy for maximizing the re-  
22 tention of late-successional forests, to the  
23 extent that the trees promote stands that  
24 are resilient to insects and disease, and re-

1                   duce the risk or extent of, or increase resil-  
2                   ience to, wildfires.

3                   (2) EXISTING PLANS.—To the maximum extent  
4                   practicable, a fireshed assessment shall incorporate  
5                   and build on information, planning, and strategies  
6                   contained in relevant forest plans, State forest ac-  
7                   tion plans, Tribal integrated resource management  
8                   plans or Tribal forest management plans, watershed  
9                   management plans, community wildfire protection  
10                  plans, and similar locally led landscape-scale plan-  
11                  ning documents.

12                  (3) PARTICIPATION.—

13                         (A) STATE, TRIBAL, AND LOCAL GOVERN-  
14                         MENTS.—In addition to the parties to an appli-  
15                         cable agreement described in subsection (a), the  
16                         Secretary concerned shall coordinate with other  
17                         entities that are parties to an agreement under  
18                         section 104(c) within a fireshed management  
19                         area in conducting the fireshed assessment  
20                         under paragraph (1).

21                         (B) PUBLIC.—In carrying out a fireshed  
22                         assessment under this section, the Secretary  
23                         concerned shall provide an opportunity for pub-  
24                         lic participation during the 45-day period begin-

1           ning on the date of initiation of the assessment,  
2           including—

3                   (i) publication of information regard-  
4                   ing the development of the assessment—

5                           (I) on a website maintained by  
6                           the Secretary concerned; and

7                           (II) at convenient locations with-  
8                           in the applicable fireshed management  
9                           area; and

10                   (ii) at least 1 public meeting.

11       (c) UPDATES AND AVAILABILITY.—Each fireshed as-  
12       ssessment under subsection (a) shall be—

13           (1) regularly updated based on the best avail-  
14       able science, subject to the requirements of sub-  
15       section (d)(2); and

16           (2) made publicly available on 1 or more  
17       websites maintained by the Secretary concerned, in-  
18       cluding the Fireshed Registry.

19       (d) INFORMATION IMPROVEMENT.—

20           (1) AGREEMENTS.—In carrying out a fireshed  
21       assessment under this section, the Secretary con-  
22       cerned may enter into agreements with other Fed-  
23       eral departments and agencies (including the Na-  
24       tional Oceanic and Atmospheric Administration),  
25       States, Indian Tribes, Native Hawaiian organiza-

1        tions (as defined in section 6207 of the Elementary  
2        and Secondary Education Act of 1965 (20 U.S.C.  
3        7517)), private entities, or research or educational  
4        institutions to improve, with respect to the assess-  
5        ment, the use and integration of—

6                (A)    advanced    remote    sensing    and  
7                geospatial technologies;

8                (B) statistical modeling and analysis; or

9                (C) any other technology or combination of  
10              technologies and analyses that the Secretary  
11              concerned determines will benefit the quality of  
12              information in the assessment.

13              (2) BEST AVAILABLE SCIENCE.—In using the  
14              best available science for a fireshed assessment  
15              under this section, the Secretary concerned and the  
16              applicable Governor shall incorporate, to the max-  
17              imum extent practicable—

18                      (A) traditional ecological knowledge from  
19                      Indian Tribes;

20                      (B) data from State forest action plans  
21                      and State wildfire risk assessments;

22                      (C) data from the Fireshed Registry; and

23                      (D) data from other Federal, State, Tribal,  
24                      and local governments or agencies.

1 (e) APPLICABILITY OF NEPA.—A fireshed assess-  
2 ment under this section shall not be subject to the require-  
3 ments of the National Environmental Policy Act of 1969  
4 (42 U.S.C. 4321 et seq.).

5 **SEC. 106. EMERGENCY FIRESHED MANAGEMENT.**

6 (a) FIRESHED MANAGEMENT PROJECTS.—

7 (1) IN GENERAL.—The Secretary concerned,  
8 acting through a responsible official, shall carry out  
9 fireshed management projects on land under the ju-  
10 risdiction of the Secretary concerned in fireshed  
11 management areas in accordance with this section,  
12 the applicable forest plan, and the laws (including  
13 regulations) applicable to the Secretary concerned.

14 (2) APPLICABILITY OF OTHER PROVISIONS.—

15 (A) IN GENERAL.—The following shall  
16 have the force and effect of law with respect to  
17 any fireshed management project carried out in  
18 a fireshed management area:

19 (i) Section 220.4(b) of title 36, Code  
20 of Federal Regulations (as in effect on  
21 April 9, 2025), with respect to land under  
22 the jurisdiction of the Secretary.

23 (ii) Section 46.150 of title 43, Code of  
24 Federal Regulations (as in effect on April  
25 9, 2025), with respect to land under the

1 jurisdiction of the Secretary of the Inte-  
2 rior.

3 (iii) Section 402.05 of title 50, Code  
4 of Federal Regulations (as in effect on  
5 April 9, 2025).

6 (iv) Section 800.12 of title 36, Code  
7 of Federal Regulations (as in effect on  
8 April 9, 2025), except that any reference  
9 contained in that regulation to an “agency  
10 official” shall be considered to be a ref-  
11 erence to a responsible official.

12 (B) DETERMINATION OF EMERGENCY.—

13 (i) IN GENERAL.—A regulation re-  
14 ferred to in subparagraph (A) shall not  
15 apply pursuant to that subparagraph with  
16 respect to a fireshed management project  
17 unless, before carrying out the fireshed  
18 management project, a responsible offi-  
19 cial—

20 (I) determines, in accordance  
21 with the regulation, that an emer-  
22 gency or emergency circumstance ex-  
23 ists;

1 (II) completes any documentation  
2 or identification processes required  
3 under such regulation; and

4 (III) provides public notice of the  
5 determination of emergency and each  
6 related fireshed management project  
7 activity by publishing such determina-  
8 tion on a website maintained by the  
9 Secretary concerned.

10 (ii) REQUIREMENT.—In carrying out  
11 a fireshed management project under a  
12 regulation referred to in subparagraph (A),  
13 a responsible official shall ensure that such  
14 fireshed management project is consistent  
15 with the applicable forest plan and the  
16 laws (including regulations) and policies  
17 applicable to the Secretary concerned.

18 (C) FURTHER CLARIFICATION.—A regula-  
19 tion referred to in subparagraph (A) shall not  
20 apply to any fireshed management project un-  
21 less such fireshed management project will  
22 achieve a land management goal described in  
23 section 604(c) of the Healthy Forests Restora-  
24 tion Act of 2003 (16 U.S.C. 6591c(c)).



1 (D) UTILIZATION OF EXISTING STREAM-  
2 LINED AUTHORITIES IN FIRESHED MANAGE-  
3 MENT AREAS.—

4 (i) IN GENERAL.—Not later than 2  
5 years after the date of enactment of this  
6 Act, with respect to each fireshed manage-  
7 ment area that contains Federal land, the  
8 Secretary concerned, acting through a re-  
9 sponsible official, shall use not fewer than  
10 1 of the following expedited authorities for  
11 environmental review to carry out fireshed  
12 management projects:

13 (I) Section 603(a) of the Healthy  
14 Forests Restoration Act of 2003 (16  
15 U.S.C. 6591b(a)).

16 (II) Section 605(a) of the  
17 Healthy Forests Restoration Act of  
18 2003 (16 U.S.C. 6591d(a)).

19 (III) Section 606(b) of the  
20 Healthy Forests Restoration Act of  
21 2003 (16 U.S.C. 6591e(b)).

22 (IV) Section 40806(b) of the In-  
23 frastructure Investment and Jobs Act  
24 (16 U.S.C. 6592b(b)).

1 (ii) COMPLIANCE WITH NEPA.—In ap-  
2 plying expedited authorities for environ-  
3 mental review to carry out fireshed man-  
4 agement projects under clause (i), the Sec-  
5 retary concerned shall ensure—

6 (I) such project is carried out in  
7 accordance with the statute estab-  
8 lishing the categorical exclusion ap-  
9 plied by the Secretary concerned;

10 (II) compliance with the National  
11 Environmental Policy Act of 1969 (42  
12 U.S.C. 4321 et seq.); and

13 (III) such project is carried out  
14 in accordance with the applicable for-  
15 est plan and the laws and policies ap-  
16 plicable to the Secretary concerned.

17 (iii) ADDITIONAL EMERGENCY AC-  
18 TIONS.—The Secretary may declare an  
19 emergency pursuant to section 40807 of  
20 the Infrastructure Investment and Jobs  
21 Act (16 U.S.C. 6592c) for any fireshed  
22 management project.

23 (iv) FISCAL RESPONSIBILITY ACT RE-  
24 QUIREMENTS.—In carrying out this sec-  
25 tion, the Secretary concerned shall ensure

1 compliance with the amendments made to  
2 the National Environmental Policy Act of  
3 1969 (42 U.S.C. 4321 et seq.) by the Fis-  
4 cal Responsibility Act of 2023 (Public Law  
5 118–5; 137 Stat. 38).

6 (v) USE OF OTHER AUTHORITIES.—

7 To the maximum extent practicable, the  
8 Secretary concerned shall use the authori-  
9 ties, if applicable, provided under this sec-  
10 tion in combination with other authorities  
11 to carry out fireshed management projects,  
12 including—

13 (I) good neighbor agreements  
14 under section 8206 of the Agricultural  
15 Act of 2014 (16 U.S.C. 2113a) (as  
16 amended by this Act);

17 (II) stewardship contracting  
18 projects entered into under section  
19 604 of the Healthy Forests Restora-  
20 tion Act of 2003 (16 U.S.C. 6591c)  
21 (as amended by this Act);

22 (III) self-determination contracts  
23 and self-governance compact agree-  
24 ments entered into under the Indian  
25 Self-Determination and Education As-

1                   sistance Act (25 U.S.C. 5301 et seq.);  
2                   and  
3                   (IV) agreements and contracts  
4                   entered into under the Tribal Forest  
5                   Protection Act of 2004 (Public Law  
6                   108–278; 118 Stat. 868).

7       (b) EXPANSION.—

8           (1) HEALTHY FORESTS RESTORATION ACT  
9       AMENDMENTS.—

10           (A) DEFINITIONS.—Section 3 of the  
11       Healthy Forests Restoration Act of 2003 (16  
12       U.S.C. 6502) is amended—

13           (i) in paragraph (2), by striking  
14       “450b” and inserting “5304”; and

15           (ii) by adding at the end the fol-  
16       lowing:

17       “(3) LOCAL GOVERNMENT.—The term ‘local  
18       government’ means—

19           “(A) a county;

20           “(B) a municipality; and

21           “(C) a special district.

22       “(4) SPECIAL DISTRICT.—The term ‘special dis-  
23       trict’ means a political subdivision of a State that—

24           “(A) has significant budgetary autonomy  
25       or control;

1           “(B) was established by, or pursuant to,  
2           the laws of the State for the purpose of per-  
3           forming a limited and specific governmental or  
4           proprietary function primarily relating to forest,  
5           watershed, or rangeland management or water  
6           supply; and

7           “(C) is distinct from any other unit of  
8           local government within the State.”.

9           (B) ADMINISTRATIVE REVIEW.—Section  
10          603(c) of the Healthy Forests Restoration Act  
11          of 2003 (16 U.S.C. 6591b(c)) is amended—

12                 (i) in paragraph (1), by striking  
13                 “3000 acres” and inserting “10,000  
14                 acres”; and

15                 (ii) in paragraph (2)(B), by striking  
16                 “Fire Regime Groups I, II, or III” and in-  
17                 serting “Fire Regime I, Fire Regime II,  
18                 Fire Regime III, or Fire Regime IV”.

19          (C) WILDFIRE RESILIENCE PROJECTS.—  
20          Section 605(c) of the Healthy Forests Restora-  
21          tion Act of 2003 (16 U.S.C. 6591d(c)) is  
22          amended—

23                 (i) in paragraph (1), by striking  
24                 “3000 acres” and inserting “10,000  
25                 acres”; and

1 (ii) in paragraph (4), by striking  
2 “code of Federal regulations (or successor  
3 regulations)” and inserting “Code of Fed-  
4 eral regulations (or a successor regula-  
5 tion)”.

6 (D) GREATER SAGE-GROUSE AND MULE  
7 DEER HABITAT.—Section 606 of the Healthy  
8 Forests Restoration Act of 2003 (16 U.S.C.  
9 6591e) is amended—

10 (i) in subsection (c), by striking “con-  
11 currently for both greater sage-grouse  
12 and” and inserting “for greater sage-  
13 grouse or”; and

14 (ii) in subsection (g)(1), by striking  
15 “4,500 acres” and inserting “7,500 acres”.

16 (2) INFRASTRUCTURE INVESTMENT AND JOBS  
17 ACT AMENDMENT.—Section 40806(d)(1) of the In-  
18 frastructure Investment and Jobs Act (16 U.S.C.  
19 6592b(d)(1)) is amended by striking “3,000 acres”  
20 and inserting “10,000 acres”.

21 **SEC. 107. SUNSET.**

22 The authority under this subtitle terminates on the  
23 date that is 7 years after the date of enactment of this  
24 Act.

1 **Subtitle B—Expanding Collaborative Tools to Reduce Wildfire**  
2 **Risk and Improve Forest Health**

4 **SEC. 111. MODIFICATION OF TREATMENT OF CERTAIN REV-**  
5 **ENUE AND PAYMENTS UNDER GOOD NEIGH-**  
6 **BOR AGREEMENTS.**

7 (a) GOOD NEIGHBOR AUTHORITY.—Section 8206 of  
8 the Agricultural Act of 2014 (16 U.S.C. 2113a) is amend-  
9 ed—

10 (1) in subsection (a)—

11 (A) in paragraph (1)(B), by striking “ei-  
12 ther the Secretary or a Governor or county”  
13 and inserting “the Secretary, a Governor, an  
14 Indian tribe, a special district, or a county”;

15 (B) in paragraph (5), by striking “Gov-  
16 ernor or” and inserting “Governor, an Indian  
17 tribe, a special district, or a”;

18 (C) in paragraph (6), by striking “or In-  
19 dian tribe”; and

20 (D) by adding at the end the following:

21 “(11) SPECIAL DISTRICT.—The term ‘special  
22 district’ means a political subdivision of a State  
23 that—

24 “(A) has significant budgetary autonomy  
25 or control;

1           “(B) was established by, or pursuant to,  
2           the laws of the State for the purpose of per-  
3           forming a limited and specific governmental or  
4           proprietary function primarily relating to forest,  
5           watershed, or rangeland management or water  
6           supply; and

7           “(C) is distinct from any other unit of  
8           local government within the State.”; and  
9           (2) in subsection (b)—

10           (A) in paragraph (1)(A), by striking “or  
11           county” and inserting “, an Indian tribe, a spe-  
12           cial district, or a county”;

13           (B) in paragraph (2)(C)—

14           (i) in clause (i)—

15           (I) in the matter preceding sub-  
16           clause (I), by inserting “special dis-  
17           trict,” after “Indian Tribe,” each  
18           place it appears;

19           (II) in subclause (I)—

20           (aa) by striking “on”; and

21           (bb) by striking “; and” and  
22           inserting a semicolon;

23           (III) in subclause (II)—

24           (aa) in the matter preceding  
25           item (aa), by striking “clause



1 (i)” and inserting “subclause  
2 (I)”;

3 (bb) in item (bb), by strik-  
4 ing “the Good Neighbor Author-  
5 ity for Recreation Act.” and in-  
6 serting “section 351 of the EX-  
7 PLORE Act (16 U.S.C. 8571);”;  
8 and

9 (IV) by adding at the end the fol-  
10 lowing:

11 “(III) if there are funds remain-  
12 ing after carrying out subclause (II)—

13 “(aa) to carry out author-  
14 ized restoration services under  
15 other good neighbor agreements;  
16 and

17 “(bb) for the administration  
18 of a good neighbor authority pro-  
19 gram by a Governor, Indian  
20 tribe, special district, or county.”;  
21 and

22 (ii) in clause (ii), by striking “2028”  
23 and inserting “2030”;

1 (C) in paragraph (3), by striking “or coun-  
2 ty” and inserting “, an Indian tribe, a special  
3 district, or a county”; and

4 (D) by striking paragraph (4).

5 (b) TECHNICAL AMENDMENT.—

6 (1) IN GENERAL.—Section 443 of division E of  
7 Public Law 118–42 (138 Stat. 297) is amended, in  
8 the matter preceding paragraph (1), by striking  
9 “Agriculture Act of 2014” and inserting “Agricul-  
10 tural Act of 2014”.

11 (2) EFFECTIVE DATE.—The amendment made  
12 by paragraph (1) shall take effect on the date of en-  
13 actment of Public Law 118–42 (138 Stat. 25).

14 (c) EFFECTIVE DATE.—The amendments made by  
15 subsection (a) shall apply to any project initiated pursuant  
16 to a good neighbor agreement (as defined in section  
17 8206(a) of the Agricultural Act of 2014 (16 U.S.C.  
18 2113a(a)))—

19 (1) before the date of enactment of this Act, if  
20 the project was initiated after the date of enactment  
21 of the Agriculture Improvement Act of 2018 (Public  
22 Law 115–334; 132 Stat. 4490); or

23 (2) on or after the date of enactment of this  
24 Act.

1 **SEC. 112. FIXING STEWARDSHIP END RESULT CON-**  
2 **TRACTING.**

3 Section 604 of the Healthy Forests Restoration Act  
4 of 2003 (16 U.S.C. 6591c) is amended—

5 (1) in subsection (b), by inserting “, including  
6 retaining and expanding existing forest products in-  
7 frastructure necessary to carry out an agreement or  
8 contract under this subsection” before the period at  
9 the end; and

10 (2) in subsection (d)(3)(B), by striking “10  
11 years” and inserting “20 years”; and

12 (3) in subsection (h), by adding at the end the  
13 following:

14 “(4) SPECIAL RULE FOR LONG-TERM STEWARD-  
15 SHIP CONTRACTS.—

16 “(A) DEFINITION OF MULTIYEAR CON-  
17 TRACT.—In this paragraph, the term ‘multiyear  
18 contract’ means a contract entered into under  
19 subsection (b) that—

20 “(i) has a term of longer than 5  
21 years; and

22 “(ii) is entered into on or after the  
23 date of enactment of this paragraph.

24 “(B) SPECIAL RULE.—A multiyear con-  
25 tract entered into under subsection (b) by the  
26 Chief or the Director with an entity shall pro-

vide that, in the case of cancellation or termination of the multiyear contract by the Chief or the Director, the Chief or the Director, as applicable, shall provide to the entity a cancellation or termination payment that is the lesser of—

“(i) an amount equal to 10 percent of the multiyear contract; or

“(ii) the amount of unrecovered costs that would have been recouped through amortization over the full term of the contract (including the term canceled).”.

**SEC. 113. FIRESHED MANAGEMENT PROJECT STRIKE TEAMS.**

(a) ESTABLISHMENT.—The Secretary concerned shall establish strike teams to assist the Secretary concerned with—

(1) any reviews, including analysis under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), consultations under division A of subtitle III of title 54, United States Code (formerly known as the “National Historic Preservation Act”), and consultations under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), with the

1 intent to accelerate and streamline interagency con-  
2 sultation processes;

3 (2) the implementation of any necessary site  
4 preparation work in advance of, or as part of, a  
5 fireshed management project;

6 (3) the implementation of fireshed management  
7 projects; and

8 (4) any combination of purposes described in  
9 paragraphs (1) through (3).

10 (b) MEMBERS.—

11 (1) IN GENERAL.—The Secretary concerned  
12 may appoint not more than 10 individuals to serve  
13 on a strike team under this section, to be composed  
14 of—

15 (A) employees of the department under the  
16 jurisdiction of the Secretary concerned;

17 (B) employees of a different Federal de-  
18 partment or agency, with the consent of the  
19 head of that department or agency; and

20 (C) private contractors or volunteers from  
21 any nonprofit organization, State government,  
22 Indian Tribe, local government, quasi-govern-  
23 mental agency, academic institution, or private  
24 organization.

1           (2) REQUIREMENT.—In appointing individuals  
2           under paragraph (1), the Secretary concerned shall  
3           appoint not fewer than 1 employee of the Federal  
4           agency with jurisdiction over the applicable Federal  
5           land.

6           (c) REVIEW RESPONSIBILITY.—The Secretary con-  
7           cerned shall—

8           (1) determine the sufficiency of the documents  
9           prepared by a strike team under this section; and

10          (2) retain responsibility for any authorizing de-  
11          cision relating to such a document.

12          (d) SUNSET.—The authority under this section ter-  
13          minates on the date that is 7 years after the date of enact-  
14          ment of this Act.

15   **SEC. 114. LOCALLY LED RESTORATION.**

16          Section 14(d) of the National Forest Management  
17          Act of 1976 (16 U.S.C. 472a(d)) is amended, in the first  
18          sentence, by striking “\$10,000” and inserting “\$55,000”.

19   **SEC. 115. JOINT CHIEFS LANDSCAPE RESTORATION PART-**  
20                   **NERSHIP PROGRAM.**

21          Section 40808 of the Infrastructure Investment and  
22          Jobs Act (16 U.S.C. 6592d) is amended—

23           (1) in subsection (a)(2)—

24                   (A) in subparagraph (B), by striking “or”  
25                   at the end;

1 (B) in subparagraph (C), by striking the  
2 period at the end and inserting a semicolon;  
3 and

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

5 “(D) to recover from wildfire; or

6 “(E) to enhance soil, water, and related  
7 natural resources.”;

8 (2) in subsection (d)(1)—

9 (A) in subparagraph (A), by inserting  
10 “and post-wildfire impacts” after “wildfire  
11 risk”; and

12 (B) in subparagraph (F), by inserting “,  
13 as identified in the corresponding State forest  
14 action plan, Tribal-integrated resource manage-  
15 ment plan or Tribal forest management plan, or  
16 similar priority plan (such as a State wildlife or  
17 water plan)” before the semicolon;

18 (3) in subsection (g), by striking paragraph (2)  
19 and inserting the following:

20 “(2) ADDITIONAL REPORTS.—For each of fiscal  
21 years 2022 and 2023, and not less frequently than  
22 once every 2 fiscal years thereafter, the Chiefs shall  
23 submit a report describing projects for which fund-  
24 ing is provided under the Program, including the  
25 status and outcomes of those projects, to—

1 “(A) in the Senate—

2 “(i) the Committee on Agriculture,  
3 Nutrition, and Forestry;

4 “(ii) the Committee on Energy and  
5 Natural Resources;

6 “(iii) the Committee on Appropria-  
7 tions; and

8 “(iv) the Committee on Indian Af-  
9 fairs; and

10 “(B) in the House of Representatives—

11 “(i) the Committee on Agriculture;

12 “(ii) the Committee on Natural Re-  
13 sources; and

14 “(iii) the Committee on Appropria-  
15 tions.”; and

16 (4) in subsection (h)(1), by striking “and  
17 2023” and inserting “through 2031”.

18 **SEC. 116. COLLABORATIVE FOREST LANDSCAPE RESTORA-**  
19 **TION PROGRAM.**

20 Section 4003 of the Omnibus Public Land Manage-  
21 ment Act of 2009 (16 U.S.C. 7303) is amended—

22 (1) in subsection (b)—

23 (A) in paragraph (2)(B)(ii), by striking  
24 “500 note” and inserting “7125”; and

25 (B) in paragraph (3)—



1 (i) in the matter preceding subpara-  
2 graph (A), by striking “plans to—” and  
3 inserting “plans—”;

4 (ii) in each of subparagraphs (A)  
5 through (H), by inserting “to” after the  
6 subparagraph designation; and

7 (iii) in subparagraph (D), by inserting  
8 “or pathogens” before the semicolon;

9 (2) in subsection (c)(3)(A)—

10 (A) in clause (i), by striking “and” at the  
11 end;

12 (B) in clause (ii), by adding “and” after  
13 the semicolon at the end; and

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

15 “(iii) include a Federal Government  
16 staffing plan for providing staff to support  
17 collaborative processes established under  
18 subsection (b)(2);”;

19 (3) in subsection (d)—

20 (A) in paragraph (2)—

21 (i) in subparagraph (E), by striking  
22 “and” at the end;

23 (ii) in subparagraph (F), by striking  
24 the period at the end and inserting a semi-  
25 colon; and

1 (iii) by adding at the end the fol-  
2 lowing:

3 “(G) proposals that seek to use innovative  
4 implementation mechanisms, including good  
5 neighbor agreements entered into under section  
6 8206 of the Agricultural Act of 2014 (16  
7 U.S.C. 2113a);

8 “(H) proposals that seek to reduce the risk  
9 of uncharacteristic wildfire or increase ecologi-  
10 cal restoration activities—

11 “(i) within areas across land owner-  
12 ships, including State, Tribal, and private  
13 land; and

14 “(ii) within the wildland-urban inter-  
15 face (as defined in section 101 of the  
16 Healthy Forests Restoration Act of 2003  
17 (16 U.S.C. 6511)); and

18 “(I) proposals that seek to enhance water-  
19 shed health and drinking water sources.”; and  
20 (B) in paragraph (3)—

21 (i) by striking subparagraph (A) and  
22 inserting the following:

23 “(A) 4 proposals in any 1 region of the  
24 National Forest System to be funded during  
25 any fiscal year; and”;

- 1 (ii) by striking subparagraph (B); and  
2 (iii) by redesignating subparagraph  
3 (C) as subparagraph (B);  
4 (4) in subsection (e)(3), by inserting “conflict  
5 resolution or collaborative governance,” before “and  
6 woody”; and  
7 (5) in subsection (f)—  
8 (A) in paragraph (4)(B)(ii), by striking  
9 “\$4,000,000” and inserting “\$8,000,000”; and  
10 (B) in paragraph (6), by striking “2023”  
11 and inserting “2031”.

12 **SEC. 117. UTILIZING GRAZING FOR WILDFIRE RISK REDUC-**  
13 **TION.**

14 (a) STRATEGY.—

15 (1) IN GENERAL.—Not later than 18 months  
16 after the date of enactment of this Act, the Sec-  
17 retary concerned, in coordination with the holders of  
18 permits to graze livestock on Federal land under the  
19 jurisdiction of the Secretary concerned and in con-  
20 sultation with other relevant stakeholders, shall de-  
21 velop a strategy to utilize livestock grazing as a wild-  
22 fire risk reduction tool on Federal land, consistent  
23 with the laws applicable to the Secretary concerned.

24 (2) INCLUSIONS.—The strategy under para-  
25 graph (1) shall include—

1 (A) the completion of any reviews required  
2 under the National Environmental Policy Act of  
3 1969 (42 U.S.C. 4321 et seq.) to allow per-  
4 mitted grazing on vacant grazing allotments  
5 during instances of drought, wildfire, or other  
6 natural disasters that disrupt grazing on allot-  
7 ments already permitted;

8 (B) the use of targeted grazing to reduce  
9 hazardous fuels;

10 (C) an increased use of temporary permits  
11 to promote targeted fuels reduction and reduc-  
12 tion of invasive annual grasses;

13 (D) an increased use of livestock grazing—

14 (i) to eradicate invasive annual  
15 grasses; and

16 (ii) as a post-fire restoration and re-  
17 covery strategy, as appropriate;

18 (E) an integrated use of advanced tech-  
19 nologies to dynamically adjust livestock place-  
20 ment;

21 (F) an increased use of any authorities ap-  
22 plicable to livestock grazing, including modifica-  
23 tions to grazing permits or leases to allow  
24 variances;

1 (G) the utilization of grazing on Federal  
2 land under the jurisdiction of the Secretary  
3 concerned in a manner that—

4 (i) avoids conflicts with other uses of  
5 that Federal land; and

6 (ii) is consistent with any applicable  
7 land management plan; and

8 (H) the use of any other means determined  
9 to be appropriate by the Secretary concerned.

10 (b) EFFECT ON EXISTING GRAZING PROGRAMS.—

11 Nothing in this section affects—

12 (1) any livestock grazing program carried out  
13 by the Secretary concerned as of the date of enact-  
14 ment of this Act; or

15 (2) any statutory authority for any program de-  
16 scribed in paragraph (1).

17 **SEC. 118. WATER SOURCE PROTECTION PROGRAM.**

18 Section 303 of the Healthy Forests Restoration Act  
19 of 2003 (16 U.S.C. 6542) is amended—

20 (1) in subsection (a)—

21 (A) by redesignating paragraphs (1)  
22 through (7) as paragraphs (2) through (8), re-  
23 spectively;

24 (B) by inserting before paragraph (2) (as  
25 so redesignated) the following:

1           “(1) ADJACENT LAND.—The term ‘adjacent  
2           land’ means non-Federal land, including State, local,  
3           Tribal, and private land, that is adjacent to, and  
4           within the same watershed as, National Forest Sys-  
5           tem land on which a watershed protection and res-  
6           toration project is carried out under this section.”;  
7           and

8                   (C) in paragraph (2) (as so redesign-  
9           nated)—

10                   (i) by redesignating subparagraphs  
11                   (G) and (H) as subparagraphs (K) and  
12                   (L), respectively; and

13                   (ii) by inserting after subparagraph  
14                   (F) the following:

15                   “(G) an acequia association;

16                   “(H) a local, regional, or other public enti-  
17           ty that manages stormwater or wastewater re-  
18           sources or other related water infrastructure;

19                   “(I) a land-grant mercedes; and

20                   “(J) a local, regional, or other private enti-  
21           ty that has water delivery authority;”;

22           (2) in subsection (b)—

23                   (A) by inserting “and adjacent land” be-  
24           fore the period at the end;

1 (B) by striking “The Secretary” and in-  
2 serting the following:

3 “(1) IN GENERAL.—The Secretary”; and

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

5 “(2) REQUIREMENTS.—A watershed protection  
6 and restoration project under the Program shall be  
7 designed—

8 “(A) to protect and restore watershed  
9 health, water supply and quality, a municipal or  
10 agricultural water supply system, and water-re-  
11 lated infrastructure;

12 “(B) to protect and restore forest health  
13 from insect infestation and disease or wildfire;  
14 or

15 “(C) to advance any combination of the  
16 purposes described in subparagraphs (A) and  
17 (B).

18 “(3) PRIORITIES.—In selecting watershed pro-  
19 tection and restoration projects under the Program,  
20 the Secretary shall give priority to projects that  
21 would—

22 “(A) provide risk management benefits as-  
23 sociated with drought, wildfire, post-wildfire  
24 conditions, extreme weather events, flooding, re-  
25 silience to climate change, and watershed and

1 fire resilience, including minimizing risks to wa-  
2 tershed health, water supply and quality, and  
3 water-related infrastructure, including munic-  
4 ipal and agricultural water supply systems;

5 “(B) support aquatic restoration and con-  
6 servation efforts that complement existing or  
7 planned forest restoration or wildfire risk re-  
8 duction efforts;

9 “(C) provide quantifiable benefits to water  
10 supply or quality and include the use of nature-  
11 based solutions, such as restoring wetland and  
12 riparian ecosystems;

13 “(D) include—

14 “(i) partners with demonstrated ca-  
15 pacity to, and success in, designing and  
16 implementing ecological restoration  
17 projects, wildfire risk-reduction efforts, or  
18 post-wildfire restoration projects; or

19 “(ii) in the case of communities that  
20 have historically lacked access to adequate  
21 resources, partners with a strong likelihood  
22 of success in designing and implementing a  
23 watershed protection and restoration  
24 project; and

25 “(E) include—



1 “(i) a contribution of funds or in-kind  
2 support from non-Federal partners in an  
3 amount greater than the amount required  
4 under subsection (g)(2); or

5 “(ii) such other characteristics as the  
6 Secretary determines to be appropriate.

7 “(4) CONDITIONS FOR PROJECTS ON ADJACENT  
8 LAND.—

9 “(A) IN GENERAL.—No project or activity  
10 may be carried out under this section on adja-  
11 cent land, unless the owner of the adjacent land  
12 provides express support for, and is a willing  
13 and engaged partner in, carrying out that  
14 project or activity.

15 “(B) EFFECT.—Nothing in this section  
16 authorizes any change in—

17 “(i) the ownership of adjacent land on  
18 which a project or activity is carried out  
19 under this section; or

20 “(ii) the management of adjacent land  
21 on which a project or activity is carried out  
22 under this section, except during the car-  
23 rying out of that project or activity.”;

24 (3) in subsection (c)—

1 (A) in paragraph (1), by striking “agree-  
2 ments with” and all that follows through the  
3 period at the end and inserting the following:  
4 “agreements with end water users to protect  
5 and restore the condition of National Forest  
6 watersheds and adjacent land that provide  
7 water to—

8 “(A) end water users; or

9 “(B) end water users to protect and re-  
10 store the condition of National Forest water-  
11 sheds and adjacent land that provide water for  
12 the benefit of another end water user.”;

13 (B) in paragraph (2)—

14 (i) in subparagraph (C), by striking  
15 “or” at the end;

16 (ii) by redesignating subparagraph  
17 (D) as subparagraph (E); and

18 (iii) by inserting after subparagraph  
19 (C) the following:

20 “(D) in the case of an agreement with a  
21 State, a county, or an Indian tribe for a project  
22 carried out on National Forest System land—

23 “(i) a good neighbor agreement en-  
24 tered into under section 8206 of the Agri-  
25 cultural Act of 2014 (16 U.S.C. 2113a); or

1 “(ii) an agreement or contract entered  
2 into under the Tribal Forest Protection  
3 Act of 2004 (Public Law 108–278; 118  
4 Stat. 868); or”; and

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

6 “(3) COOPERATION WITH NON-FEDERAL PART-  
7 NERS.—The Secretary shall cooperate, to the max-  
8 imum extent practicable, with non-Federal partners  
9 in carrying out assessments, planning, project de-  
10 sign, and project implementation under this sec-  
11 tion.”;

12 (4) in subsection (d)—

13 (A) by striking paragraph (2) and insert-  
14 ing the following:

15 “(2) REQUIREMENTS.—A water source manage-  
16 ment plan shall be—

17 “(A) designed to protect and restore eco-  
18 logical integrity (as defined in section 219.19 of  
19 title 36, Code of Federal Regulations (as in ef-  
20 fect on the date of enactment of this subpara-  
21 graph));

22 “(B) based on the best available scientific  
23 information; and

24 “(C) conducted in a manner consistent  
25 with the forest plan applicable to the National

1 Forest System land on which the watershed  
2 protection and restoration project is carried  
3 out.”; and

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

5 “(4) REDUCING REDUNDANCY.—An existing  
6 watershed plan, such as a watershed protection and  
7 restoration action plan developed under section  
8 304(a)(3), or other applicable watershed planning  
9 documents approved by the Secretary may be used  
10 as the basis for a water source management plan  
11 under this subsection.”;

12 (5) in subsection (e)(1), by striking “purpose  
13 of” in the matter preceding subparagraph (A) and  
14 all that follows through the period at the end and  
15 inserting “purpose of advancing any of the purposes  
16 described in subsection (b)(2).”; and

17 (6) in subsection (g)—

18 (A) in paragraph (2)—

19 (i) by striking “at least equal to” and  
20 inserting “not less than 20 percent of”;

21 (ii) by striking “The Secretary” and  
22 inserting the following:

23 “(A) IN GENERAL.—Subject to subpara-  
24 graph (B), the Secretary”; and

1 (iii) by adding at the end the fol-  
2 lowing:

3 “(B) WAIVER.—The Secretary may waive  
4 the requirement under subparagraph (A) at the  
5 discretion of the Secretary.”;

6 (B) in paragraph (4)—

7 (i) in subparagraph (B), by striking  
8 “fiscal years 2019 through 2023” and in-  
9 serting “fiscal years 2025 through 2031”;

10 (ii) by redesignating subparagraph  
11 (C) as subparagraph (D); and

12 (iii) by inserting after subparagraph  
13 (B) the following:

14 “(C) SET-ASIDE FOR PARTNER PARTICIPA-  
15 TION IN PLANNING AND CAPACITY.—Of the  
16 amounts made available under subparagraphs  
17 (A) and (B) to carry out this section for each  
18 fiscal year, the Secretary shall use not less than  
19 10 percent for non-Federal partner technical  
20 assistance participation and capacity-building  
21 efforts in developing or implementing a water  
22 source management plan under subsection  
23 (d).”; and

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

1           “(5) IN-KIND CONTRIBUTIONS.—The Secretary  
2           may include the value of forest restoration and wa-  
3           tershed improvement work implemented on adjacent  
4           land in the project area in determining in-kind con-  
5           tributions to a project from non-Federal partners  
6           under paragraph (4)(A).”.

7   **SEC. 119. WATERSHED CONDITION FRAMEWORK TECH-**  
8                           **NICAL CORRECTIONS.**

9           Section 304(a) of the Healthy Forests Restoration  
10   Act of 2003 (16 U.S.C. 6543(a)) is amended—

11           (1) in paragraph (3)(A), by inserting “protec-  
12           tion and” before “restoration”;

13           (2) in paragraph (5), by striking “and” at the  
14           end;

15           (3) in paragraph (6), by striking the period at  
16           the end and inserting “; and”; and

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

18           “(7) to ensure that management activities and  
19           authorizations do not result in long-term degrada-  
20           tion of watershed health of any watershed in a Na-  
21           tional Forest.”.

22   **SEC. 120. TRIBAL FOREST PROTECTION MANAGEMENT AC-**  
23                           **TIVITIES AND PROJECTS.**

24           Section 8703 of the Agriculture Improvement Act of  
25   2018 (25 U.S.C. 3115b) is amended—

1 (1) in the section heading, by striking “**MAN-**  
2 **AGEMENT DEMONSTRATION PROJECT**” and in-  
3 sserting “**PROTECTION MANAGEMENT ACTIVI-**  
4 **TIES AND PROJECTS**”;

5 (2) by redesignating subsection (b) as sub-  
6 section (c);

7 (3) in subsection (a)—

8 (A) by striking “demonstration”;

9 (B) by striking “federally recognized”;

10 (C) by striking “programs of” and insert-  
11 ing “activities and projects under”;

12 (D) by striking “5304 et seq.” and insert-  
13 ing “5301 et seq.”; and

14 (E) by striking the subsection designation  
15 and heading and all that follows through “and  
16 the Secretary” and inserting the following:

17 “(a) DEFINITIONS.—In this section:

18 “(1) INDIAN TRIBE.—The term ‘Indian Tribe’  
19 has the meaning given the term in section 4 of the  
20 Indian Self-Determination and Education Assistance  
21 Act (25 U.S.C. 5304).

22 “(2) TRIBAL ORGANIZATION.—The term ‘Tribal  
23 organization’ has the meaning given the term in sec-  
24 tion 4 of the Indian Self-Determination and Edu-  
25 cation Assistance Act (25 U.S.C. 5304).

1       “(b) ACTIVITIES AND PROJECTS.—The Secretary  
2 and the Secretary of the Interior”;

3               (4) in subsection (c) (as so redesignated)—

4                       (A) in the matter preceding paragraph (1),  
5               by striking “subsection (a)” and inserting “sub-  
6               section (b)”;

7                       (B) in paragraph (1), by striking “5304 et  
8               seq.” and inserting “5301 et seq.”; and

9               (5) by adding at the end the following:

10       “(d) TORT CLAIMS PROCEDURE.—For purposes of  
11 chapter 171 of title 28, United States Code, an employee  
12 of an Indian Tribe or Tribal organization that enters into  
13 an agreement, contract, or compact under subsection (b)  
14 shall be considered an employee of the Forest Service  
15 while carrying out activities and projects on behalf of the  
16 Forest Service pursuant to that agreement, contract, or  
17 compact.

18       “(e) PUBLICATION OF INFORMATION.—The Sec-  
19 retary and the Secretary of the Interior shall—

20               “(1) not later than 180 days after the date of  
21 enactment of this subsection, make available, in an  
22 easily accessible format and location, on the website  
23 of the Department of Agriculture and the Depart-  
24 ment of the Interior, respectively, a list of the types  
25 of activities and projects that Indian Tribes and



1 Tribal organizations may enter into agreements,  
2 contracts, or compacts to perform under subsection  
3 (b); and

4 “(2) update the list under paragraph (1) as  
5 necessary.”.

## 6 **Subtitle C—Litigation Reform**

### 7 **SEC. 121. LITIGATION REFORM.**

8 (a) DEFINITIONS.—In this section:

9 (1) AGENCY DOCUMENT.—The term “agency  
10 document”, with respect to a fireshed management  
11 project, means a record of decision, decision memo-  
12 randum, environmental document, or programmatic  
13 environmental document.

14 (2) COVERED AGENCY ACTION.—The term  
15 “covered agency action” means—

16 (A) the proposal of a fireshed management  
17 project by an agency;

18 (B) the application of a categorical exclu-  
19 sion to a fireshed management project;

20 (C) the preparation of any agency docu-  
21 ment for a fireshed management project; and

22 (D) any other agency action as part of a  
23 fireshed management project.

24 (3) NEPA TERMS.—The terms “categorical ex-  
25 clusion”, “environmental document”, and “pro-

1        grammatic environmental document’’ have the mean-  
2        ings given those terms in section 111 of the National  
3        Environmental Policy Act of 1969 (42 U.S.C.  
4        4336e).

5        (b) LIMITATIONS ON JUDICIAL REVIEW.—

6            (1) LIMITATIONS ON INJUNCTIVE RELIEF.—

7                    (A) TEMPORARY DELAY OF COVERED  
8        AGENCY ACTION.—Notwithstanding any other  
9        provision of law, in the case of a claim arising  
10       under Federal law seeking judicial review of a  
11       covered agency action, a court shall not issue a  
12       preliminary injunction against such covered  
13       agency action unless the court determines  
14       that—

15                    (i) subject to subparagraph (C), such  
16       preliminary injunction is in the public in-  
17       terest;

18                    (ii) the balance of equities favors the  
19       plaintiff;

20                    (iii) the plaintiff is likely to succeed  
21       on the merits; and

22                    (iv) the plaintiff is likely to suffer ir-  
23       reparable injury in the absence of prelimi-  
24       nary relief.

1 (B) PERMANENT LIMIT ON AGENCY AC-  
2 TION.—Notwithstanding any other provision of  
3 law, in the case of a claim arising under Fed-  
4 eral law seeking judicial review of a covered  
5 agency action, a court shall not issue a perma-  
6 nent injunction against such covered agency ac-  
7 tion, or an order to otherwise permanently limit  
8 such covered agency action, unless a court de-  
9 termines that—

10 (i) subject to subparagraph (C), such  
11 permanent injunction or order is in the  
12 public interest;

13 (ii) the balance of equities favors the  
14 plaintiff;

15 (iii) the plaintiff has suffered or will  
16 suffer irreparable injury; and

17 (iv) no adequate remedy is available  
18 at law.

19 (C) PUBLIC INTEREST DETERMINATION.—

20 (i) IN GENERAL.—In determining  
21 under subparagraphs (A) and (B) whether  
22 a preliminary or permanent injunction  
23 against, or other order with respect to, a  
24 covered agency action is in the public in-

1           terest, the considerations of the court shall  
2           include—

3                   (I) the purpose for which an  
4                   agency is undertaking the fireshed  
5                   management project relating to such  
6                   covered agency action;

7                   (II) the likelihood that the  
8                   fireshed management project will  
9                   achieve the stated purpose of the  
10                  fireshed management project; and

11                  (III) the short- and long-term ef-  
12                  fects of proceeding with the covered  
13                  agency action, as compared to delay-  
14                  ing or limiting such covered agency  
15                  action, including the potential for sig-  
16                  nificant increases in wildfire risk or  
17                  severity and significant threats to the  
18                  health of the ecosystem.

19                  (ii) WEIGHT OF PUBLIC INTEREST  
20                  FACTOR.—In determining whether to issue  
21                  any injunction or order under subpara-  
22                  graph (A) or (B), a court shall give signifi-  
23                  cant, but not necessarily dispositive, weight  
24                  to its consideration of whether such order  
25                  is in the public interest.

1 (2) REMAND.—

2 (A) IN GENERAL.—Notwithstanding any  
3 other provision of law, in the case of a claim  
4 arising under Federal law seeking judicial re-  
5 view of a covered agency action, if the court re-  
6 mands the matter to the agency, the court shall  
7 remand with instructions to carry out, during  
8 the 180-day period beginning on the date of  
9 such remand, such additional actions as may be  
10 necessary to redress any cognizable harm giving  
11 rise to such claim.

12 (B) VACATUR.—

13 (i) IN GENERAL.—In remanding a  
14 matter to an agency under subparagraph  
15 (A), the court shall remand with vacatur  
16 only if—

17 (I) the seriousness of any defi-  
18 ciencies in the covered agency action  
19 weigh in favor of vacatur; and

20 (II) the court determines that  
21 any disruptive consequences of  
22 vacatur, including the short- and long-  
23 term effects of vacating the covered  
24 agency action or any part of such cov-

1                   ered agency action, do not outweigh  
2                   the justification for vacatur.

3                   (ii) CONSIDERATIONS.—In making the  
4                   determination described in clause (i)(II),  
5                   the court shall consider whether vacatur  
6                   would cause—

7                   (I) any significant increases in  
8                   wildfire risk or severity, and

9                   (II) any significant threats to the  
10                  health of the ecosystem.

11                 (C) EFFECT OF REMAND ON AGENCY.—In  
12                 the case of a covered agency action subject to  
13                 remand without vacatur, or with partial  
14                 vacatur, pursuant to this paragraph, the agency  
15                 may—

16                 (i) continue to carry out such covered  
17                 agency action, or such parts of the covered  
18                 agency action as are not vacated, to the ex-  
19                 tent that doing so does not interfere with  
20                 any additional actions required pursuant to  
21                 subparagraph (A); and

22                 (ii) use any format, as appropriate, to  
23                 correct an agency document (including a  
24                 supplemental environmental document,  
25                 memorandum, or errata sheet), provided

1           that such format is appropriate to the na-  
2           ture of the deficiency.

(3) PRESERVATION OF AUTHORITY.—Nothing in this section alters, limits, or displaces the authority of a court to review a covered agency action under section 706(2) of title 5, United States Code.

(c) LIMITATIONS ON CLAIMS.—Notwithstanding any other provision of law, a claim arising under Federal law seeking judicial review of a covered agency action shall be barred unless—

(1) with respect to an agency document or the application of a categorical exclusion, such claim is filed not later than 150 days after the date of publication of agency intent to carry out the fire management project relating to such covered agency document or application, unless a shorter period is specified in such Federal law; or

(2) in the case of an agency document or the application of a categorical exclusion not described in paragraph (1), if such agency document or application is otherwise published or noticed, such claim is filed not later than 150 days after the date that is the earlier of—

24 (A) the date on which such agency docu-  
25 ment or application is published; and

1 (B) the date on which such agency docu-  
2 ment or application is noticed.

3 **SEC. 122. CONSULTATION ON FOREST PLANS.**

4 (a) FOREST SERVICE PLANS.—Section 6(d)(2) of the  
5 Forest and Rangeland Renewable Resources Planning Act  
6 of 1974 (16 U.S.C. 1604(d)(2)) is amended to read as  
7 follows:

8 “(2) NO ADDITIONAL CONSULTATION RE-  
9 QUIRED UNDER CERTAIN CIRCUMSTANCES.—Not-  
10 withstanding any other provision of law, the Sec-  
11 retary shall not be required to reinitiate consultation  
12 under section 7(a)(2) of the Endangered Species Act  
13 of 1973 (16 U.S.C. 1536(a)(2)) or section 402.16 of  
14 title 50, Code of Federal Regulations (or a successor  
15 regulation), on a land management plan approved,  
16 amended, or revised under this section when—

17 “(A) a new species is listed or critical habi-  
18 tat is designated under the Endangered Species  
19 Act of 1973 (16 U.S.C. 1531 et seq.); or

20 “(B) new information reveals effects of the  
21 land management plan that may affect a spe-  
22 cies listed or critical habitat designated under  
23 that Act in a manner or to an extent not pre-  
24 viously considered.”.



1 (b) BUREAU OF LAND MANAGEMENT PLANS.—Sec-  
2 tion 202 of the Federal Land Policy and Management Act  
3 of 1976 (43 U.S.C. 1712) is amended by adding at the  
4 end the following:

5 “(g) NO ADDITIONAL CONSULTATION REQUIRED  
6 UNDER CERTAIN CIRCUMSTANCES.—Notwithstanding  
7 any other provision of law, the Secretary shall not be re-  
8 quired to reinitiate consultation under section 7(a)(2) of  
9 the Endangered Species Act of 1973 (16 U.S.C.  
10 1536(a)(2)) or section 402.16 of title 50, Code of Federal  
11 Regulations (or a successor regulation), on a land use plan  
12 approved, amended, or revised under this section when—

13 “(1) a new species is listed or critical habitat  
14 is designated under the Endangered Species Act of  
15 1973 (16 U.S.C. 1531 et seq.); or

16 “(2) new information reveals effects of the land  
17 use plan that may affect a species listed or critical  
18 habitat designated under that Act in a manner or to  
19 an extent not previously considered.”.

## 20 **Subtitle D—Prescribed Fire**

### 21 **SEC. 131. PRESCRIBED FIRE ELIGIBLE ACTIVITIES, POLI-** 22 **CIES, AND PRACTICES.**

23 (a) DEFINITION OF PRESCRIBED FIRE.—

1           (1) IN GENERAL.—In this section, the term  
2       “prescribed fire” means a fire deliberately ignited to  
3       burn wildland fuels in a natural or modified state—

4           (A) under specified environmental condi-  
5       tions that are intended to allow the fire—

6           (i) to be confined to a predetermined  
7       area; and

8           (ii) to produce the fireline intensity  
9       and rate of spread required to attain  
10      planned resource management objectives;  
11      and

12          (B) in accordance with applicable law (in-  
13      cluding regulations).

14          (2) EXCLUSION.—In this section, the term  
15      “prescribed fire” does not include a fire that is ig-  
16      nited for the primary purpose of pile burning.

17      (b) ELIGIBLE ACTIVITIES.—

18          (1) IN GENERAL.—The Secretary concerned  
19      may carry out eligible activities described in para-  
20      graph (2) for hazardous fuels management with re-  
21      spect to land under the jurisdiction of the Secretary  
22      concerned.

23          (2) DESCRIPTION OF ACTIVITIES.—The activi-  
24      ties referred to in paragraph (1) are—

1 (A) with respect to prescribed fires on  
2 Federal land, or on non-Federal land if the Sec-  
3 retary concerned determines that such activities  
4 would benefit resources on Federal land—

5 (i) entering into procurement con-  
6 tracts or cooperative agreements for pre-  
7 scribed fire activities;

8 (ii) issuing grants from an existing  
9 grant program to a State, Indian Tribe,  
10 local government, prescribed fire council,  
11 prescribed burn association, or nonprofit  
12 organization for the implementation of pre-  
13 scribed fires, including—

14 (I) carrying out necessary envi-  
15 ronmental reviews;

16 (II) carrying out any site prepa-  
17 ration necessary for implementing  
18 prescribed fires; and

19 (III) conducting any required  
20 pre-ignition cultural and environ-  
21 mental surveys; and

22 (iii) conducting outreach to the public,  
23 Indian Tribes and beneficiaries, and adja-  
24 cent landowners;

1 (B) implementing prescribed fires on non-  
2 Federal land, if the Secretary concerned deter-  
3 mines that the prescribed fire would benefit  
4 Federal land, including—

5 (i) carrying out necessary environ-  
6 mental reviews;

7 (ii) carrying out any site preparation  
8 necessary for implementing prescribed  
9 fires; and

10 (iii) conducting any required pre-igni-  
11 tion cultural and environmental surveys;

12 (C) providing training for prescribed fire  
13 and basic smoke management practices to Fed-  
14 eral employees and cooperators;

15 (D) conducting post-prescribed fire activi-  
16 ties, such as monitoring for hazard trees or re-  
17 ignitions and invasive species management; and

18 (E) providing technical or financial assist-  
19 ance to a State, Indian Tribe, local government,  
20 prescribed fire council, prescribed burn associa-  
21 tion, or nonprofit organization for the purpose  
22 of providing training for prescribed fire or basic  
23 smoke management practices, consistent with  
24 any standards developed by the National Wild-

1 fire Coordinating Group or State-prescribed fire  
2 standards.

3 (3) PRIORITIZATION.—

4 (A) IN GENERAL.—Subject to subpara-  
5 graph (B), the Secretary concerned shall coordi-  
6 nate with the other Secretary concerned, State  
7 and local government agencies, Indian Tribes,  
8 and applicable nongovernmental organizations  
9 to establish prioritization criteria for carrying  
10 out the activities described in paragraph (2).

11 (B) REQUIREMENT.—In establishing cri-  
12 teria under subparagraph (A), the Secretary  
13 concerned shall give priority to a project that  
14 is—

15 (i) implemented across a large contig-  
16 uous area;

17 (ii) cross-boundary in nature;

18 (iii) located in an area that is—

19 (I) within or adjacent to the  
20 wildland-urban interface and identi-  
21 fied as a priority area in a statewide  
22 forest action plan, firehazard assess-  
23 ment, or community wildfire protec-  
24 tion plan; or

1 (II) identified by the Secretary of  
2 the Interior, in consultation with the  
3 appropriate Indian Tribe, as impor-  
4 tant to the protection of a Tribal trust  
5 resource or the reserved or treaty  
6 rights of an Indian Tribe identified by  
7 the Secretary concerned, in consulta-  
8 tion with the appropriate Indian  
9 Tribe;

10 (iv) on land that is at high or very  
11 high risk of experiencing a wildfire that  
12 would be difficult to suppress;

13 (v) in an area that is designated as  
14 critical habitat and in need of ecological  
15 restoration or enhancement that can be  
16 achieved with the aid of prescribed fire; or

17 (vi) supportive of potential operational  
18 delineations or strategic response zones.

19 (c) POLICIES AND PRACTICES.—The Secretary con-  
20 cerned, in coordination with State and local governments  
21 and Indian Tribes, shall develop a prescribed fire oper-  
22 ational strategy for each region of the National Forest  
23 System or the Department of the Interior, as applicable,  
24 that describes—

25 (1) the fire deficit, by region; and

1           (2) staffing and funding needs to address the  
2       fire deficit described in paragraph (1).

3   **SEC. 132. HUMAN RESOURCES.**

4       (a) COMPETENCIES FOR FIREFIGHTERS.—The Sec-  
5   retaries, in coordination with the Fire Executive Council,  
6   shall task the National Wildfire Coordinating Group with  
7   the duty to adjust training requirements to obtain a cer-  
8   tification to serve in a supervisory role for a prescribed  
9   fire and any other positions determined to be necessary  
10  by the Secretaries—

11           (1) in order to reduce the time required to ob-  
12       tain such a certification; and

13           (2) such that significant experience, gained ex-  
14       clusively during a prescribed fire, is required to ob-  
15       tain such a certification.

16       (b) ENHANCING INTEROPERABILITY BETWEEN FED-  
17  ERAL AND NON-FEDERAL PRACTITIONERS.—

18           (1) QUALIFICATION DATABASES AND DISPATCH  
19       SYSTEMS.—The Secretaries shall establish, to the  
20       extent practicable, a collaborative process to create  
21       mechanisms for non-Federal fire practitioners to be  
22       included in prescribed fire and wildfire resource or-  
23       dering and reimbursement processes.

24           (2) PARTNERSHIP AGREEMENTS.—The Secre-  
25       taries may—

1           (A) develop partnership agreements for  
2           prescribed fire with all relevant State, Federal,  
3           Tribal, university, and nongovernmental entities  
4           that choose to be included in resource ordering  
5           and reimbursement processes under paragraph  
6           (1);

7           (B) create agreements and structures nec-  
8           essary to include non-Federal and other non-  
9           traditional partners in direct work with Federal  
10          agencies to address prescribed fires; and

11          (C) treat any prescribed fire practitioner  
12          meeting the National Wildfire Coordinating  
13          Group standards as eligible to be included in  
14          statewide participating agreements.

15 **SEC. 133. LIABILITY OF PRESCRIBED FIRE MANAGERS.**

16       (a) DEFINITIONS.—In this section:

17           (1) COVERED ACTIVITY.—The term “covered  
18           activity” means an activity carried out on Federal  
19           land directly related to a wildland fire, prescribed  
20           fire, or prescribed fire with cultural objectives in the  
21           course of executing a Federal action.

22           (2) COVERED ENTITY.—The term “covered en-  
23           tity” means a non-Federal entity that—

24               (A) carries out a covered activity; and

25               (B) is acting—



- 1 (i) under the direct supervision of a  
2 Federal employee; and  
3 (ii) within the scope of a contract or  
4 agreement in carrying out that covered ac-  
5 tivity.

6 (b) INDEMNITY OF FEDERAL AND TRIBAL EMPLOY-  
7 EES.—The Secretaries, in coordination with the Attorney  
8 General, shall develop a voluntary training course for em-  
9 ployees involved in covered activities describing—

10 (1) liability protections afforded to those em-  
11 ployees when acting within the scope of their em-  
12 ployment;

13 (2) the limits on any liability protections under  
14 paragraph (1); and

15 (3) reimbursements available for qualified em-  
16 ployees for professional liability insurance under sec-  
17 tion 636 of division A of Public Law 104–208 (5  
18 U.S.C. prec. 5941 note).

19 (c) INDEMNITY OF OTHER COOPERATORS.—

20 (1) IN GENERAL.—Effective beginning on the  
21 date of enactment of this Act, a covered entity shall  
22 be considered to be an employee of the Federal Gov-  
23 ernment for purposes of chapter 171 of title 28,  
24 United States Code (commonly known as the “Fed-

1       eral Tort Claims Act’), while that covered entity  
2       carries out any covered activity.

3           (2) GUIDANCE.—Not later than 1 year after  
4       the date of enactment of this Act, the Secretaries,  
5       in consultation with the Attorney General, shall  
6       issue guidance regarding the necessary provisions of,  
7       and implementation requirements for, contracts or  
8       agreements that would extend liability protection to  
9       covered entities pursuant to paragraph (1).

10          (3) REIMBURSEMENT.—Beginning in the first  
11       fiscal year that begins after the date of enactment  
12       of this Act, the Secretaries shall request, through  
13       annual appropriations, funds sufficient to reimburse  
14       the Treasury for any claims paid during the pre-  
15       ceding fiscal year pursuant to paragraph (1).

16       (d) EFFECT.—Nothing in this section limits or other-  
17       wise affects the application of—

18           (1) any statutory or judicial immunity to any  
19       Federal employee;

20           (2) chapter 171 of title 28, United States Code  
21       (commonly known as the “Federal Tort Claims  
22       Act”), to any Federal employee; or

23           (3) section 314 of Public Law 101–512 (25  
24       U.S.C. 5321 note).

1 **SEC. 134. ENVIRONMENTAL REVIEW.**

2 (a) SMOKE MANAGEMENT AGENCIES.—

3 (1) POLICY.—The Secretaries shall ensure that  
4 policies, training, and programs of the Secretaries  
5 are consistent with this subsection—

6 (A) to facilitate greater use of prescribed  
7 fire in a safe and responsible manner, with ap-  
8 propriate monitoring to prevent prescribed fires  
9 from exceeding containment;

10 (B) to address public health and safety, in-  
11 cluding impacts from smoke from wildfires and  
12 prescribed fires; and

13 (C) to improve and leverage smoke mod-  
14 eling and smoke monitoring using existing sys-  
15 tems and programs, including the Interagency  
16 Wildland Fire Air Quality Response Program  
17 established under section 1114(f) of the John  
18 D. Dingell, Jr. Conservation, Management, and  
19 Recreation Act (43 U.S.C. 1748b–1(f)), to pro-  
20 vide consistent forecasts on air quality impacts  
21 from wildfire and prescribed fire.

22 (2) COORDINATION AMONG FEDERAL, TRIBAL,  
23 AND STATE AIR QUALITY AGENCIES AND FEDERAL,  
24 TRIBAL, AND STATE LAND MANAGEMENT AGEN-  
25 CIES.—To facilitate the use of prescribed fire on  
26 Federal, State, Tribal, and private land, the Execu-

1        tive Director, in cooperation with the Environmental  
2        Protection Agency, Federal and State land manage-  
3        ment agencies, shall coordinate with State, Tribal,  
4        and local air quality agencies that regulate smoke  
5        under the Clean Air Act (42 U.S.C. 7401 et seq.)—

6                (A) to the maximum extent practicable, to  
7                provide State, Tribal, and local air quality  
8                agencies with guidance, data, imagery, or mod-  
9                eling to support the development of exceptional  
10              event demonstrations in accordance with sec-  
11              tions 50.14 and 51.930 of title 40, Code of  
12              Federal Regulations (or successor regulations);

13              (B) to develop archives and automated  
14              tools to provide State, Tribal, and local air  
15              quality agencies with the data, imagery, and  
16              modeling under subparagraph (A);

17              (C) to provide technical assistance, best  
18              practices, or templates to States, Indian Tribes,  
19              and local governments for the use of the State,  
20              Indian Tribe, or local government in approving  
21              the use of prescribed fire under a State, Tribal,  
22              or local government smoke management pro-  
23              gram;

1 (D)(i) to promote basic smoke manage-  
2 ment practices and other best practices to pro-  
3 tect the public from wildfire smoke;

4 (ii) to disseminate information about basic  
5 smoke management practices;

6 (iii) to educate landowners that use pre-  
7 scribed fire about the importance of—

8 (I) using basic smoke management  
9 practices; and

10 (II) including basic smoke manage-  
11 ment practices as a component of a pre-  
12 scribed fire plan;

13 (iv) to share with the public information,  
14 in coordination with other State and local agen-  
15 cies with responsibility for smoke monitoring or  
16 regulation, about measures that individuals can  
17 take to protect themselves from wildfire smoke;  
18 and

19 (v) to promote further development of  
20 smoke-ready efforts to allow communities to be  
21 prepared for smoke, including promotion of  
22 smoke planning in community wildfire protec-  
23 tion plans; and

24 (E) to develop guidance and tools to  
25 streamline the demonstration of a clear causal

1 relationship between prescribed fire smoke and  
2 a related exceedance or contribution to an ex-  
3 ceedance of a national ambient air quality  
4 standard.

5 (3) PROGRAMS AND RESEARCH.—To address  
6 the public health and safety concerns of the ex-  
7 panded use of prescribed fire under this subtitle, the  
8 Secretaries, in coordination with the Administrator  
9 of the Environmental Protection Agency and the Di-  
10 rector of the Centers for Disease Control and Pre-  
11 vention, shall conduct research to improve or de-  
12 velop—

13 (A) wildfire smoke prediction models;

14 (B) smoke impact display tools for the  
15 public and decisionmakers, including for health  
16 impacts and transportation safety;

17 (C) appropriate, cost-effective, and con-  
18 sistent communications strategies to mitigate  
19 the impacts of smoke from prescribed fire on  
20 nearby communities;

21 (D) consistent nationally and scientifically  
22 supported messages regarding personal protec-  
23 tion equipment for the public;

1 (E) prescribed fire activity tracking and  
2 emission inventory systems for planning and  
3 post-treatment accountability; and

4 (F) air quality and atmospheric deposition  
5 monitoring to understand smoke impacts of  
6 wildland fires.

7 (b) DEVELOPMENT OF LANDSCAPE-SCALE FEDERAL  
8 PRESCRIBED FIRE PLANS.—

9 (1) INCLUSION OF LANDSCAPE-SCALE PRE-  
10 SCRIBED FIRE PLANS.—The Secretary concerned,  
11 with respect to units of the National Forest System  
12 and Bureau of Land Management districts with ex-  
13 isting prescribed fire programs—

14 (A) not later than 1 year after the date of  
15 enactment of this Act, shall determine which of  
16 those units or districts have landscape-scale  
17 prescribed fire plans;

18 (B) not later than 2 years after the date  
19 of enactment of this Act, shall—

20 (i) determine whether each plan de-  
21 scribed in subparagraph (A) requires revi-  
22 sion; and

23 (ii) establish a schedule for the revi-  
24 sion of each plan described in subpara-  
25 graph (A) that requires revision; and

1 (C) may develop landscape-scale prescribed  
2 fire plans for any units or districts that do not  
3 have landscape-scale prescribed fire plans, as  
4 determined appropriate by the Secretary con-  
5 cerned.

6 (2) ENVIRONMENTAL COMPLIANCE.—In car-  
7 rying out paragraph (1), the Secretary concerned  
8 shall—

9 (A) comply with—

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

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

14 (iii) division A of subtitle III of title  
15 54, United States Code; and

16 (iv) any other applicable laws; and

17 (B) consider the site-specific environmental  
18 consequences of the landscape-scale prescribed  
19 fire decisions under this subsection.

20 (3) COLLABORATIVE DEVELOPMENT.—In car-  
21 rying out paragraph (1), the Secretary concerned  
22 shall collaborate with diverse actors from academia,  
23 the Forest Service and Bureau of Land Management  
24 research and development offices, nongovernmental



1 organizations, Indian Tribes, and other entities, as  
2 determined appropriate by the Secretary concerned.

3 (4) REPORTS.—Not later than 1 year after the  
4 date of enactment of this Act, and annually there-  
5 after, the Secretary concerned shall submit to Con-  
6 gress a report describing the progress of the Sec-  
7 retary concerned in carrying out this subsection.

8 **SEC. 135. COOPERATIVE AGREEMENTS AND CONTRACTS**  
9 **FOR PRESCRIBED FIRE.**

10 (a) AGREEMENTS AND CONTRACTS.—

11 (1) DEFINITION OF ELIGIBLE ENTITY.—In this  
12 subsection, the term “eligible entity” means a State,  
13 an Indian Tribe, a unit of local government, a fire  
14 district, a nongovernmental organization, and a pri-  
15 vate entity.

16 (2) AUTHORIZATION.—The Secretaries may  
17 each enter into a cooperative agreement or contract  
18 with an eligible entity, for a period of not longer  
19 than 10 years, that authorizes the eligible entity—

20 (A) to coordinate, plan, or conduct a pre-  
21 scribed fire on Federal land; or

22 (B) to conduct a prescribed fire training  
23 event.

24 (3) SUBCONTRACTS.—A State, Indian Tribe,  
25 county, or eligible entity that enters into a coopera-

1        tive agreement or contract under paragraph (1) may  
2        enter into a subcontract, in accordance with applica-  
3        ble employment and contracting laws and procedures  
4        of the State, Indian Tribe, county, or eligible enti-  
5        ty—

6                (A) to conduct a prescribed fire on Federal  
7        land; or

8                (B) to conduct a prescribed fire training  
9        event pursuant to that cooperative agreement or  
10       contract.

11            (4) APPLICABLE LAW.—A prescribed fire con-  
12       ducted pursuant to this subsection shall be carried  
13       out on a project-by-project basis under—

14                (A) existing authorities of the applicable  
15       Federal agency responsible for the management  
16       of the applicable Federal land; and

17                (B) the employment and contracting laws  
18       of an Indian Tribe in accordance with para-  
19       graph (3), as applicable.

20            (5) PRESERVATION OF DECISION AUTHORITY.—

21       An eligible entity may not carry out a project under  
22       this subsection pursuant to a cooperative agreement  
23       or contract without the prior written approval of  
24       each Secretary that entered into the cooperative  
25       agreement or contract.

1 (b) TRIBAL FOREST PROTECTION ACT OF 2004  
2 AMENDMENTS.—The Tribal Forest Protection Act of  
3 2004 (Public Law 108–278; 118 Stat. 868) is amended  
4 by adding at the end the following:

5 **“SEC. 4. TRIBAL PRESCRIBED BURN DEMONSTRATION**  
6 **PROJECT.**

7 “(a) IN GENERAL.—The Secretary may enter into a  
8 contract or agreement with an Indian Tribe under this Act  
9 that provides for prescribed burns on Federal land pursu-  
10 ant to this section.

11 “(b) SCOPE.—Notwithstanding any other provision of  
12 law, a contract or agreement entered into under this sec-  
13 tion may—

14 “(1) use a burn plan that, on approval by the  
15 Secretary, allows multiple prescribed burns to be  
16 conducted in accordance with the burn plan to elimi-  
17 nate the need for individual burn plans for each pre-  
18 scribed burn and enable forest managers to have the  
19 flexibility to conduct prescribed burns when condi-  
20 tions allow; and

21 “(2) include terms that—

22 “(A) the Secretary may authorize an In-  
23 dian Tribe to plan, coordinate, and execute pre-  
24 scribed burns on the behalf of the Secretary  
25 within the scope of the burn plan including ap-

1           plying the National Wildfire Coordinating  
2           Group standards for prescribed fire planning  
3           and implementation, to the extent authorized by  
4           Federal law;

5                 “(B) any applicable Federal standard that  
6           requires a certain number of personnel to be  
7           on-hand during prescribed burns may be satis-  
8           fied by regional Federal, State, or Tribal re-  
9           sources and personnel; and

10                “(C) where appropriate, the Secretary shall  
11           work with other Federal agencies and Tribal,  
12           State, and local governments to coordinate and  
13           communicate the shared objectives of the pre-  
14           scribed burn and ensure activities comply with  
15           applicable law and regulations.”.

16           (c) COOPERATIVE FUNDS AND DEPOSITS ACT  
17   AMENDMENTS.—Public Law 94–148 (commonly known as  
18   the “Cooperative Funds and Deposits Act”) is amended—

19                (1) in the first sentence of the first section (16  
20           U.S.C. 565a–1), by inserting “prescribed fire and  
21           prescribed fire training events,” after “including fire  
22           protection,”; and

23                (2) in section 2 (16 U.S.C. 565a–2), by insert-  
24           ing “, section 4 of the Tribal Forest Protection Act  
25           of 2004 (Public Law 108–278; 118 Stat. 868), or

1 section 135(a) of the Fix Our Forests Act” after  
2 “authorized by section 1”.

3 **SEC. 136. FACILITATING RESPONSIBLE USE OF PRE-**  
4 **SCRIBED FIRE.**

5 The Secretary, acting through the Chief of the Forest  
6 Service, shall—

7 (1) use all available resources to ensure pre-  
8 scribed burns conducted by the Forest Service are  
9 extinguished; and

10 (2) update the prescribed burn policies of the  
11 Forest Service to reflect the findings and rec-  
12 ommendations included in the report of the Forest  
13 Service entitled “National Prescribed Fire Program  
14 Review” and dated September 2022.

15 **TITLE II—PROTECTING**  
16 **COMMUNITIES AT RISK**  
17 **Subtitle A—Community Wildfire**  
18 **Risk Reduction**

19 **SEC. 201. COMMUNITY WILDFIRE RISK REDUCTION PRO-**  
20 **GRAM.**

21 (a) ESTABLISHMENT.—Not later than 120 days after  
22 the date of enactment of this Act, the Secretaries and the  
23 Secretary of Homeland Security, acting through the Ad-  
24 ministrator of the United States Fire Administration,  
25 shall jointly establish an interagency program, to be

1 known as the “Community Wildfire Risk Reduction Pro-  
2 gram” (referred to in this section as the “Program”),  
3 which shall consist of at least 1 representative from each  
4 of the following:

5 (1) The Office of Wildland Fire of the Depart-  
6 ment of the Interior.

7 (2) The National Park Service.

8 (3) The Bureau of Land Management.

9 (4) The United States Fish and Wildlife Serv-  
10 ice.

11 (5) The Bureau of Indian Affairs.

12 (6) The Forest Service.

13 (7) The Federal Emergency Management Agen-  
14 cy.

15 (8) The United States Fire Administration.

16 (9) The National Institute of Standards and  
17 Technology.

18 (10) The National Oceanic and Atmospheric  
19 Administration.

20 (11) The National Wildfire Coordinating  
21 Group.

22 (b) PURPOSE.—The purpose of the Program is to  
23 support interagency coordination in reducing the risk of,  
24 and the damages resulting from, wildland fires in commu-

1 nities (including Tribal communities) in the wildland-  
2 urban interface through—

3 (1) advancing research and science in wildland  
4 fire resilience, land management, and risk reduction  
5 in the built environment, including support for non-  
6 Federal research partnerships;

7 (2) using current programming already avail-  
8 able to Federal agencies;

9 (3) supporting the development of fire-resistant  
10 building methods, codes, and standards for commu-  
11 nity wildland fire risk reduction, including by pro-  
12 moting ignition-resistant construction, defensible  
13 space, and other measures demonstrated to effec-  
14 tively reduce wildland fire risks, as informed by the  
15 best available science;

16 (4) supporting adoption by Indian Tribes and  
17 local governmental entities of fire-resistant building  
18 methods, codes, and standards;

19 (5) supporting efforts by Indian Tribes and  
20 local governmental entities to address the effects of  
21 wildland fire on those communities, including prop-  
22 erty damages, air quality, and water quality;

23 (6) encouraging public-private partnerships to  
24 conduct hazardous fuels management activities near  
25 and within the wildland-urban interface, including

1       creating or improving defensible space around struc-  
2       tures;

3           (7) providing technical and financial assistance  
4       targeted towards communities (including Tribal  
5       communities) through streamlined and unified tech-  
6       nical assistance and grant management mechanisms,  
7       including the portal and uniform grant application  
8       established under subsection (c)—

9           (A) to encourage critical risk-reduction  
10       measures on private property with high  
11       wildland fire risk exposure in those commu-  
12       nities; and

13           (B) to mitigate costs for, and improve ca-  
14       pacity among, those communities;

15       (8) reducing risk in the built environment by  
16       encouraging increased mitigation measures, such as  
17       the use of ignition-resistant construction and retro-  
18       fitting materials;

19       (9) coordinating budgets among the agencies  
20       described in subsection (a) to identify gaps and re-  
21       duce overlap;

22       (10) supporting the integration of wildland fire  
23       risk reduction measure and technical assistance into  
24       existing Federal programs, where practicable; and



1           (11) advancing the development of early wild-  
2       fire detection and warning systems for rapid re-  
3       sponse and community alerts.

4       (c) PORTAL AND UNIFORM GRANT APPLICATION.—

5           (1) IN GENERAL.—As part of the Program, the  
6       Secretaries and the Administrator of the Federal  
7       Emergency Management Agency shall establish a  
8       portal through which a person may submit a single,  
9       uniform application for any of the following:

10           (A) A community wildfire defense grant  
11       under section 40803(f) of the Infrastructure In-  
12       vestment and Jobs Act (16 U.S.C. 6592(f)).

13           (B) An emergency management perform-  
14       ance grant under section 662 of the Post-  
15       Katrina Emergency Management Reform Act of  
16       2006 (6 U.S.C. 762).

17           (C) A grant under section 33 of the Fed-  
18       eral Fire Prevention and Control Act of 1974  
19       (15 U.S.C. 2229).

20           (D) A grant under section 34 of the Fed-  
21       eral Fire Prevention and Control Act of 1974  
22       (15 U.S.C. 2229a).

23           (E) Financial or technical assistance or a  
24       grant under section 203, 205, 404, 406, or 420  
25       of the Robert T. Stafford Disaster Relief and

1           Emergency Assistance Act (42 U.S.C. 5133,  
2           5135, 5170c, 5172, 5187).

3           (2) SIMPLIFICATION OF APPLICATION.—In es-  
4           tablishing the portal and application under para-  
5           graph (1), the Secretaries and the Administrator of  
6           the Federal Emergency Management Agency shall  
7           seek to reduce the complexity and length of the ap-  
8           plication process for the forms of assistance de-  
9           scribed in paragraph (1).

10          (3) TECHNICAL ASSISTANCE.—The Secretaries  
11          shall provide technical assistance to communities or  
12          persons seeking to apply for financial assistance  
13          through the portal using the application established  
14          under paragraph (1).

15          (d) DUTIES.—In carrying out this section, the rep-  
16          resentatives described in subsection (a) shall—

17               (1) meet not less frequently than once per year;

18               (2) ensure coordination, as appropriate, with  
19               other Federal agencies not identified in that sub-  
20               section; and

21               (3) seek to gather feedback, as appropriate,  
22               from States, Indian Tribes, local governments, aca-  
23               demic or research institutions, private entities, and  
24               such other entities as the Secretaries and the Sec-  
25               retary of Homeland Security, acting through the Ad-

1       ministrator of the United States Fire Administra-  
2       tion, determine to be appropriate, to improve the  
3       function and operation of the Program.

4       (e) COORDINATION.—The Secretaries and the Sec-  
5       retary of Homeland Security, acting through the Adminis-  
6       trator of the United States Fire Administration, shall seek  
7       to ensure that States and Indian Tribes are invited and  
8       represented in meetings and other activities under this  
9       section.

10       (f) REPORT.—Not later than 2 years after the date  
11       of enactment of this Act, and not less frequently than once  
12       every 2 years thereafter, the Program, acting through the  
13       representatives described in subsection (a), shall submit  
14       to the relevant committees of Congress a report that—

15               (1) describes the activities carried out under the  
16       Program during the 2 preceding years;

17               (2) assesses the management, coordination, im-  
18       plementation, and effectiveness of Program activi-  
19       ties;

20               (3) suggests improvements for the coordination  
21       and engagement of the Program with States, Indian  
22       Tribes, units of local government, and at-risk com-  
23       munities;

24               (4) assesses trends and developments in science  
25       and engineering relating to wildfire risk reduction in

1 the built environment, land-use planning, and vege-  
2 tation management that could be used to improve  
3 the effectiveness or efficiency of the Program;

4 (5) provides recommendations, to the maximum  
5 extent practicable—

6 (A) to improve the Program, including the  
7 ability of the Program to provide financial or  
8 technical assistance to States, Indian Tribes,  
9 units of local government, and at-risk commu-  
10 nities; and

11 (B) to modify existing requirements for  
12 Federal assistance or programs that support  
13 community wildfire risk reduction to improve  
14 the delivery, effectiveness, or availability of such  
15 assistance or programs;

16 (6) describes and itemizes the total amount of  
17 funding relating to community wildfire risk reduc-  
18 tion that was obligated during the 2 preceding fiscal  
19 years by the agencies described in subsection (a);  
20 and

21 (7) describes any feedback incorporated from  
22 non-Federal stakeholders to improve the function  
23 and operation of the Program.

24 (g) SUNSET.—The Program terminates on the date  
25 that is 7 years after the date of enactment of this Act.

1   **SEC. 202. COMMUNITY WILDFIRE DEFENSE RESEARCH PRO-**  
2                   **GRAM.**

3           (a) IN GENERAL.—The Secretaries, acting jointly,  
4 shall expand the Joint Fire Science Program to include  
5 a performance-driven research and development program,  
6 to be known as the “Community Wildfire Defense Re-  
7 search Program” (referred to in this section as the “Pro-  
8 gram”), for the purpose of testing and advancing innova-  
9 tive designs to establish or improve the wildfire resistance  
10 of structures and communities.

11          (b) PROGRAM PRIORITIES.—In carrying out the Pro-  
12 gram, the Secretaries shall evaluate efforts and opportuni-  
13 ties on or after the date of enactment of this Act to estab-  
14 lish wildfire-resistant structures and communities  
15 through—

16               (1) different affordable building materials, in-  
17 cluding mass timber;

18               (2) home hardening, including policies to  
19 incentivize and incorporate defensible space;

20               (3) preparation for wildland fire smoke;

21               (4) subdivision design and other land-use plan-  
22 ning and design;

23               (5) landscape architecture; and

24               (6) other wildfire-resistant designs, as deter-  
25 mined by the Secretaries.

1 (c) COMMUNITY WILDFIRE DEFENSE INNOVATION  
2 PRIZE.—

3 (1) IN GENERAL.—In carrying out the Pro-  
4 gram, the Secretaries shall carry out a competition  
5 through which a person may submit to the Secre-  
6 taries innovative designs for the establishment or  
7 improvement of an ignition-resistant structure or  
8 fire-adapted community.

9 (2) PRIZE.—Subject to the availability of ap-  
10 propriations made in advance for that purpose, the  
11 Secretaries may award a prize under the competition  
12 described in paragraph (1), based on criteria estab-  
13 lished by the Secretaries and in accordance with  
14 paragraph (3).

15 (3) SCALE.—In awarding a prize under para-  
16 graph (2), the Secretaries shall prioritize for an  
17 award designs with the greatest potential to scale to  
18 existing infrastructure.

19 (d) COLLABORATION AND NONDUPLICATION.—In  
20 carrying out the Program, the Secretaries shall ensure col-  
21 laboration and nonduplication of activities with the Build-  
22 ing Technologies Office of the Department of Energy.

23 (e) COORDINATION.—In carrying out the Program,  
24 the Secretaries shall coordinate with the Administrator of  
25 the United States Fire Administration.

1 (f) SUNSET.—The Program terminates on the date  
2 that is 7 years after the date of enactment of this Act.

3 **SEC. 203. COMMUNITY WILDFIRE DEFENSE GRANT PRO-**  
4 **GRAM IMPROVEMENTS.**

5 Section 40803(f) of the Infrastructure Investment  
6 and Jobs Act (16 U.S.C. 6592(f)) is amended—

7 (1) by striking paragraph (1)(B), and inserting  
8 the following:

9 “(B) to carry out projects, including—

10 “(i) landscape and hazardous fuels re-  
11 duction treatments;

12 “(ii) creating defensible space around  
13 structures to improve resistance to fire;

14 “(iii) hardening infrastructure, includ-  
15 ing evacuation routes, to improve resist-  
16 ance to fire;

17 “(iv) any other project described in a  
18 community wildfire protection plan that is  
19 not more than 10 years old; and

20 “(v) deployment of wildfire tech-  
21 nologies determined to be successful under  
22 section 303 of the Fix Our Forests Act.”;

23 (2) in paragraph (2)—

24 (A) in subparagraph (B), by striking “or”  
25 at the end;

1 (B) in subparagraph (C), by striking the  
2 period at the end and inserting “; or”; and

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

4 “(D) located in a fireshed management  
5 area (as defined in section 2 of the Fix Our  
6 Forests Act).”; and

7 (3) in paragraph (3)—

8 (A) in subparagraph (C)(i), by striking  
9 “continental”; and

10 (B) by adding at the end the following:

11 “(D) LIMITATION ON ADMINISTRATIVE EX-  
12 PENSES.—Not more than 7 percent of funds  
13 obligated under this section may be used for ad-  
14 ministrative expenses incurred by the Secretary  
15 of Agriculture.”.

16 **SEC. 204. UPDATED DEFINITION OF AT-RISK COMMUNITY.**

17 Section 101 of the Healthy Forests Restoration Act  
18 of 2003 (16 U.S.C. 6511) is amended by striking para-  
19 graph (1) and inserting the following:

20 “(1) AT-RISK COMMUNITY.—The term ‘at-risk  
21 community’ means an area that is composed of—

22 “(A) an interface community (as defined in  
23 the notice entitled ‘Wildland Urban Interface  
24 Communities Within the Vicinity of Federal  
25 Lands That Are at High Risk From Wildfire’



1 (66 Fed. Reg. 753 (January 4, 2001)) issued  
2 by the Secretary of Agriculture and the Sec-  
3 retary of the Interior in accordance with title  
4 IV of the Department of the Interior and Re-  
5 lated Agencies Appropriations Act, 2001 (114  
6 Stat. 1009));

7 “(B) a group of homes and other struc-  
8 tures with basic infrastructure and services  
9 (such as utilities and collectively maintained  
10 transportation routes) at risk from wildfire, as  
11 recognized in a fireshed, State, Tribal, local, re-  
12 gional, territorial, or national wildfire risk as-  
13 sessment; or

14 “(C) a group of homes and other struc-  
15 tures with basic infrastructure and services  
16 (such as utilities and collectively maintained  
17 transportation routes), as determined by the  
18 Secretary of Agriculture.”.

1 **Subtitle B—Vegetation Manage-**  
2 **ment, Reforestation, and Local**  
3 **Fire Risk Mitigation**

4 **SEC. 211. VEGETATION MANAGEMENT, FACILITY INSPEC-**  
5 **TION, AND OPERATION AND MAINTENANCE**  
6 **RELATING TO ELECTRIC TRANSMISSION AND**  
7 **DISTRIBUTION FACILITY RIGHTS-OF-WAY.**

8 (a) HAZARD TREES WITHIN 150 FEET OF ELECTRIC  
9 POWER LINE.—Section 512(a)(1)(B) of the Federal Land  
10 Policy and Management Act of 1976 (43 U.S.C.  
11 1772(a)(1)(B)) is amended—

12 (1) in the matter preceding clause (i), by strik-  
13 ing “likely to—” and inserting “likely—”;

14 (2) in clause (i), by inserting “to” after the  
15 clause designation; and

16 (3) in clause (ii), by striking “come within 10”  
17 and inserting “to come within 150”.

18 (b) CONSULTATION WITH PRIVATE LANDOWNERS.—  
19 Section 512(c)(3)(E) of the Federal Land Policy and  
20 Management Act of 1976 (43 U.S.C. 1772(c)(3)(E)) is  
21 amended—

22 (1) in clause (i), by striking “and” at the end;

23 (2) in clause (ii), by striking the period and in-  
24 serting “; and”; and

25 (3) by adding at the end the following:

1 “(iii) consulting with a private land-  
2 owner with respect to any hazard trees  
3 identified for removal from land owned by  
4 the private landowner.”.

5 (c) REVIEW AND APPROVAL PROCESS.—Section  
6 512(c)(4)(A) of the Federal Land Policy and Management  
7 Act of 1976 (43 U.S.C. 1772(c)(4)(A)) is amended by  
8 striking clause (iv) and inserting the following:

9 “(iv) ensures that—

10 “(I) a plan submitted without a  
11 modification under clause (iii) shall be  
12 automatically approved by the date  
13 that is 120 days after the date of sub-  
14 mission; and

15 “(II) for a plan submitted with a  
16 modification under clause (iii), if the  
17 plan is not approved by the date that  
18 is 120 days after the date of submis-  
19 sion, the Secretary concerned shall de-  
20 velop and submit to the owner and op-  
21 erator a letter describing—

22 “(aa) a detailed timeline (to  
23 conclude by the date that is 165  
24 days after the date of submission

1 of the plan) for completing re-  
2 view of the plan;

3 “(bb) any identified defi-  
4 ciencies in the plan and specific  
5 opportunities for the owner or  
6 operator to address each defi-  
7 ciency; and

8 “(cc) any other relevant in-  
9 formation, as determined by the  
10 Secretary concerned.”.

11 (d) TECHNICAL CORRECTIONS.—Section 512 of the  
12 Federal Land Policy and Management Act of 1976 (43  
13 U.S.C. 1772) is amended—

14 (1) in the section heading, by striking  
15 “**MANAGMENT**” and inserting “**MANAGEMENT**”;  
16 and

17 (2) in subsection (c)(4)(A)(ii), by striking  
18 “and” at the end.

19 (e) VEGETATION MANAGEMENT PLAN REVIEW.—Not  
20 later than 180 days after the date of enactment of this  
21 Act, the Secretaries shall submit to the relevant commit-  
22 tees of Congress a report describing, with respect to vege-  
23 tation management plans submitted under section 512 of  
24 the Federal Land Policy and Management Act of 1976  
25 (43 U.S.C. 1772)—

1           (1) the extent to which those vegetation man-  
2           agement plans under are reviewed and approved  
3           within the 120-day period required under subsection  
4           (c)(4)(A)(iv) of that section;

5           (2) for any vegetation management plan not re-  
6           viewed and approved by the applicable deadline de-  
7           scribed in paragraph (1), the reason for any delay  
8           in review or approval; and

9           (3) for any vegetation management plan sub-  
10          mitted for review and approval for which the Sec-  
11          retary concerned requested a modification, the  
12          timeline for reviewing the modification on resubmis-  
13          sion.

14   **SEC. 212. FIRE-SAFE ELECTRICAL CORRIDORS.**

15          Section 512 of the Federal Land Policy and Manage-  
16          ment Act of 1976 (43 U.S.C. 1772) is amended—

17               (1) by redesignating subsections (j) and (k) as  
18               subsections (k) and (l), respectively; and

19               (2) by inserting after subsection (i) the fol-  
20               lowing:

21          “(j) PERMITS AND AGREEMENTS WITH OWNERS AND  
22          OPERATORS OF ELECTRIC TRANSMISSION OR DISTRIBUTION  
23          FACILITIES.—

24               “(1) IN GENERAL.—In any special use permit  
25               or easement on National Forest System land or land

1 under the jurisdiction of the Bureau of Land Man-  
2 agement provided to the owner or operator of an  
3 electric transmission or distribution facility, the Sec-  
4 retary concerned may provide permission to cut and  
5 remove trees or other vegetation from within striking  
6 distance of the electric transmission or distribution  
7 facility without requiring a separate timber sale, if  
8 that cutting and removal is consistent with—

9 “(A) the applicable plan;

10 “(B) the applicable land and resource  
11 management plan or land use plan; and

12 “(C) other applicable environmental laws  
13 (including regulations).

14 “(2) USE OF PROCEEDS.—A special use permit  
15 or easement that includes permission for cutting and  
16 removal described in paragraph (1) shall include a  
17 requirement that, if the owner or operator of the  
18 electric transmission or distribution facility sells any  
19 portion of the material removed under the permit or  
20 easement, the owner or operator shall provide to the  
21 Secretary concerned any proceeds received from the  
22 sale, less any costs incurred in 1 or both of the fol-  
23 lowing activities:

24 “(A) Carrying out the project.

1                   “(B) Maintenance within the vicinity of the  
2                   electric transmission or distribution facility that  
3                   reduces fire risk.

4                   “(3) EFFECT.—Nothing in paragraph (2) shall  
5                   require the sale of any material removed under a  
6                   permit or easement that includes permission for cut-  
7                   ting and removal described in paragraph (1).”.

8   **SEC. 213. CATEGORICAL EXCLUSION FOR HIGH-PRIORITY**  
9                   **HAZARD TREES.**

10                  (a) DEFINITIONS.—In this section:

11                   (1) HIGH-PRIORITY HAZARD TREE.—The term  
12                   “high-priority hazard tree” means a standing tree  
13                   that—

14                   (A) presents a visible hazard to people or  
15                   property due to conditions such as deterioration  
16                   of, or damage to, the root system, trunk, stem,  
17                   or limbs of the tree, or the direction or lean of  
18                   the tree, as determined by the Secretary;

19                   (B) is determined by the Secretary to be  
20                   highly likely to fail and, on failure, would be  
21                   highly likely to cause injury to people or dam-  
22                   age to Federal property; and

23                   (C) is located—

1 (i) within 300 feet of a National For-  
2 est System road with a maintenance level  
3 of 3, 4, or 5;

4 (ii) along a National Forest System  
5 trail; or

6 (iii) in a developed recreation site on  
7 National Forest System land that is oper-  
8 ated and maintained by the Secretary.

9 (2) HIGH-PRIORITY HAZARD TREE ACTIVITY.—

10 (A) IN GENERAL.—The term “high-pri-  
11 ority hazard tree activity” means a forest man-  
12 agement activity that mitigates the risks associ-  
13 ated with high-priority hazard trees, including  
14 pruning, felling, and disposal of a high-priority  
15 hazard tree.

16 (B) EXCLUSIONS.—The term “high-pri-  
17 ority hazard tree activity” does not include any  
18 activity—

19 (i) conducted in a wilderness area or  
20 wilderness study area;

21 (ii) for the construction of a perma-  
22 nent road or permanent trail;

23 (iii) conducted on Federal land on  
24 which, by Act of Congress or Presidential



1 proclamation, the removal of vegetation is  
2 restricted or prohibited;

3 (iv) conducted in an area in which ac-  
4 tivities described in subparagraph (A)  
5 would be inconsistent with the applicable  
6 land and resource management plan; or

7 (v) conducted in an inventoried  
8 roadless area.

9 (b) CATEGORICAL EXCLUSION.—

10 (1) IN GENERAL.—Not later than 1 year after  
11 the date of enactment of this Act, the Secretary  
12 shall develop a categorical exclusion (as defined in  
13 111 of the National Environmental Policy Act of  
14 1969 (42 U.S.C. 4336e)) for high-priority hazard  
15 tree activities.

16 (2) ADMINISTRATION.—In developing and ad-  
17 ministering the categorical exclusion under para-  
18 graph (1), the Secretary shall—

19 (A) comply with the National Environ-  
20 mental Policy Act of 1969 (42 U.S.C. 4321 et  
21 seq.); and

22 (B) apply the extraordinary circumstances  
23 procedures under section 220.6 of title 36, Code  
24 of Federal Regulations (or successor regula-

1           tions), in determining whether to use the cat-  
2           egorical exclusion.

3           (3) PROJECT SIZE LIMITATION.—A project car-  
4           ried out using the categorical exclusion developed  
5           under paragraph (1) may not exceed 6,000 acres.

6   **SEC. 214. SEEDS OF SUCCESS STRATEGY.**

7           (a) ESTABLISHMENT.—Not later than 1 year after  
8           the date of enactment of this Act, the Secretaries shall  
9           jointly develop and implement a strategy, which may be  
10          an update to or expansion of existing efforts, to be known  
11          as the “Seeds of Success strategy”, to enhance the domes-  
12          tic supply chain of seeds, which may include herbaceous  
13          and tree seeds.

14          (b) ELEMENTS.—The strategy developed under sub-  
15          section (a) shall include a plan for each of the following:

16               (1) Facilitating sustained interagency coordina-  
17               tion in, and a comprehensive approach to, native  
18               plant materials development and restoration.

19               (2) Promoting the re-seeding of native or fire-  
20               resistant vegetation post-wildfire, particularly in the  
21               wildland-urban interface.

22               (3) Creating and consolidating information re-  
23               lating to native or fire-resistant vegetation and shar-  
24               ing that information with Indian Tribes and State  
25               and local governments.

1           (4) Building regional programs and partner-  
2       ships to promote the development of materials made  
3       from plants native to the United States and restore  
4       those plants to their respective, native habitats with-  
5       in the United States, giving priority to the building  
6       of those programs and partnerships in regions of the  
7       Bureau of Land Management where the partner-  
8       ships and programs do not exist on the date of en-  
9       actment of this Act.

10          (5) Expanding workforce and infrastructure ca-  
11       pacity to locally collect, process, and store seed as  
12       necessary to implement revegetation and reforest-  
13       ation projects on priority land (as defined in section  
14       215(b)(1)).

15          (6) Expanding warehouse systems of the Secre-  
16       taries, particularly the cold storage capacity of the  
17       systems.

18          (7) Shortening the timeline for the approval of  
19       permits to collect seeds on public land managed by  
20       the Bureau of Land Management.

21          (8) Coordinating with the other Federal agen-  
22       cies, States, Indian Tribes, and private entities, as  
23       appropriate, for the purpose of seed collection.

1 (c) REPORT.—The Secretaries shall submit to the rel-  
2 evant committees of Congress the strategy developed  
3 under subsection (a).

4 (d) COORDINATION.—In implementing the strategy  
5 developed under subsection (a), the Secretary of the Inte-  
6 rior, acting through the Director of the Bureau of Land  
7 Management, shall coordinate with the heads of other ap-  
8 plicable Federal agencies, including the Department of  
9 Defense, for the purpose of collecting seeds from land  
10 under the jurisdiction under those Federal agencies.

11 **SEC. 215. PROGRAM TO SUPPORT PRIORITY REFOREST-**  
12 **ATION AND RESTORATION PROJECTS.**

13 (a) REFORESTATION REPORTS SUBMITTED TO ADDI-  
14 TIONAL COMMITTEES.—Section 70303 of the Infrastruc-  
15 ture Investment and Jobs Act (16 U.S.C. 1601 note; Pub-  
16 lic Law 117–58) is amended, in the matter preceding  
17 paragraph (1), by striking inserting “, the Committee on  
18 Energy and Natural Resources of the Senate, the Com-  
19 mittee on Natural Resources of the House of Representa-  
20 tives,” after “Senate”.

21 (b) INTERIOR REFORESTATION PROGRAM.—

22 (1) DEFINITIONS.—In this subsection:

23 (A) COVERED INSTITUTION OF HIGHER  
24 EDUCATION.—The term “covered institution of

1 higher education” means a land-grant college or  
2 university, including—

3 (i) an 1862 Institution (as defined in  
4 section 2 of the Agricultural Research, Ex-  
5 tension, and Education Reform Act of  
6 1998 (7 U.S.C. 7601));

7 (ii) an 1890 Institution (as defined in  
8 that section);

9 (iii) an institution that is eligible to  
10 receive funding under Public Law 87–788  
11 (commonly known as the “McIntire-Sten-  
12 nis Act of 1962”); and

13 (iv) a 1994 Institution (as defined in  
14 section 532 of the Equity in Educational  
15 Land-Grant Status Act of 1994 (7 U.S.C.  
16 301 note; Public Law 103–382)).

17 (B) NATURAL REGENERATION; REFOREST-  
18 ATION; UNPLANNED EVENT.—The terms “nat-  
19 ural regeneration”, “reforestation”, and “un-  
20 planned event” have the meanings given those  
21 terms in section 3(e)(4)(A) of the Forest and  
22 Rangeland Renewable Resources Planning Act  
23 of 1974 (16 U.S.C. 1601(e)(4)(A)).

24 (C) PRIORITY LAND.—The term “priority  
25 land” means historically forested land under

1 the jurisdiction of the Secretary concerned that,  
2 due to an unplanned event—

3 (i) requires reforestation to meet the  
4 objectives described in an applicable land  
5 use plan; and

6 (ii) is unlikely to experience natural  
7 regeneration.

8 (2) PROGRAM ESTABLISHMENT.—Not later  
9 than 1 year after the date of enactment of this Act,  
10 the Secretary of the Interior shall establish a pro-  
11 gram to implement reforestation projects on priority  
12 land identified under paragraph (4)(A), in accord-  
13 ance with this section.

14 (3) SUPPORT.—In carrying out the program es-  
15 tablished under paragraph (2), the Secretary of the  
16 Interior may enter into—

17 (A) cooperative agreements in accordance  
18 with processes established by the Secretary of  
19 the Interior; and

20 (B) contracts, including contracts entered  
21 into pursuant to the Indian Self-Determination  
22 and Education Assistance Act (25 U.S.C. 5301  
23 et seq.).

24 (4) ANNUAL IDENTIFICATION OF PRIORITY  
25 PROJECTS.—Not later than 1 year after the date of

1 enactment of this Act, and annually thereafter, the  
2 Secretary of the Interior shall—

3 (A) identify priority land within the United  
4 States;

5 (B) establish a list of reforestation projects  
6 on priority land for the upcoming year, which  
7 may include activities to ensure adequate and  
8 appropriate seed and seedling availability to  
9 further the objectives of other priority projects;  
10 and

11 (C) estimate the costs necessary to imple-  
12 ment the list established under subparagraph  
13 (B).

14 (5) CONSULTATION.—In carrying out the pro-  
15 gram under this subsection, the Secretary of the In-  
16 terior shall consult or coordinate with, as appro-  
17 priate—

18 (A) applicable State and local govern-  
19 ments;

20 (B) applicable Indian Tribes;

21 (C) covered institutions of higher edu-  
22 cation;

23 (D) Federal agencies that administer Fed-  
24 eral land that adjoins, or is adjacent to, land

1           that is the subject of a project identified under  
2           paragraph (4)(B); and

3           (E) other stakeholders, at the discretion of  
4           the Secretary of the Interior.

5           (6) ANNUAL REPORT.—Not later than 1 year  
6           after the date of enactment of this Act, and annually  
7           thereafter for each of the following 6 years, the Sec-  
8           retary of the Interior shall submit to the relevant  
9           committees of Congress, the Committee on Appro-  
10          priations of the Senate, and the Committee on Ap-  
11          propriations of the House of Representatives a re-  
12          port that includes the following, with respect to the  
13          period covered by the report:

14                (A) An accounting of all priority land.

15                (B) A list of projects identified under  
16                paragraph (4)(B).

17                (C) An accounting of any progress made  
18                on projects identified in any previous report  
19                under this paragraph.

20                (D) An accounting of each contract and  
21                cooperative agreement established under the  
22                program under this subsection.

23                (E) The amounts necessary to be appro-  
24                priated, in addition to amounts available from  
25                other sources, to implement reforestation



1 projects on all priority land by not later than  
2 10 years after the date of submission of the re-  
3 port.

4 (7) FUNDING SOURCE REPORT.—Not later than  
5 1 year after the date of enactment of this Act, the  
6 Secretary of the Interior shall submit to the relevant  
7 committees of Congress, the Committee on Appro-  
8 priations of the Senate, and the Committee on Ap-  
9 propriations of the House of Representatives a re-  
10 port that describes options for dedicated Federal  
11 funding other than annual appropriations to support  
12 existing and anticipated reforestation needs, includ-  
13 ing seed and seedling availability.

14 (8) NONDUPLICATION.—In carrying out this  
15 section, the Secretary of the Interior shall collabo-  
16 rate with the Secretary and the Secretary of Defense  
17 to ensure the nonduplication of activities carried out  
18 under section 214.

19 **SEC. 216. REFORESTATION, NURSERIES, AND GENETIC RE-**  
20 **SOURCES SUPPORT.**

21 (a) DEFINITIONS.—In this section:

22 (1) ELIGIBLE RECIPIENT.—The term “eligible  
23 recipient” means—

24 (A) a State forestry agency;

25 (B) an Indian Tribe; and

1 (C) a private nursery or seed orchard that  
2 has experience, as determined by the Secretary,  
3 in growing high-quality native trees or seeds of  
4 appropriate genetic sources in bareroot or con-  
5 tainer stocktypes specific for reforestation, res-  
6 toration, or conservation, including native  
7 plants and seeds that are of cultural signifi-  
8 cance to Indian Tribes.

9 (2) NURSERY.—The term “nursery” means a  
10 tree or native plant nursery.

11 (3) SEED ORCHARD.—The term “seed orchard”  
12 means a tree or native plant seed orchard.

13 (b) PARTNERSHIPS, COLLABORATION, AND OTHER  
14 ASSISTANCE IN SUPPORT OF NURSERIES AND SEED OR-  
15 CHARDS.—The Secretary, acting through the Chief of the  
16 Forest Service, shall—

17 (1) partner with Federal and State agencies,  
18 Indian Tribes, institutions of higher education, non-  
19 profit organizations, and private nurseries to provide  
20 training, technical assistance, and research to nurs-  
21 ery and tree establishment programs that support  
22 natural regeneration, reforestation, agroforestry, and  
23 afforestation;

24 (2) promote information-sharing to improve  
25 technical knowledge and practices and understand

1 reforestation needs and demands for seed or seed-  
2 lings, climate change impacts, tree genetics for re-  
3 sistance to pathogens and drought, and other issues  
4 as necessary to address all facets of the reforestation  
5 supply chain;

6 (3) provide technical and financial assistance to  
7 international nursery and tree establishment pro-  
8 grams through the Forest Service International Pro-  
9 grams, the Institute of Pacific Islands Forestry, and  
10 the International Institute of Tropical Forestry;

11 (4) collaborate with other relevant Federal de-  
12 partments and agencies, including the Foreign Agri-  
13 cultural Service, the United States Agency for Inter-  
14 national Development, and the United States Fish  
15 and Wildlife Service, and international organiza-  
16 tions, including the Food and Agriculture Organiza-  
17 tion of the United Nations, to provide technical and  
18 financial assistance relating to nurseries and refor-  
19 estation;

20 (5) coordinate the efforts of the Department of  
21 Agriculture—

22 (A) to address the challenges associated  
23 with the reforestation supply chain, including  
24 workforce development; and

1 (B) to leverage economic development as-  
2 sistance for work with private nurseries;

3 (6) expand reforestation supply chains through  
4 science and research, seed collection and storage,  
5 workforce development, and nursery infrastructure  
6 and operations; and

7 (7) shorten the timeline for the approval of per-  
8 mits to collect seeds on National Forest System  
9 land.

10 (c) NURSERY AND SEED ORCHARD GRANTS.—

11 (1) IN GENERAL.—Not later than 2 years after  
12 the date of enactment of this Act, the Secretary  
13 shall establish or expand an existing program to pro-  
14 vide grants to eligible recipients to support nurseries  
15 and seed orchards.

16 (2) ELIGIBLE PROJECTS.—An eligible recipient  
17 that receives a grant under paragraph (1) shall  
18 carry out a project that comprises 1 or more of the  
19 following activities:

20 (A) The development, expansion, enhance-  
21 ment, or improvement of nursery production ca-  
22 pacity or other infrastructure—

23 (i) to improve seed collection and stor-  
24 age;

1 (ii) to increase seedling production,  
2 storage, and distribution; or

3 (iii) to enhance seedling survival and  
4 properly manage tree genetic resources.

5 (B) The establishment or expansion of a  
6 nursery or seed orchard, including by acquiring  
7 equipment for a nursery or seed orchard.

8 (C) The development or implementation of  
9 quality control measures at nurseries or seed  
10 orchards.

11 (D) The promotion of workforce develop-  
12 ment within any facet of the reforestation sup-  
13 ply chain.

14 (E) Such other activities as the Secretary  
15 determines to be appropriate.

16 **SEC. 217. FIRE DEPARTMENT REPAYMENT.**

17 (a) ESTABLISHMENT OF STANDARD OPERATING  
18 PROCEDURES.—Not later than 1 year after the date of  
19 enactment of this Act, the Secretaries shall—

20 (1) establish standard operating procedures re-  
21 lating to payment timelines for fire suppression cost-  
22 share agreements established under section 2 of the  
23 Act of May 27, 1955 (42 U.S.C. 1856a) (commonly  
24 known as the “Reciprocal Fire Protection Act”); and

1           (2) with respect to each fire suppression cost-  
2           share agreement in operation on that date—

3                   (A) review the agreement; and

4                   (B) modify the agreement as necessary to  
5           comply with the standard operating procedures  
6           established under paragraph (1).

7           (b) ALIGNMENT OF AGREEMENTS.—The standard  
8           operating procedures under subsection (a)(1) shall include  
9           a requirement that each fire suppression cost-share agree-  
10          ment shall be aligned with each cooperative fire protection  
11          agreement applicable to the entity subject to the fire sup-  
12          pression cost-share agreement.

13          (c) PAYMENTS.—With respect to payments made  
14          pursuant to a fire suppression cost-share agreement, the  
15          standard operating procedures under subsection (a)(1)  
16          shall require that the paying entity shall reimburse a local  
17          fire department or a State wildland firefighter agency if  
18          that entity submits to the paying entity an invoice in ac-  
19          cordance with applicable cost settlement procedures.

20          (d) SENSE OF CONGRESS.—It is the sense of Con-  
21          gress that the Secretaries should carry out reciprocal fire  
22          suppression cost-share agreement repayments to local fire  
23          suppression organizations and State wildland firefighting  
24          agencies as soon as practicable, but not later than 1 year,

1 after the date on which the applicable fire suppression oc-  
2 curs.

3 **TITLE III—TRANSPARENCY,**  
4 **TECHNOLOGY, AND PARTNER-**  
5 **SHIPS**

6 **Subtitle A—Transparency and**  
7 **Technology**

8 **SEC. 301. BIOCHAR INNOVATIONS AND OPPORTUNITIES**  
9 **FOR CONSERVATION, HEALTH, AND AD-**  
10 **VANCEMENTS IN RESEARCH.**

11 (a) DEFINITIONS.—In this section:

12 (1) BIOCHAR.—The term “biochar” means car-  
13 bonized biomass produced by converting feedstock  
14 through reductive thermal processing for a nonfuel  
15 use.

16 (2) ELIGIBLE ENTITY.—The term “eligible enti-  
17 ty” means—

18 (A) a unit of State or local government or  
19 the government of an Indian Tribe;

20 (B) a special district;

21 (C) an eligible institution;

22 (D) a public, private, or cooperative entity  
23 or organization;

1 (E) a National Laboratory (as defined in  
2 section 2 of the Energy Policy Act of 2005 (42  
3 U.S.C. 15801)); and

4 (F) a partnership or consortium of 2 or  
5 more entities described in subparagraphs (A)  
6 through (E).

7 (3) ELIGIBLE INSTITUTION.—The term “eligi-  
8 ble institution” means a land-grant college or uni-  
9 versity, including—

10 (A) an 1862 Institution (as defined in sec-  
11 tion 2 of the Agricultural Research, Extension,  
12 and Education Reform Act of 1998 (7 U.S.C.  
13 7601));

14 (B) an 1890 Institution (as defined in that  
15 section);

16 (C) an institution that is eligible to receive  
17 funding under Public Law 87–788 (commonly  
18 known as the “McIntire-Stennis Act of 1962”);  
19 and

20 (D) a 1994 Institution (as defined in sec-  
21 tion 532 of the Equity in Educational Land-  
22 Grant Status Act of 1994 (7 U.S.C. 301 note;  
23 Public Law 103–382)).

24 (4) FEEDSTOCK.—The term “feedstock” means  
25 excess biomass in the form of plant matter or mate-



1       rials that serves as the raw material for the produc-  
2       tion of biochar.

3           (5) SECRETARIES.—The term “Secretaries”  
4       means—

5           (A) the Secretary, acting through the Chief  
6       of the Forest Service;

7           (B) the Secretary of the Interior, acting  
8       through the Director of the Bureau of Land  
9       Management; and

10          (C) the Secretary of Energy, acting  
11       through the Director of the Office of Science.

12       (b) DEMONSTRATION PROJECTS.—

13           (1) ESTABLISHMENT.—

14           (A) IN GENERAL.—Subject to the avail-  
15       ability of appropriations made in advance for  
16       that purpose, not later than 2 years after the  
17       date of enactment of this Act, the Secretaries  
18       shall establish a program under which the Sec-  
19       retaries shall enter into partnerships with eligi-  
20       ble entities to carry out demonstration projects  
21       to support the development and commercializa-  
22       tion of biochar in accordance with this sub-  
23       section.

24           (B) LOCATION.—In carrying out the pro-  
25       gram established under subparagraph (A), the

1 Secretaries shall, to the maximum extent prac-  
2 ticable, enter into partnerships with eligible en-  
3 tities in a manner that ensures that—

4 (i) at least 1 demonstration project is  
5 carried out in each region of the Forest  
6 Service; and

7 (ii) at least 1 demonstration project is  
8 carried out in each region of the Bureau of  
9 Land Management.

10 (2) PROPOSALS.—To be eligible to enter into a  
11 partnership under paragraph (1)(A), an eligible enti-  
12 ty shall submit to the Secretaries a proposal at such  
13 time, in such manner, and containing such informa-  
14 tion as the Secretaries may require.

15 (3) PRIORITY.—In selecting proposals under  
16 paragraph (2), the Secretaries shall give priority to  
17 entering into partnerships with eligible entities that  
18 submit proposals to carry out biochar demonstration  
19 projects that—

20 (A) have the most potential to improve for-  
21 est health and resiliency;

22 (B) have the most potential to create new  
23 jobs and contribute to local economies, particu-  
24 larly in rural areas;

1 (C) have the most potential to dem-  
2 onstrate—

3 (i) new and innovative uses of biochar;

4 (ii) market viability for cost-effective  
5 biochar-based products;

6 (iii) the restorative benefits of biochar  
7 with respect to forest health and resiliency,  
8 including forest soils and watersheds; or

9 (iv) any combination of the purposes  
10 described in clauses (i) through (iii);

11 (D) are located in areas that have a high  
12 need for biochar production, as determined by  
13 the Secretaries, due to—

14 (i) nearby land identified as having  
15 high, very high, or extreme risk of wildfire;

16 (ii) availability of sufficient quantities  
17 of feedstocks; or

18 (iii) a high level of demand for  
19 biochar or other commercial byproducts of  
20 biochar; or

21 (E) satisfy any combination of the pur-  
22 poses described in subparagraphs (A) through  
23 (D).

24 (4) USE OF FUNDS.—In carrying out the pro-  
25 gram established under paragraph (1)(A), the Secre-

1       taries may enter into partnerships and provide fund-  
2       ing to the partnerships to carry out demonstration  
3       projects—

4               (A) to acquire and test various feedstocks  
5       and the efficacy of those feedstocks;

6               (B) to develop and optimize commercially  
7       and technologically viable biochar production  
8       units, including mobile and permanent units;

9               (C) to demonstrate—

10                   (i) the production of biochar from for-  
11       est residue; and

12                   (ii) the use of biochar to restore forest  
13       health and resiliency;

14               (D) to build, expand, or establish biochar  
15       facilities;

16               (E) to conduct research relating to new  
17       and innovative uses of biochar;

18               (F) to demonstrate cost-effective market  
19       opportunities for biochar and biochar-based  
20       products;

21               (G) to carry out any other activities the  
22       Secretaries determine to be appropriate; or

23               (H) to achieve any combination of the pur-  
24       poses described in subparagraphs (A) through  
25       (G).

1           (5) FEEDSTOCK REQUIREMENTS.—To the max-  
2           imum extent practicable, an eligible entity that car-  
3           ries out a biochar demonstration project under this  
4           subsection shall derive not less than 50 percent of  
5           the feedstock used under the project from forest  
6           thinning and management activities, including mill  
7           residues, conducted on National Forest System land  
8           or public land.

9           (6) REVIEW.—

10           (A) IN GENERAL.—The Secretaries shall  
11           conduct regionally specific research, including  
12           economic analyses and lifecycle assessments, re-  
13           lating to any biochar produced from a dem-  
14           onstration project carried out under the pro-  
15           gram established under paragraph (1)(A), in-  
16           cluding—

17           (i) the effects of that biochar on—

18                   (I) forest health and resiliency;

19                   (II) carbon sequestration, includ-  
20                   ing increasing soil carbon in the  
21                   short-term and long-term;

22                   (III) productivity, reduced input  
23                   costs, and water retention in agricul-  
24                   tural practices;

1 (IV) the health of soil and grass-  
2 lands used for grazing activities, in-  
3 cluding grazing activities on National  
4 Forest System land and public land;  
5 and

6 (V) environmental remediation  
7 activities, including abandoned mine  
8 land remediation;

9 (ii) the effectiveness of biochar as a  
10 coproduct of biofuels or in biochemicals;  
11 and

12 (iii) the effectiveness of other poten-  
13 tial uses of biochar to determine if any  
14 such use is technologically and commer-  
15 cially viable.

16 (B) COORDINATION.—The Secretaries, to  
17 the maximum extent practicable, shall provide  
18 data, analyses, and other relevant information  
19 collected under subparagraph (A) to recipients  
20 of grants under subsection (c).

21 (7) LIMITATION ON FUNDING FOR ESTAB-  
22 LISHING BIOCHAR FACILITIES.—The amount pro-  
23 vided by the Secretaries under this subsection to an  
24 eligible entity for establishing a biochar facility may

1 not exceed 35 percent of the total capital cost of es-  
2 tablishing that facility.

3 (c) BIOCHAR RESEARCH AND DEVELOPMENT GRANT  
4 PROGRAM.—

5 (1) ESTABLISHMENT.—The Secretary of the In-  
6 terior, in consultation with the Secretary of Energy,  
7 shall establish, or expand an existing, applied  
8 biochar research and development grant program to  
9 provide to eligible institutions grants, on a competi-  
10 tive basis, to carry out the activities described in  
11 paragraph (3).

12 (2) APPLICATIONS.—To be eligible to receive a  
13 grant under this subsection, an eligible institution  
14 shall submit to the Secretary of the Interior a pro-  
15 posal at such time, in such manner, and containing  
16 such information as the Secretary of the Interior  
17 may require.

18 (3) USE OF FUNDS.—An eligible institution  
19 that receives a grant under this subsection shall use  
20 the grant funds to conduct applied research relating  
21 to—

22 (A) the effect of biochar on forest health  
23 and resiliency, taking into account variations in  
24 biochar, soil, climate, and other factors;

1 (B) the effect of biochar on soil health,  
2 water retention, and air quality emissions, tak-  
3 ing into account variations in biochar, soil, cli-  
4 mate, and other factors;

5 (C) the long-term carbon sequestration po-  
6 tential of biochar;

7 (D) best management practices with re-  
8 spect to biochar and biochar-based products  
9 that maximize—

10 (i) carbon sequestration benefits; and

11 (ii) the commercial viability and appli-  
12 cation of those products in forestry, agri-  
13 culture, environmental remediation, water  
14 quality improvement, and any other similar  
15 uses, as determined by the Secretary of the  
16 Interior;

17 (E) the regional uses of biochar to increase  
18 productivity and profitability, including—

19 (i) uses in agriculture and environ-  
20 mental remediation; and

21 (ii) use as a coproduct in fuel produc-  
22 tion;

23 (F) new and innovative uses for biochar  
24 byproducts; and



1 (G) opportunities to expand markets for  
2 biochar and create related jobs, particularly in  
3 rural areas.

4 (d) REPORTS.—

5 (1) REPORT TO CONGRESS.—Not later than 2  
6 years after the date of enactment of this Act, the  
7 Secretaries shall submit to Congress a report that—

8 (A) includes policy and program rec-  
9 ommendations to improve the widespread use of  
10 biochar;

11 (B) identifies any area of research needed  
12 to advance biochar commercialization; and

13 (C) identifies barriers to advancing biochar  
14 commercialization, including permitting and  
15 siting considerations.

16 (2) MATERIALS SUBMITTED IN SUPPORT OF  
17 PRESIDENT'S BUDGET.—Beginning with the second  
18 fiscal year that begins after the date of enactment  
19 of this Act, and annually thereafter until the date  
20 described in subsection (e), the Secretaries shall in-  
21 clude in the materials submitted to Congress in sup-  
22 port of the President's budget pursuant to section  
23 1105 of title 31, United States Code, a report de-  
24 scribing, for the fiscal year covered by the report,  
25 the status of—

1 (A) each demonstration project carried out  
2 under subsection (b); and

3 (B) each research and development grant  
4 provided under subsection (c).

5 (e) SUNSET.—The authority to carry out this section  
6 terminates on the date that is 7 years after the date of  
7 enactment of this Act.

8 **SEC. 302. ACCURATE HAZARDOUS FUELS REDUCTION RE-**  
9 **PORTS.**

10 (a) DEFINITIONS.—In this section:

11 (1) FEDERAL LAND.—The term “Federal land”  
12 means any land under the jurisdiction of—

13 (A) the Secretary; or

14 (B) the Secretary of the Interior.

15 (2) HAZARDOUS FUELS REDUCTION ACTIV-  
16 ITY.—

17 (A) IN GENERAL.—The term “hazardous  
18 fuels reduction activity” means any vegetation  
19 management activity to reduce the risk of wild-  
20 fire, including mechanical treatments, grazing,  
21 and prescribed burning.

22 (B) EXCLUSION.—The term “hazardous  
23 fuels reduction activity” does not include the  
24 awarding of a contract to conduct an activity  
25 described in subparagraph (A).

1       (b) MATERIALS SUBMITTED IN SUPPORT OF PRESI-  
2 DENT'S BUDGET.—

3           (1) IN GENERAL.—Beginning with the first fis-  
4 cal year that begins after the date of enactment of  
5 this Act, and annually thereafter, the Secretary con-  
6 cerned shall include in the materials submitted to  
7 Congress in support of the President's budget pursu-  
8 ant to section 1105 of title 31, United States Code,  
9 a report describing the number of acres of Federal  
10 land on which the Secretary concerned carried out  
11 hazardous fuels reduction activities during the pre-  
12 ceding fiscal year, as determined using—

13           (A) the methodology of the Secretary con-  
14 cerned in effect on the day before the date of  
15 enactment of this Act; and

16           (B) the methodology described in para-  
17 graph (2).

18       (2) REQUIREMENTS.—For purposes of a report  
19 required under paragraph (1), the Secretary con-  
20 cerned shall—

21           (A) in determining the number of acres of  
22 Federal land on which the Secretary concerned  
23 carried out hazardous fuels reduction activities  
24 during the period covered by the report—

1 (i) record acres of Federal land on  
2 which hazardous fuels reduction activities  
3 were completed during that period; and

4 (ii) record each acre described in  
5 clause (i) once in the report, regardless of  
6 whether multiple hazardous fuels reduction  
7 activities were carried out on that acre  
8 during the applicable period; and

9 (B) with respect to the acres of Federal  
10 land recorded in the report, include information  
11 relating to—

12 (i) which acres are located in the  
13 wildland-urban interface;

14 (ii) the level of hazard potential of the  
15 acres on the first and last day of the pe-  
16 riod covered by the report;

17 (iii) the types of hazardous fuels re-  
18 duction activities completed with respect to  
19 the acres, including a description of wheth-  
20 er those hazardous fuels reduction activi-  
21 ties were conducted—

22 (I) in a wildfire managed for re-  
23 source benefits; or

24 (II) through a planned hazardous  
25 fuels reduction project;

1 (iv) the cost per-acre of the hazardous  
2 fuels reduction activities carried out during  
3 the period covered by the report;

4 (v) the region or System unit in which  
5 the acres are located; and

6 (vi) the effectiveness of the hazardous  
7 fuels reduction activities with respect to re-  
8 ducing the risk of wildfire.

9 (3) TRANSPARENCY.—The Secretary concerned  
10 shall make each report submitted under paragraph  
11 (1) publicly available on the website of the Depart-  
12 ment of Agriculture or the Department of the Inte-  
13 rior, as applicable.

14 (c) ACCURATE DATA COLLECTION.—

15 (1) IN GENERAL.—Not later than 90 days after  
16 the date of enactment of this Act, the Secretary con-  
17 cerned shall implement standardized procedures for  
18 tracking data relating to hazardous fuels reduction  
19 activities carried out by the Secretary concerned.

20 (2) ELEMENTS.—The standardized procedures  
21 required under paragraph (1) shall include—

22 (A) regular, standardized data reviews of  
23 the accuracy and timely input of data used to  
24 track hazardous fuels reduction activities;

1 (B) verification methods that validate  
2 whether those data accurately correlate to the  
3 hazardous fuels reduction activities carried out  
4 by the Secretary concerned;

5 (C) an analysis of the short- and long-term  
6 effectiveness of the hazardous fuels reduction  
7 activities on reducing the risk of wildfire; and

8 (D) for hazardous fuels reduction activities  
9 that occur partially within the wildland-urban  
10 interface, methods to distinguish which acres  
11 are located within the wildland-urban interface  
12 and which acres are located outside the  
13 wildland-urban interface.

14 (3) REPORT.—Not later than 45 days after im-  
15 plementing the standardized procedures required  
16 under paragraph (1), the Secretary concerned shall  
17 submit to Congress a report that describes—

18 (A) the standardized procedures; and

19 (B) any programmatic or policy rec-  
20 ommendations to Congress to address limita-  
21 tions in tracking data relating to hazardous  
22 fuels reduction activities under this subsection.

23 (d) GAO STUDY.—Not later than 2 years after the  
24 date of enactment of this Act, the Comptroller General  
25 of the United States shall—

1           (1) conduct a study regarding the implementa-  
2           tion of this section, including any limitations with  
3           respect to—

4                   (A) reporting hazardous fuels reduction ac-  
5           tivities under subsection (b); or

6                   (B) tracking data relating to hazardous  
7           fuels reduction activities under subsection (c);  
8           and

9           (2) submit to Congress a report that describes  
10          the results of the study under paragraph (1).

11          (e) NO ADDITIONAL FUNDS AUTHORIZED.—

12               (1) IN GENERAL.—No additional funds are au-  
13          thorized to carry out this section.

14               (2) SUBJECT TO APPROPRIATIONS.—The activi-  
15          ties authorized by this section are subject to the  
16          availability of appropriations made in advance for  
17          those purposes.

18   **SEC. 303. PUBLIC-PRIVATE WILDFIRE TECHNOLOGY DE-**  
19                   **PLOYMENT AND DEMONSTRATION PARTNER-**  
20                   **SHIP.**

21          (a) DEFINITIONS.—In this section:

22               (1) COVERED AGENCY.—The term “covered  
23          agency” means—

24                   (A) each Federal land management agency  
25          (as defined in section 802 of the Federal Lands

1 Recreation Enhancement Act (16 U.S.C.  
2 6801));

3 (B) the Department of Defense;

4 (C) the Bureau of Indian Affairs;

5 (D) the National Oceanic and Atmospheric  
6 Administration;

7 (E) the Federal Emergency Management  
8 Agency;

9 (F) the National Aeronautics and Space  
10 Administration;

11 (G) the United States Fire Administration;

12 (H) a State, Tribal, county, or municipal  
13 fire department, fire district, land management  
14 agency, natural resources agency, or equivalent  
15 agency operating through the United States  
16 Fire Administration or pursuant to an agree-  
17 ment with a Federal agency; and

18 (I) any other Federal agency involved in  
19 wildfire response.

20 (2) COVERED ENTITY.—The term “covered en-  
21 tity” means—

22 (A) a private entity;

23 (B) a nonprofit organization; and



1 (C) an institution of higher education (as  
2 defined in section 101 of the Higher Education  
3 Act of 1965 (20 U.S.C. 1001)).

4 (3) PILOT PROGRAM.—The term “Pilot Pro-  
5 gram” means the deployment and demonstration  
6 pilot program established under subsection (b).

7 (b) ESTABLISHMENT.—Not later than 1 year after  
8 the date of enactment of this Act, the Executive Director  
9 shall establish a deployment and demonstration pilot pro-  
10 gram for new and innovative wildfire prevention, detec-  
11 tion, communication, response, and mitigation tech-  
12 nologies.

13 (c) FUNCTIONS.—In carrying out the Pilot Program,  
14 the Executive Director shall—

15 (1) consult with the National Wildfire Coordi-  
16 nating Group;

17 (2) in consultation with the heads of the cov-  
18 ered agencies, identify and advance the demonstra-  
19 tion and deployment of key technology priority  
20 areas, including for mature and commercially avail-  
21 able technologies, with respect to the deployment of  
22 wildfire prevention, detection, communication, and  
23 mitigation technologies, including—

1 (A) innovations in hazardous fuels reduc-  
2 tion activities or treatments, including the use  
3 of prescribed or cultural fire;

4 (B) spatial planning for unplanned human-  
5 caused ignitions;

6 (C) wildfire modeling and effectiveness al-  
7 gorithms;

8 (D) dispatch communications;

9 (E) remote sensing, detection, and track-  
10 ing;

11 (F) safety equipment;

12 (G) common operating pictures or oper-  
13 ational dashboards;

14 (H) interoperable commercial data;

15 (I) autonomous suppression systems;

16 (J) grid resilience;

17 (K) community resilience and home hard-  
18 ening; and

19 (L) prioritization and decision support  
20 tools;

21 (3) connect each covered entity selected to par-  
22 ticipate in the Pilot Program with the appropriate  
23 covered agency to coordinate real-time and on-the-  
24 ground testing of technology during wildfire mitiga-  
25 tion activities and training;

1           (4) define clear criteria for evaluating the suc-  
2           cess of technologies (including mature and commer-  
3           cially available technologies) demonstrated under the  
4           Pilot Program, focusing on effectiveness, scalability,  
5           and cost-efficiency; and

6           (5) coordinate with covered agencies to ensure  
7           the efficient deployment of scaled technologies, in-  
8           cluding through expanded public-private partner-  
9           ships.

10          (d) APPLICATIONS.—To be eligible to participate in  
11          the Pilot Program, a covered entity shall submit to the  
12          Executive Director an application at such time, in such  
13          manner, and containing such information as the Executive  
14          Director may require, including a proposal to demonstrate  
15          technologies specific to key technology priority areas iden-  
16          tified under subsection (c)(2).

17          (e) EXISTING PARTNERSHIPS.—

18               (1) IN GENERAL.—A covered agency may sub-  
19               mit a statement to the Executive Director describing  
20               the effectiveness, scalability, and cost-efficiency of  
21               an existing partnership, pilot project, or contract a  
22               covered entity providing a technology described in  
23               subsection (c)(2).

24               (2) SUCCESSFULNESS.—The Executive Director  
25               may deem a technology described in a statement

1 submitted under paragraph (1) to be a successful  
2 technology for purposes of this section.

3 (f) OUTREACH.—The Executive Director, in coordi-  
4 nation with the heads of the covered agencies, shall make  
5 publicly available the key technology priority areas identi-  
6 fied under subsection (c)(2) and invite covered entities to  
7 apply under subsection (d) to deploy and demonstrate  
8 technologies to address those priority areas.

9 (g) REPORTS AND RECOMMENDATIONS.—Not later  
10 than 180 days after the date of establishment of the Pilot  
11 Program, and annually thereafter for the duration of the  
12 Pilot Program, the Executive Director shall submit to the  
13 Committee on Commerce, Science, and Transportation of  
14 the Senate, the Committee on Science, Space, and Tech-  
15 nology of the House of Representatives, and the relevant  
16 committees of Congress a report that includes the fol-  
17 lowing with respect to the Pilot Program:

18 (1) A brief description of potential technologies  
19 deployed and demonstrated.

20 (2) An estimate of the cost of acquiring each  
21 such technology and applying the technology at  
22 scale.

23 (3) Outreach efforts by covered agencies to cov-  
24 ered entities developing wildfire technologies.

1           (4) Assessments of, and recommendations relat-  
2           ing to, new technologies with potential adoption and  
3           application at-scale in the wildfire prevention, detec-  
4           tion, communication, and mitigation efforts of Fed-  
5           eral land management agencies (as defined in sec-  
6           tion 802 of the Federal Lands Recreation Enhance-  
7           ment Act (16 U.S.C. 6801)).

8           (5) A description of the relationship and coordi-  
9           nation between the Pilot Program and the activities  
10          of the National Oceanic and Atmospheric Adminis-  
11          tration, including the Fire Weather Testbed.

12          (h) SUNSET.—The Pilot Program terminates on the  
13          date that is 7 years after the date of enactment of this  
14          Act.

15   **SEC. 304. GAO STUDY ON FOREST SERVICE POLICIES.**

16          Not later than 3 years after the date of enactment  
17          of this Act, the Comptroller General of the United States  
18          shall—

19                (1) conduct a study evaluating—

20                    (A) the effectiveness of Forest Service  
21                    wildland firefighting operations;

22                    (B) transparency and accountability meas-  
23                    ures in the budget and accounting process of  
24                    the Forest Service; and

1 (C) the suitability and feasibility of estab-  
2 lishing a new Federal agency with responsibility  
3 for responding to, and suppressing, wildfires on  
4 Federal land; and  
5 (2) submit to Congress a report that describes  
6 the results of the study under paragraph (1).

7 **SEC. 305. KEEPING FOREST PLANS CURRENT AND MON-**  
8 **ITORED.**

9 (a) IN GENERAL.—The Secretary shall—  
10 (1) to the maximum extent practicable and sub-  
11 ject to the availability of appropriations—  
12 (A) ensure that each forest plan for a unit  
13 of the National Forest System is in compliance  
14 with the applicable requirements of section  
15 6(f)(5)(A) of the Forest and Rangeland Renew-  
16 able Resources Planning Act of 1974 (16  
17 U.S.C. 1604(f)(5)(A)); and  
18 (B) prioritize revising any forest plan not  
19 in compliance with that section;  
20 (2) not be considered to be in violation of sec-  
21 tion 6(f)(5)(A) of the Forest and Rangeland Renew-  
22 able Resources Planning Act of 1974 (16 U.S.C.  
23 1604(f)(5)(A)) solely because more than 15 years  
24 have passed without revision of the plan for a unit  
25 of the National Forest System;

1           (3) not later than 120 days after the date of  
2           enactment of this Act, submit to the relevant com-  
3           mittees of Congress a notice describing the date on  
4           which each forest plan referred to in paragraph  
5           (1)(A) was most recently revised, amended, or other-  
6           wise modified;

7           (4) seek to publish a new, complete version of  
8           any forest plan that the Secretary has been directed  
9           by court order to amend, revise, or modify by not  
10          later than 60 days after the date of the amendment,  
11          revision, or modification, subject to the availability  
12          of appropriations made in advance for that purpose;  
13          and

14          (5) maintain a central, publicly accessible  
15          website with links to—

16                (A) the most recently available forest plan  
17                adopted, amended, or modified by a court order  
18                as a single document; and

19                (B) the most recently published forest plan  
20                monitoring report for the administrative unit.

21          (b) GOOD FAITH UPDATES.—If the Secretary fails  
22          to act expeditiously and in good faith using available fund-  
23          ing to revise, amend, or modify a plan for a unit of the  
24          National Forest System as required by an applicable law  
25          or court order—

1           (1) subsection (a) shall be void with respect to  
2       the plan; and

3           (2) a court of competent jurisdiction may order  
4       completion of the plan on an accelerated basis.

5       (c) REPORT.—Not later than 1 year after the date  
6 of enactment of this Act, the Secretary shall submit to  
7 the relevant committees of Congress a report summarizing  
8 the implementation of this section.

9       (d) SUNSET.—The authority under this section ter-  
10 minates on September 30, 2031.

11 **SEC. 306. CONTAINER AERIAL FIREFIGHTING SYSTEM.**

12       (a) EVALUATION.—Not later than 1 year after the  
13 date of enactment of this Act, the Secretaries, in consulta-  
14 tion with the National Interagency Aviation Committee  
15 and the Interagency Airtanker Board, shall jointly conduct  
16 an evaluation of the container aerial firefighting system  
17 to assess the use of that system to mitigate and suppress  
18 wildfires.

19       (b) REPORT.—Not later than 30 days after the date  
20 of completion of the evaluation under subsection (a), the  
21 Secretaries, in consultation with the National Interagency  
22 Aviation Committee and the Interagency Airtanker Board,  
23 shall jointly submit to the relevant committees of Congress  
24 a report that describes the results of the evaluation under  
25 subsection (a).



1 **SEC. 307. STUDY ON PINE BEETLE INFESTATION.**

2 Not later than 1 year after the date of enactment  
3 of this Act, the Secretary, acting through the Chief of the  
4 Forest Service, shall—

5 (1) carry out a study relating to the causes and  
6 effects of, and solutions for, the infestation of pine  
7 beetles in the Northeastern region of the United  
8 States; and

9 (2) submit to the relevant committees of Con-  
10 gress a report that describes the results of the study  
11 under paragraph (1).

12 **Subtitle B—White Oak Resilience**

13 **SEC. 311. WHITE OAK RESTORATION INITIATIVE COALI-**  
14 **TION.**

15 (a) IN GENERAL.—There is established a coalition,  
16 to be known as the “White Oak Restoration Initiative Coa-  
17 lition” (referred to in this section as the “Coalition”)—

18 (1) as a voluntary collaborative group of Fed-  
19 eral, State, and local governments, Indian Tribes,  
20 and private and nongovernmental organizations the  
21 purpose of which is to carry out the duties described  
22 in subsection (b); and

23 (2) in accordance with the charter entitled  
24 “White Oak Initiative Coalition Charter” adopted by  
25 the White Oak Initiative Board of Directors on  
26 March 21, 2023 (or a successor charter).

1 (b) DUTIES.—In addition to the duties specified in  
2 the charter referred to in subsection (a)(2), the duties of  
3 the Coalition are—

4 (1) to coordinate Federal, State, Tribal, local,  
5 private, and nongovernmental activities for the res-  
6 toration of white oak trees and forests that support  
7 white oak trees in the United States; and

8 (2) to make program and policy recommenda-  
9 tions, consistent with applicable forest management  
10 plans, with respect to—

11 (A) changes necessary to address Federal  
12 and State policies that impede activities to im-  
13 prove the health, resiliency, and natural regen-  
14 eration of white oak trees;

15 (B) adopting or modifying Federal and  
16 State policies to increase the pace and scale of  
17 white oak regeneration and the resiliency of  
18 white oak trees;

19 (C) options to enhance communication, co-  
20 ordination, and collaboration among forest land  
21 owners, particularly with respect to cross-  
22 boundary projects, to improve the health, resil-  
23 iency, and natural regeneration of white oak  
24 trees;

1 (D) research gaps that should be ad-  
2 dressed to improve the best available science on  
3 white oaks;

4 (E) outreach to forest landowners the land  
5 of which possesses white oak trees or white oak  
6 regeneration potential, as determined by the  
7 Coalition; and

8 (F) options and policies necessary to im-  
9 prove the quality and quantity of white oak  
10 trees in tree nurseries.

11 (c) ADMINISTRATIVE, STAFFING, AND TECHNICAL  
12 SUPPORT.—The Secretaries shall make available to the  
13 Coalition such personnel for administrative support, tech-  
14 nical services, and the development and dissemination of  
15 educational materials as those Secretaries determine to be  
16 necessary to carry out this section.

17 (d) PRIVATE FUNDING.—Subject to the availability  
18 of appropriations made in advance for that purpose, the  
19 Secretary may make funds available to the Coalition to  
20 carry out this section from the account established pursu-  
21 ant to section 1241(f) of the Food Security Act of 1985  
22 (16 U.S.C. 3841(f)).

23 **SEC. 312. FOREST SERVICE PILOT PROGRAM.**

24 (a) IN GENERAL.—The Secretary, acting through the  
25 Chief of the Forest Service, shall establish and carry out

1 5 pilot projects in units of the National Forest System  
2 to restore white oak trees in those units through white  
3 oak restoration and natural regeneration practices that  
4 are consistent with applicable forest management plans.

5 (b) REQUIREMENT.—Of the pilot projects carried out  
6 under subsection (a), not fewer than 3 shall be carried  
7 out on units of the National Forest System that are re-  
8 served or withdrawn from the public domain.

9 (c) COOPERATIVE AGREEMENTS.—The Secretary  
10 may enter into cooperative agreements to carry out the  
11 pilot projects under this section.

12 (d) SUNSET.—The authority under this section ter-  
13 minates on the date that is 7 years after the date of enact-  
14 ment of this Act.

15 **SEC. 313. DEPARTMENT OF THE INTERIOR WHITE OAK RE-**  
16 **VIEW AND RESTORATION.**

17 (a) ASSESSMENT.—

18 (1) IN GENERAL.—The Secretary of the Inte-  
19 rior shall carry out an assessment of land under the  
20 administrative jurisdiction of the Department of the  
21 Interior, including fish and wildlife refuges and  
22 abandoned mine land, to evaluate—

23 (A) whether white oak trees are present on  
24 the land; and

1 (B) the potential to restore white oak for-  
2 ests on the land.

3 (2) USE OF INFORMATION.—In carrying out the  
4 assessment under paragraph (1), the Secretary of  
5 the Interior may use information from sources other  
6 than the Department of the Interior, including the  
7 White Oak Initiative and the Forest Service.

8 (3) REPORT.—Not later than 90 days after the  
9 date of enactment of this Act, the Secretary of the  
10 Interior shall submit to Congress, and make publicly  
11 available on the website of the Department of the  
12 Interior, a report describing the results of the as-  
13 sessment carried out under this subsection.

14 (b) PILOT PROJECTS.—After the date of submission  
15 of the report under subsection (a)(3), the Secretary of the  
16 Interior shall establish and carry out 5 pilot projects in  
17 different areas of land described in subsection (a)(1) to  
18 restore and naturally regenerate white oak trees.

19 (c) COOPERATIVE AGREEMENTS.—The Secretary of  
20 the Interior may enter into cooperative agreements to  
21 carry out the pilot projects under subsection (b).

22 (d) SUNSET.—The authority under this section ter-  
23 minates on the date that is 7 years after the date of enact-  
24 ment of this Act.

1 **SEC. 314. WHITE OAK REGENERATION AND UPLAND OAK**  
2 **HABITAT.**

3 (a) ESTABLISHMENT.—Not later than 180 days after  
4 the date of enactment of this Act, the Secretary shall es-  
5 tablish a nonregulatory program, to be known as the  
6 “White Oak and Upland Oak Habitat Regeneration Pro-  
7 gram” (referred to in this section as the “Program”).

8 (b) PURPOSES.—The purposes of the Program shall  
9 include—

10 (1) coordinating restoration and conservation  
11 activities among Federal, State, and local entities,  
12 Indian Tribes, and conservation partners to address  
13 white oak restoration priorities;

14 (2) improving and regenerating white oak and  
15 upland oak forests and the wildlife habitat such for-  
16 ests provide;

17 (3) carrying out coordinated restoration and  
18 conservation activities that lead to the increased  
19 growth of species of white oak in native white oak  
20 regions;

21 (4) facilitating strategic planning to maximize  
22 the resilience of white oak systems and habitats  
23 under changing climate conditions;

24 (5) engaging the public through outreach, edu-  
25 cation, and citizen involvement to increase capacity

1 and support for coordinated restoration and con-  
2 servation activities for species of white oak; and

3 (6) increasing scientific capacity to support the  
4 planning, monitoring, and research activities nec-  
5 essary to carry out such coordinated restoration and  
6 conservation activities.

7 (c) CONSULTATION.—In establishing the Program,  
8 the Secretary, acting through the Chief of the Forest Serv-  
9 ice, shall consult with—

10 (1) the heads of Federal agencies, including—

11 (A) the Director of the United States Fish  
12 and Wildlife Service; and

13 (B) the Chief of the Natural Resources  
14 Conservation Service;

15 (2) the Governor of each State in which res-  
16 toration efforts will be carried out pursuant to the  
17 Program; and

18 (3) Indian Tribes.

19 (d) DUTIES.—In carrying out the Program, the Sec-  
20 retary shall—

21 (1) draw on the best available science and man-  
22 agement plans for species of white oak to identify,  
23 prioritize, and implement restoration and conserva-  
24 tion activities that will improve the growth of white  
25 oak trees in the United States;

1           (2) collaborate and coordinate with the White  
2       Oak Restoration Initiative Coalition established by  
3       section 311(a) to prioritize white oak restoration ini-  
4       tiatives;

5           (3) adopt a white oak restoration strategy  
6       that—

7           (A) supports the implementation of a  
8       shared set of science-based restoration and con-  
9       servation activities developed in accordance with  
10      paragraph (1);

11          (B) targets cost-effective projects with  
12      measurable results; and

13          (C) maximizes restoration outcomes with  
14      no net gain of Federal full-time equivalent em-  
15      ployees; and

16          (4) establish voluntary grant and technical as-  
17      sistance programs in accordance with subsection (e).

18      (e) GRANTS AND ASSISTANCE.—

19          (1) DEFINITIONS.—In this subsection:

20           (A) FOUNDATION.—The term “Founda-  
21      tion” means the National Fish and Wildlife  
22      Foundation.

23           (B) GRANT PROGRAM.—The term “grant  
24      program” means the voluntary grant and tech-



1            nical assistance program established under  
2            paragraph (2).

3            (2) ESTABLISHMENT.—To the extent that  
4            funds are available to carry out this section, the Sec-  
5            retary shall establish a voluntary grant and technical  
6            assistance program to achieve the purposes of the  
7            Program described in subsection (b).

8            (3) ADMINISTRATION.—

9                    (A) IN GENERAL.—The Secretary shall  
10            offer to enter into a cooperative agreement with  
11            the Foundation to manage and administer the  
12            grant program.

13                    (B) FUNDING.—Subject to the availability  
14            of appropriations made in advance for that pur-  
15            pose, on entering into a cooperative agreement  
16            with the Foundation under subparagraph (A),  
17            the Secretary shall pay to the Foundation to  
18            carry out this subsection for each fiscal year an  
19            advance payment of the entire amount for the  
20            applicable fiscal year—

21                    (i) on October 1 of that fiscal year; or

22                    (ii) as soon as practicable thereafter.

23            (4) APPLICATION OF NATIONAL FISH AND  
24            WILDLIFE FOUNDATION ESTABLISHMENT ACT.—

25            Amounts received by the Foundation to carry out

1 the grant program shall be subject to the National  
2 Fish and Wildlife Foundation Establishment Act (16  
3 U.S.C. 3701 et seq.), excluding section 10(a) of that  
4 Act (16 U.S.C. 3709(a)).

5 (f) SUNSET.—The authority under this section termi-  
6 nates on the date that is 7 years after the date of enact-  
7 ment of this Act.

8 **SEC. 315. TREE NURSERY SHORTAGES.**

9 (a) IN GENERAL.—Not later than 1 year after the  
10 date of enactment of this Act, the Secretary, acting  
11 through the Chief of the Forest Service, shall—

12 (1) develop and implement a national strategy  
13 to increase the capacity of Federal, State, and pri-  
14 vate tree nurseries and tree nurseries of Indian  
15 Tribes to address the nationwide shortage of tree  
16 seedlings; and

17 (2) coordinate the strategy under paragraph (1)  
18 with—

19 (A) the national reforestation strategy of  
20 the Forest Service; and

21 (B) each regional implementation plan for  
22 National Forests.

23 (b) ELEMENTS.—The strategy required under sub-  
24 section (a) shall—

1           (1) be based on the best available science and  
2       data, including the consideration of Indigenous  
3       knowledge; and

4           (2) identify and address—

5               (A) regional seedling shortages of bareroot  
6       and container tree seedlings;

7               (B) regional reforestation opportunities  
8       and the seedling supply necessary to fulfill  
9       those opportunities;

10              (C) opportunities to enhance seedling di-  
11       versity, improve quality, quantity, genetic re-  
12       sources, and availability, and close gaps in seed  
13       inventories; and

14              (D) barriers to expanding, enhancing, or  
15       creating new infrastructure to increase nursery  
16       capacity.

17 **SEC. 316. WHITE OAK RESEARCH.**

18       (a) DEFINITION OF ELIGIBLE INSTITUTION.—In this  
19       section, the term “eligible institution” means an institu-  
20       tion of higher education, including an 1862 Institution,  
21       an 1890 Institution, and a 1994 Institution (as those  
22       terms are defined in section 2 of the Agricultural Re-  
23       search, Extension, and Education Reform Act of 1998 (7  
24       U.S.C. 7601)).

1 (b) RESEARCH.—The Secretary may enter into a  
2 memorandum of understanding with an Indian Tribe or  
3 an eligible institution to collaboratively conduct research  
4 relating to—

5 (1) white oak genes with resistance or tolerance  
6 to stress;

7 (2) white oak trees that exhibit heritable vigor  
8 for the purpose of increasing survival and growth;

9 (3) establishing a genetically diverse white oak  
10 seed bank capable of responding to stressors;

11 (4) providing a sustainable supply of white oak  
12 seedlings and genetic resources;

13 (5) improved methods for aligning seed sources  
14 with the future climate at planting sites;

15 (6) reforestation of white oak trees through  
16 natural and artificial regeneration;

17 (7) improved methods for retaining and increas-  
18 ing white oak trees in forests;

19 (8) improved methods for reforesting aban-  
20 doned mine land sites; and

21 (9) economic and social aspects of white oak  
22 forest management across land ownerships.

23 (c) CONSULTATION.—In carrying out research under  
24 subsection (b), an Indian Tribe or eligible institution may  
25 consult with such States, nonprofit organizations, and

1 other institutions of higher education and scientific enti-  
2 ties as the Indian Tribe or eligible institution determines  
3 to be appropriate.

4 (d) SUNSET.—The authority under this section ter-  
5 minates on the date that is 7 years after the date of enact-  
6 ment of this Act.

7 **SEC. 317. USDA FORMAL INITIATIVE.**

8 (a) IN GENERAL.—The Secretary, acting through the  
9 Chief of the Natural Resources Conservation Service and  
10 in coordination with the Chief of the Forest Service, shall  
11 establish a formal initiative on white oak trees—

12 (1) to reestablish white oak forests where ap-  
13 propriate;

14 (2) to improve the management of existing  
15 white oak forests to foster natural regeneration of  
16 white oak trees;

17 (3) to provide technical assistance to private  
18 landowners to reestablish, improve the management  
19 of, and naturally regenerate white oak trees;

20 (4) to improve and expand white oak nursery  
21 stock; and

22 (5) to adapt and improve white oak seedlings.

23 (b) SUNSET.—The authority under this section ter-  
24 minates on the date that is 7 years after the date of enact-  
25 ment of this Act.

1 **SEC. 318. USE OF AUTHORITIES.**

2 To the maximum extent practicable, the Secretaries  
3 shall use the authorities provided under this title in com-  
4 bination with other authorities to carry out projects, in-  
5 cluding—

6 (1) good neighbor agreements entered into  
7 under section 8206 of the Agricultural Act of 2014  
8 (16 U.S.C. 2113a) (as amended by this Act); and

9 (2) stewardship contracting projects entered  
10 into under section 604 of the Healthy Forests Res-  
11 toration Act of 2003 (16 U.S.C. 6591c) (as amend-  
12 ed by this Act).

13 **TITLE IV—ENSURING CASUALTY**  
14 **ASSISTANCE FOR FIREFIGHTERS**

15 **SEC. 401. WILDLAND FIRE MANAGEMENT CASUALTY AS-**  
16 **SISTANCE PROGRAM.**

17 (a) DEFINITIONS.—In this section:

18 (1) NEXT-OF-KIN.—The term “next-of-kin”,  
19 with respect to an individual, means a person in the  
20 highest category of priority in relation to that indi-  
21 vidual, as determined in accordance with the fol-  
22 lowing (in descending order of priority):

23 (A) A legal spouse of the individual.

24 (B) A child (whether by current or prior  
25 marriage) aged 18 years or older of the indi-

1           vidual, in descending order of precedence by  
2           age.

3           (C) The father or mother of the individual,  
4           unless custody has been vested by court order  
5           in another individual, with an adoptive parent  
6           taking precedence over a natural parent.

7           (D) A sibling (whether whole or half) aged  
8           18 years or older of the individual, in descend-  
9           ing order of precedence by age.

10          (E) A grandfather or grandmother of the  
11          individual.

12          (F) Any other relative of the individual,  
13          with the order of precedence to be determined  
14          in accordance with the civil laws of descent of  
15          the State of domicile of the individual at time  
16          of death.

17          (2) PROGRAM.—The term “program” means  
18          the Wildland Fire Management Casualty Assistance  
19          Program established under subsection (b).

20          (b) ESTABLISHMENT.—Not later than 180 days after  
21          the date of enactment of this Act, the Secretary of the  
22          Interior shall establish a program, to be known as the  
23          “Wildland Fire Management Casualty Assistance Pro-  
24          gram”, to provide assistance to the next-of-kin of—

25                (1) firefighters who, while in the line of duty—

1 (A) are killed;

2 (B) require hospitalization or treatment at  
3 a medical facility due to a critical injury; or

4 (C) suffer illness as a result of an exposure  
5 or incident occurring during that line of duty;  
6 and

7 (2) wildland fire support personnel who are  
8 killed or require hospitalization or treatment at a  
9 medical facility due to a critical injury in the line of  
10 duty.

11 (c) ELEMENTS.—The program shall address each of  
12 the following:

13 (1) The initial, and any subsequent, notification  
14 to the next-of-kin of firefighters or wildland fire sup-  
15 port personnel who—

16 (A) are killed in the line of duty; or

17 (B) require hospitalization or treatment at  
18 a medical facility due to a critical injury or ill-  
19 ness in the line of duty.

20 (2) The reimbursement of next-of-kin for ex-  
21 penses associated with travel to visit firefighters or  
22 wildland fire support personnel who—

23 (A) are killed in the line of duty; or



1 (B) require hospitalization or treatment at  
2 a medical facility due to a critical injury or ill-  
3 ness in the line of duty.

4 (3) The qualifications, assignment, training, du-  
5 ties, supervision, and accountability for the perform-  
6 ance of casualty assistance responsibilities.

7 (4) The relief or transfer of casualty assistance  
8 officers, including notification to survivors of critical  
9 injury or illness in the line of duty of the reassign-  
10 ment of those officers to other duties.

11 (5) Centralized short-term and long-term case  
12 management procedures for casualty assistance, in-  
13 cluding rapid access to expert case managers and  
14 counselors by—

15 (A) survivors of firefighters or wildland  
16 fire support personnel; and

17 (B) casualty assistance officers.

18 (6) The provision, through a computer-acces-  
19 sible website and other means and at no cost to sur-  
20 vivors or next-of-kin of firefighters or wildland fire  
21 support personnel, of personalized, integrated infor-  
22 mation relating to Federal benefits and Federal fi-  
23 nancial assistance available to those survivors and  
24 next-of-kin.

1           (7) The provision to survivors and next-of-kin  
2           of firefighters or wildland fire support personnel of  
3           information relating to mechanisms for registering  
4           complaints about, or requests for, additional assist-  
5           ance related to casualty assistance.

6           (8) Liaison with the Department of Agriculture,  
7           the Department of Justice, and the Social Security  
8           Administration to ensure prompt and accurate reso-  
9           lution of issues relating to benefits administered by  
10          those agencies for survivors of firefighters or  
11          wildland fire support personnel.

12          (9) Data collection, in consultation with the  
13          United States Fire Administration and the National  
14          Institute for Occupational Safety and Health, re-  
15          garding the incidence and quality of casualty assist-  
16          ance provided to survivors and next-of-kin of fire-  
17          fighters or wildland fire support personnel.

18          (d) NO EFFECT ON OTHER LINE-OF-DUTY DEATH  
19          BENEFITS.—The program shall not affect any existing au-  
20          thority for line-of-duty death benefits for Federal fire-  
21          fighters or wildland fire support personnel.